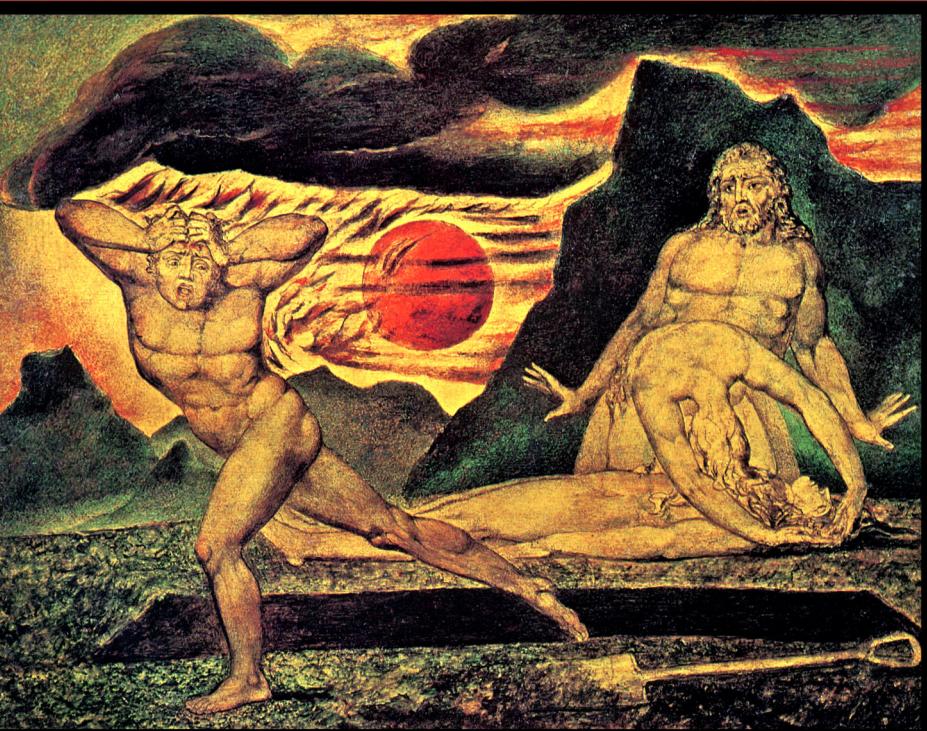
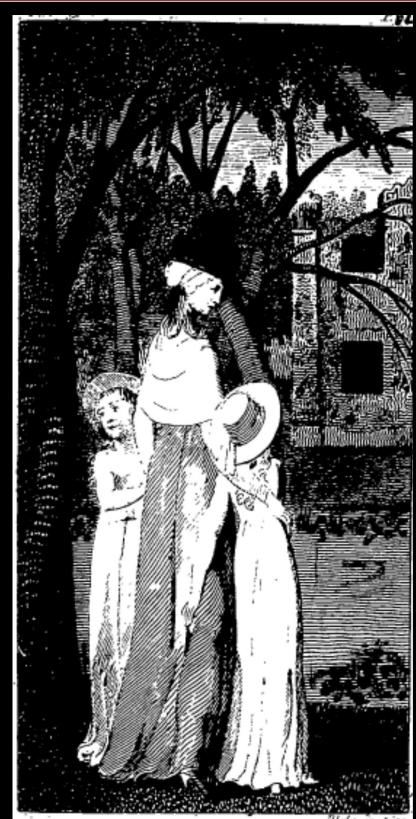


PHRONESIS

An Ethics Primer with Readings



Henry Imler, Editor

Phronesis

An Ethics Primer with Readings

Editor: Henry Imler

Phronesis: An Ethics Primer with Readings

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Introduction

Welcome to Ethics! This field of study can be thought of in several ways, but for our purposes, we will think of Ethics as the study of applied value.¹ When we *talk* about Ethics, we are generally talking about one of three things:

1. Descriptive Ethics,
2. Normative Ethics, or
3. Metaethics.

Descriptive Ethics is describing what and how a person or group thinks about right and wrong. The goal is to *understand* the Other. Here we are not attempting to *evaluate* the Other's positions. We will not be spending much time doing descriptive ethics – we will leave that to the fields of Religious Studies, Sociology, History, et cetera.

Normative Ethics is the process of figuring out what is morally permissible or impermissible by applying a moral theory to a given problem or situation. The goal is to *figure out* what is right and wrong. Another way of saying this is that normative ethics is the *do-ing* of ethics. We will be spending a portion of our time in this course doing normative ethics. You will encounter lots of moral dilemmas, thought experiments, and historical reflections that will challenge you to coherently apply a given (or your own) moral approach to the problem to create solutions.

Metaethics is the process of thinking about Ethics itself.² This is what we will primarily be concerning ourselves with in this class. Some questions we will cover will include the following.

- What is the nature of value? Is it a fiction, created, or discovered?
- What beings are valuable (and to what degree)?
- What is the right or wrong making feature of our actions?
- What determines a valuable life (the good life)?

We will also look at various moral theories that have been posed as methods of determining what is moral and immoral. Major approaches include:

- Natural Law Theory,
- Utilitarianism,

¹ Mark Schroeder, "Value Theory," in *The Stanford Encyclopedia of Philosophy*, ed. Edward N. Zalta, Fall 2016 (Metaphysics Research Lab, Stanford University, 2016),
<https://plato.stanford.edu/archives/fall2016/entries/value-theory/>.

² Geoff Sayre-McCord, "Metaethics," in *The Stanford Encyclopedia of Philosophy*, ed. Edward N. Zalta, Summer 2014 (Metaphysics Research Lab, Stanford University, 2014),
<https://plato.stanford.edu/archives/sum2014/entries/metaethics/>.

- Deontology, and
- Virtue Ethics.

Our goal here is to understand the nature of Ethics and determine which ethical approaches are worthwhile. We might ask if the approach is coherent (consistent with itself without contradiction), complete (is able to address most ethical questions), pragmatic (is able to be lived out), et cetera. In this class, we will primarily be doing Metaethics.

Philosophy, Critical Thinking, and Ethics

We've said that Ethics is a branch of Philosophy, but what *is* Philosophy? Like with Ethics, there are a lot of ways to think about and define Philosophy. In our class, we will think about Philosophy as "rational, critical inquiry into the Cosmos." So, let's look at each element of the definition in turn.

By **inquiry** we simply mean *questioning*. We invoke the notions of curiosity and a drive to understand. We pose problems. We try to look at issues from as many viewpoints as possible. We try out new conceptualizations.

By **rational thinking**, we mean refer to thinking governed *reason* instead of

- **culture**, what our people happen to be doing and thinking;
- **mysticism**, rooted in ineffable experiences reduced to symbolic descriptions; or
- **emotion**, intense responses to stimuli not rooted in conscious thought.

Notice that the above modes of thinking are not bad or illegitimate, just that they do not constitute rational thinking. Rational thinking is characterized by

- **coherence** - each element of our reasoning fits with all other elements;
- **pragmatism** - the product of our reasoning is workable in everyday life; and
- **correspondence** - our ideas, premises, and conclusions match up with the world itself, insofar as we are able to measure and observe phenomena.

By **critical thinking**, we refer to thinking that is recursive in nature. Any time we encounter new information or new ideas, we double back and rethink our prior conclusions on the subject to see if any other conclusions are better suited.³

³ This discussion of critical thinking is drawn from Professor Barrett's critical thinking model. For more, see Mike Barrett, "Critical Thinking," in *Reading, Thinking, Writing* (LOGOS Project at MACC, 2017), <https://app.box.com/s/smd3oexhfevqpkjhwx3v7zmydnfw75l>.

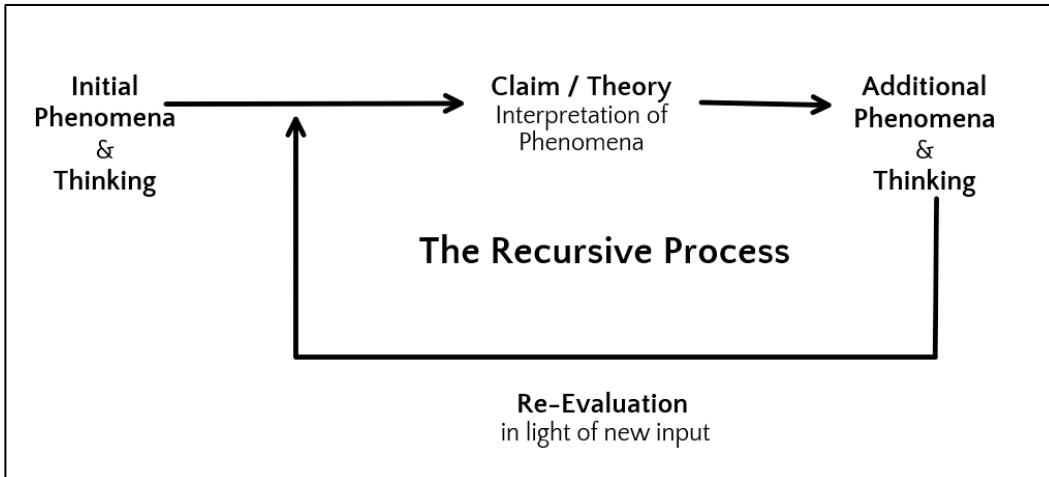


Figure 1 - The Critical Thinking Process

Critical thinking can be contrasted with **Authoritarian thinking**. This type of thinking seeks to *preserve* the original conclusion. Here, thinking and conclusions are policed, as to question the system is to threaten the system. And threats to the system demand a defensive response. Critical thinking is short-circuited in authoritarian systems so that the conclusions are *conserved* instead of being open for revision.

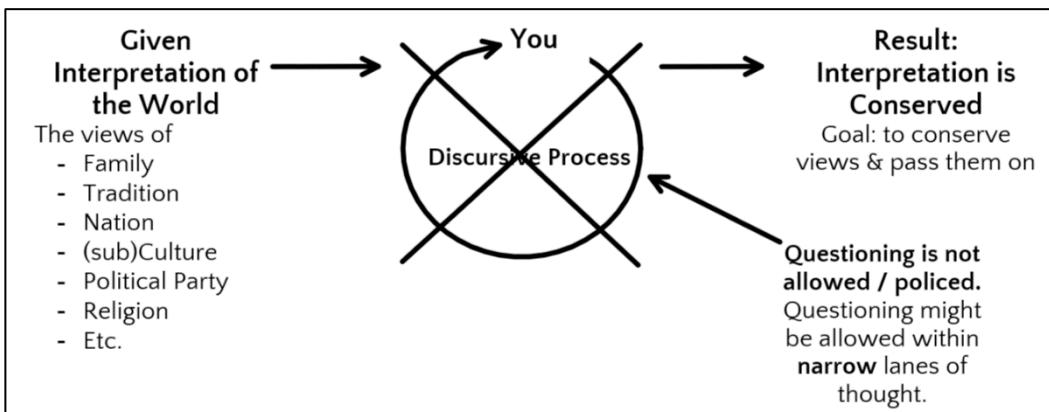


Figure 2 - The Authoritarian Thinking Process

We might also frame critical thinking in terms of having an open vs. an arrogant mind. The Greek philosopher Plato used two terms that help us name poor thinking. In the dialog *Alcibiades*, Socrates accuses his friend of being both ignorant and stupid.⁴ **Agnoeo** (*ignorance*) for Plato, is a *simple lack of knowledge* – something which can be fixed with ease. **Amathia** (*stupidity*), on the other hand, is a *lack of awareness of one's*

⁴ Plato, "Alcibiades," in *Plato in 12 Volumes*, trans. Harold North Fowler, vol. 1 (London: Harvard University Press, 1966), sec. 118b, <http://data.perseus.org/citations/urn:cts:greekLit:tlg0059.tlg013.perseus-eng1:118b>.

ignorance.⁵ The opposite of amathia is not knowledge itself, but of an **awareness of one's ignorance**. Socrates, in *The Apology*, concludes his search for wisdom in realizing that he is ignorant.⁶ And so humility and vulnerability are key parts of critical thinking.

Finally, we have **Cosmos**. By this we mean that Philosophy is curious about *everything*. There is nothing under the Sun (or beyond it) that Philosophy does not seek to understand, to investigate, to wonder. That's right, for everything one encounters – from how triangles work to the rate of evaporation of black holes, to methods of defeating fascism, we can engage it with philosophic inquiry. Because of this unique relationship to all fields of inquiry, Philosophy has been called the Mother of the Sciences.⁷

Nearly all of what we now consider Science began as a field of philosophic inquiry that has developed into a highly specialized sub-field. This is true of Math, Biology, Physics, et cetera. In these fields, we not only have been tremendously successful in predicting outcomes, but more importantly, we are able to rely upon either *logic* (relation between ideas) or *empiricism* (observation and measurement). But there are some questions that empiricism cannot address.

What we commonly refer to as Philosophy are those questions that are left over from the success of the sciences. We have, for example:

- "What is the nature of knowledge (epistemology)?";
- "What is the nature of being (metaphysics)?";
- "What is the nature of value (axiology)?"; and
- "What is the nature of justice (politics)?".

Notice that all of these questions are

1. important; and
2. not answerable by means of mere reasoning and empiricism.

Therefore, they are difficult to fully resolve.

But this does not mean that we can answer them however we want – or that each

⁵ Euripides, in *Bacchae*, invokes the idea of "willful blindness" with this term. See Robert Scott and H.G. Liddell, *An Intermediate Greek-English Lexicon* (Oxford, New York: Oxford University Press, 1945). and Euripides and T.A. Buckley, "Bacchae," in *The Tragedies of Euripides* (London: Henry G. Bohn, 1850), l. 490, <http://data.perseus.org/citations/urn:cts:greekLit:tlg0006.tlg017.perseus-eng1:476-518>.

⁶ Plato, "The Apology," in *Plato in 12 Volumes*, trans. Harold North Fowler, vol. 1 (London: Harvard University Press, 1966), secs. 20e-23c, <http://data.perseus.org/citations/urn:cts:greekLit:tlg0059.tlg002.perseus-eng1:20e>.

⁷ Edward Grant, *The Nature of Natural Philosophy in the Late Middle Ages (Studies in Philosophy and the History of Philosophy, Volume 52)* (CUA Press, 2010), 164.

attempt to answer them is equally valid. We do expect certain things from possible good answers. Here we will return to the three criteria we listed above: coherence, pragmatism, and correspondence. Our answers to each of these questions should have one or more of those attributes. Those answers that don't should be discarded; those that do should be *tentatively* accepted.

And so, Philosophy is hard. For one, we can never have certain answers – and there is comfort in feeling certain. The only certainty in Philosophy comes from so-called “Negative Philosophy” – in identifying what answers don’t work, aren’t coherent, or are disconnected with what we observe in the world.^{8,9} Second, part of the reason it can feel so annoying is because it seems like it should not be hard. After all, philosophy is focused upon thinking, and we all think – thinking is easy! (Right?) We do it without...well, thinking. Yet philosophy involves not just thinking but *thinking well*. Of course, it is true that we all think. But thinking, like basketball, Math, baking and singing, is something we can get better at. So, one of our aims in this course is to get better at thinking about Ethics.

Admittedly, doing philosophy will not *solve* the problems of the world (even though it might point us in the right direction). But if you engage with philosophy, then you will be developing yourself as a thinker who thinks well, sometimes called a critical thinker. This is why philosophy is useful not merely to would-be philosophers, but also to *any* would-be thinkers, perhaps heading off to make decisions in law, medicine, structural engineering – just about anything that requires you to think effectively and clearly. And so doing philosophy is valuable for everyone.

However, if Philosophy is hard, then Ethics is really hard. This might seem unlikely at first glance. After all, Ethics deals with issues of right and wrong, and we have been discussing “what is right” and “what is wrong” since we were children. Not only that, but doesn’t “common sense” tell us what is right and wrong? Or doesn’t everyone automatically know right from wrong? Or doesn’t everyone have their “own truth” that is “true for them” and them alone? Metaethics reveals to us that none of these popular positions are self-evident and that we have to do the work to show why and how we should hold these positions. Additionally, we might ask what common sense is. Is it some innate understanding that everyone has or is it merely a set of assumptions that a particular group thinks everyone holds to?¹⁰ And so the complexity of ethics is well

⁸ This view draws from the idea of Negative Theology, also known as Apophatic Theology which claims that because the Divine is fundamentally beyond what we finite beings can conceptualize, the only true claims we can make about the Divine are those that describe what the Divine is *not*. **And** even then we might find that our conclusions are still tentative, uncertain, or unfinished.

⁹ For some discussion on positive vs. negative philosophy (critical rationalism), see: Herbert Marcuse, “Positive and Negative Philosophy,” in *Reason and Revolution: Hegel and the Rise of Social Theory*, Anniversary edition (New York: Humanity Books, 1999).

¹⁰ We might also note that aphorism like “common sense isn’t so common” or, as it was first penned “there is not a more uncommon thing in the world than common sense”. See Nicholas Amhurst, *Terrae-Filius, Or, The Secret History of the University of Oxford: In Several Essays : To Which Are Added, Remarks Upon a Late Book, Entitled, University Education, by R. Newton* (R. Franklin, 1726), 104. This predates use of the phrase by Voltaire in his *A Philosophical Dictionary*, to where and to whom it is commonly attributed.

camouflaged.

And finally, the stakes are high. After all, Ethics is fundamentally an *embodied* philosophy. Whether we realize it or not, Ethics determines how we treat one another and how we ourselves are treated. There is much to lose for all of us if we get this wrong. And so, while the process can be disgusting and depressing, we want to look to our collective past to see where the process has broken down in order to avoid repeating the mistakes.

Open Minds, Closed Cases

When you study Ethics, and you evaluate what is right and wrong, it can be tempting and comforting to spend time simply defending your initial views – few people would come to a debate about vegetarianism, or abortion, without some pre-existing belief. If you are open-minded in your ethical approach then you need not reject everything you currently believe, but you should see these beliefs as *starting points* from which your inquiry begins (not ends).

For example, *why* do you think that eating animals is OK, or that abortion is wrong? If you think that giving to charity is good, what does “good” mean? For true success, ethics requires intellectual respect. If you might think that a particular position is obviously false, perhaps take this reaction as a red flag, as it may suggest that you have missed some important step of an argument – ask yourself why someone, presumably just as intellectually proficient as yourself, might have once accepted that position.

If you are thinking well as an ethicist, then you are likely to have good reasons for your views and be prepared to rethink those views where you cannot find such good reasons. In virtue of this, you are providing justification for the beliefs you have. It is the philosopher’s job, whatever beliefs you have, to ask why you hold those beliefs. What reasons might you have for those beliefs?

For example, imagine the reason that you believe it is OK to eat meat is that it tastes nice. As philosophers we can say that this is not a particularly good reason. Presumably it might taste nice to eat your pet cat, or your neighbor, or your dead aunt; but in these cases the “taste justification” seems totally unimportant! The details of this debate are not relevant here (we will get to them later). The point is that there are good and bad reasons for our beliefs and it is the philosopher’s job to reveal and analyze them.

Ethics and Philosophy as Attitude and Practice

Philosophy is more than just fact-learning, or a “history of ideas”. It is different from chemistry, mathematics, languages, theology etc. It is unique. Sure, it is important to learn some facts, and learn what others believed, but a successful student needs to do *more than simply regurgitate information*. One aim of this book is to aid you in engaging with a living discipline. Philosophy, and in particular Ethics, is a live and evolving subject. When you study philosophy, you are entering a *dialog* with those that have gone before

you and those beside you. Learning about what various philosophers think will enable you to become clearer about what you think and add to that evolving dialog.

Ethics, like much of life, is more **developing an attitude** vs. accumulating facts. Paulo Freire develops the idea of the “Banking Model of Education” where facts, concepts, et cetera are deposited in the student by a learned master.¹¹ Such a view considers education to be static and a mere tool in the accumulation of wealth. You may recall politicians on both sides talk about education primarily in terms of job-training. While this is a useful benefit of education, the primary goal of education is to transform an “empty mind into an open one.”¹²

Notice *the shift from banking to liberation* in the quote. The term “empty mind” implies the purpose of education is to fill the mind with facts, terms, procedures, and directions. But we are not robots whose function is to merely recall information and process orders! We are something else entirely. Just what will be explored throughout this course. An open mind is a liberated mind. The open mind searches for what is good and what is true for their own sakes, not because it will increase one’s bottom line.

Freire contrasts the Banking Model of Education with what can be called a “Liberation Model of Education.” This approach to education places an emphasis upon the humanization of the self and the Other. The goal for the student and the teacher to partner together to solve the problems that face their communities. Sometimes this will involve unmasking the machines that govern our lives but remain hidden from public view. Other times it will involve imagining a more just society or efficient contraption. It might even involve naming and reckoning with current systems of oppression as well as coming to terms with how injustices of the past echo forward. It always resists demonizing the Other and refuses to turn the tables, allowing the oppressed to become the vengeful oppressors, as is the temptation.

The Liberation Educational model is able to simultaneously realize that in some ways we have been the *beneficiaries* of unjust social contracts, even though we have not been *signatories* to them. A Banking Model of Education is unable to evaluate the systems in which it is embedded because within it, all knowledge is stable and depends upon the legitimacy of the system for its stability. In contrast, in the Liberation Model of Education, we can question the systems themselves, demanding better and more just systems. We will talk about the connection between power, justice, and knowledge elsewhere in the course.

¹¹ Paulo Freire and Donaldo Macedo, *Pedagogy of the Oppressed: 50th Anniversary Edition*, 4 edition (Bloomsbury Academic, 2018), chap. 2.

¹² Quote by Malcom Forbes as recorded in: Richard Lederer, *A Tribute to Teachers: Wit and Wisdom, Information and Inspiration about Those Who Change Our Lives* (Marion Street Press, 2011), chap. 9.

Questions for Discussion

1. In your educational history, have you encountered something like the banking or liberation model?
2. If you have experienced both, which did you find more humanizing?
3. What problems face your community? How might you partner others to work on solving those problems?
4. In what ways might you be the beneficiaries of an unjust social contracts even though you are not signatories of the contract?
5. What sort of attitude is required in regurgitating facts vs. doing ethics?

Distinctions

As we embark on our study of ethics, there are some concepts we need to carefully keep separate. It will be easy to fall victim to these flaws in reasoning. The authors have been guilty of these things from time to time! Before we get to these distinctions, let us talk about one distinction we do not make. Some people distinguish between “ethics” and “morality”. We do not. For us, nothing hangs on the difference between them. In this book you will see us switching between the terms, so do not get hung up on this distinction.

Is vs. Ought – Hume’s Guillotine

David Hume famously pointed out that we cannot move from an IS to an OUGHT.¹³ He notes that many systems of ethics do, but that he can find no reason that justifies such a transcendence of categories. While this separation of is and ought by Hume is used to argue in part for his skepticism of prescriptive ethical theories we can use the distinction more broadly to note that just because someone *is* doing something is not evidence that they *ought* to be doing something. We can illustrate the concept with the following diagram.

¹³ David Hume, *A Treatise on Human Nature: Being an Attempt to Introduce the Experimental Method of Reasoning Into Moral Subjects; and Dialogues Concerning Natural Religion* (Longmans, Green and Company, 1874), 245–46.

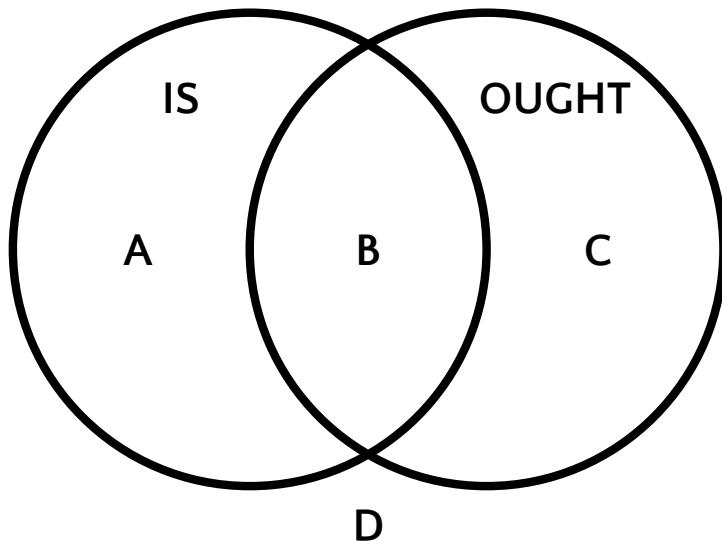


Figure 3 – The Relation between the categories "What people are doing" and "What people should be doing."

Let's examine these regions:

- **Region A** – What people are doing, but should not be doing (These are the things we need to stop doing.)
- **Region B** – Those actions people should be doing and are doing. (This is the sweet spot.)
- **Region C** – Those hypothetical actions we should be doing, but are not doing. (Where we need to move.)
- **Region D** – Those hypothetical actions we are not doing and should not be doing. (Stay away!)

Questions for Consideration:

By yourself or within groups doing the following:

1. What actions would you place within regions A, B, C, and D?
2. Discuss *why* you all placed those actions within their corresponding reasons.
3. What does your answer to #2 say about your ethical viewpoint?

Consider some examples that concern what people are doing (IS) and what they should be doing (OUGHT). Imagine the headline: "Scientists discover a gene explaining why we want to punch people wearing red trousers". The article includes lots of science showing the genes and the statistical proof. Yet, none of this will tell us whether acting violently towards people wearing red trousers is morally acceptable. The explanation of why people feel and act in certain ways leaves it open as to how people morally ought to act.

Consider a more serious example, relating to the ethics of eating meat. Supporters of meat-eating often point to our incisor teeth. This shows that it is natural for us to eat meat, a fact used as a reason for thinking that it is morally acceptable to do so. But this is a bad argument. Just because we have incisors does not tell us how we morally ought to behave. It might explain why we find it easy to eat meat, and it might even explain why we like eating meat. But this is not relevant to the moral question. Don't you believe us? Imagine that dentists discover that our teeth are "designed" to eat other humans alive. What does this tell us about whether it is right or wrong to eat humans alive? Nothing.

Legal vs. Moral

It is easy for people to conflate that which **moral** with that which is **legal**. But, in fact, these are two very different categories, much like is vs ought. We can represent this with the following diagram.

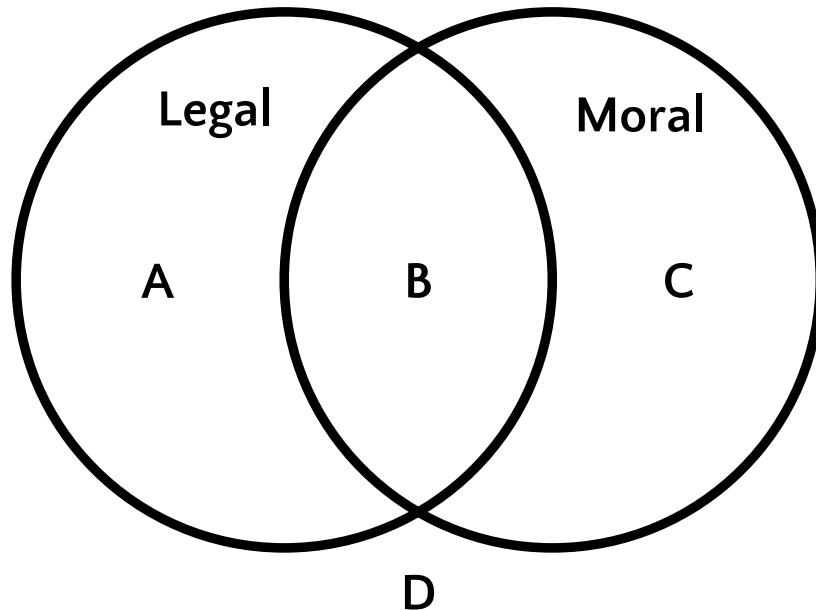


Figure 4 The difference between Legal and Moral

In the figure above, the categories of actions that are legal overlap with the collection

of actions that are moral, but they are not the same set of things. Once again, we have used the letters A, B, C, and D to denote positions in the diagram. Let us look at some possible examples for each of these locations:

- **Region A** – Legal but not Moral – Jim Crow Laws;
- **Region B** – Legal and Moral- Refraining from Killing the Innocent;
- **Region C** – Moral but not Legal – Breaking Jim Crow Laws; and
- **Region D** – Not moral and not Legal – Killing the Innocent.

And so, we can see that we need to be careful when talking about issues of legality and morality. Just because something is legal does not make it moral. In fact, most of *the worst atrocities* we humans have inflicted upon ourselves have been *legal* within their jurisdictions.

Ideas for Discussion

Using your knowledge of history or your googling devices, look up instances of immoral behaviors that have been legal in their local jurisdictions.

Similarly, identify instances of illegal behaviors which are, in fact, moral.

Doing Ethics Well: Thought-Experiments

You will also be aware, especially in reading this book, of the philosophical device known as a “thought experiment.” These are hypothetical, sometimes fanciful, examples that are designed to aid our thinking about an issue.

Moral problems dredge up powerful emotions and cultural or religious responses. While these powerful reactions are useful in several ways in helping us to understand ourselves and how to cope with the world, they *can* sometimes impede thinking carefully through ethical problems.

Using thought experiments can help us set aside these powerful and often automatic response and give us the space and time to carefully analyze the issue in front of us. But thought experiments have a wider range of possible issues. Overall, they are a tool to see how our ideas work. Let’s look at a couple of thought experiments briefly.

For example, imagine that you could travel back in time. You are pointing a gun at your grandfather when he was a child. Would it be possible for you to pull the trigger? Or, imagine that there is a tram running down a track. You could stop it, thereby saving five people, by throwing a fat man under the tracks. Is this the morally right thing to do?

The details here are unimportant. What is important, is that it is inadequate to respond: “yes, but that could never happen!” Thought experiments are devices to help us to think about certain issues. Whether they are possible in real life does not stop us doing that thinking. Indeed, it is not just philosophy that uses thought experiments. When Einstein asked what would happen if he looked at his watch near a black hole, this was a thought experiment. Thought experiments in science have led to incredible discoveries. In fact, most subjects use thought experiments. It is just that philosophy uses them more frequently, and they are often a bit more bizarre.

Not all thought experiments are good ones. You have likely come across poor ones in opinion pieces in national newspapers or in casual discussions around dinner or over... lemonades.

The Issue of Disagreement

Finally, we want to draw your attention to a common bad argument as we want you to be aware of the mistake it leads to. Imagine that a group of friends are arguing about which country has won the most Olympic gold medals. Max says China, Alastair says the US, Dinh says the UK. There is general ignorance and disagreement; but does this mean that there is not an answer to the question of “which country has won the most Olympic gold medals?” No! We cannot move from the fact that people disagree to the conclusion that there is no answer. Now consider a parallel argument that we hear far too often.

Imagine that you and your friends are discussing whether euthanasia is morally acceptable. Some say yes, the others say no. Each of you cite how different cultures have different views on euthanasia. Does this fact – that there is disagreement – mean that there is no answer to the question of whether euthanasia is morally acceptable? Again, the answer is no. That answer did not follow in the Olympic case, and it does not follow in the moral one either. So just because different cultures have different moral views, this does not show, by itself, that there is no moral truth and no answer to the question.

If you are interested in the idea that there is a lack of moral truth in ethics, then Moral Error Theorists defend exactly this position in the chapter on Metaethics.

Summary

In this introduction, we have sketched out some basic ideas necessary to start the study of Ethics. We have examined the basics of critical thinking and discussed 3 methods of talking about ethics: Descriptive Ethics, Normative Ethics, and Metaethics. We also looked at the three major positions on the nature of Ethics itself: Nonrealism, Relativism, and Realism.

We have signposted some errors to avoid when it comes to thinking about ethics, and some strategies to consider instead. It may be worth occasionally revisiting the ideas discussed here during your studies, to test your own lines of argument and evaluate how “thinking well” is progressing for you. This would not be a weakness! The authors, and

any honest philosopher, can reassure you – philosophy is hard, but it is worth it. We hope you find this textbook useful and rewarding in helping you on your own journey through Ethics.

Questions for Discussion

1. What did you think Ethics and Philosophy were before you came into class? How about now?
2. What are the most pressing ethical problems facing you and your community?
3. Give examples of the is/ought and legal/moral distinctions. When have you or others conflated the them in the past?
4. Given what limited exposure you have had to the concepts, do you agree with the Nonrealist, Relativist, or Realist positions? Explain your reasoning and use an example to showcase your thinking.

Part I: Moral Theories

Utilitarianism

Music snobbery is the worst kind of snobbery. It forces people who like something a bit mainstream, a bit of pop like Girls Aloud or Take That! or ABBA to say “It’s my guilty pleasure!” I hate that phrase. It is an insult to top quality pop. It is also an insult to guilt.

- Dara Ó Briain (comedian)

Utilitarianism: An Introduction

Some things appear to be straightforwardly good for people. Winning the lottery, marrying your true love or securing a desired set of qualifications all seem to be examples of events that improve a person's life. As a normative ethical theory, Utilitarianism suggests that we can decide what is morally right or morally wrong by weighing up which of our future possible actions promotes such goodness in our lives and the lives of people more generally.

Hedonism

Hedonism is a theory of well-being – a theory of how well a life is going for the person living that life. What separates Hedonism from other theories of well-being is that the hedonist believes that what defines a successful life is directly related to the amount of pleasure in that life; no other factors are relevant at all. Therefore, the more pleasure that a person experiences in their life then the better their life goes, and vice versa. Whereas other theories might focus on fulfilling desires people have, or an objective list of things such as friendship and health.

The roots of Hedonism can be traced back at least as far as Epicurus (341–270 BC) and Ancient Greece. Epicurus held the hedonistic view that the primary intrinsic good for a person is pleasure; meaning that pleasure is always good for a person in and of itself, irrespective of the cause or context of the pleasure. According to this theory pleasure is always intrinsically good for a person and less pleasure is always intrinsically bad.

Hedonism is a relatively simple theory of what makes your life better. If you feel that your life would be better if you won the lottery, married your true love or achieved your desired qualifications, then the hedonistic explanation of these judgments is that these things are good for you only if they provide you with pleasure. Many pleasures may be physical, but Fred Feldman (1941–) is a defender of a theory known as Attitudinal Hedonism. According to this theory, psychological pleasures can themselves count as intrinsically good for a person. So, while reading a book would not seem to produce pleasure in a physical way, a hedonist may value the psychological pleasure associated with that act of reading and thus accept that it can improve a person's well-being. This understanding of hedonistic pleasure may help to explain why, for example, one person can gain so much pleasure from a Lady Gaga album while another gains nothing at all;

the psychological responses to the music differ.

Nozick's Experience Machine

One important problem for Hedonism is that our well-being seems to be affected by more than just the total pleasure in our lives. It may be the case that you enjoy gaining a new qualification, but there seems to be more to the value of this event than merely the pleasure produced. Many people agree that success in gaining a meaningful qualification improves your life even if no pleasure is obtained from it. Certainly, many believe that the relationship between what improves your life and what gives pleasure is not directly proportional, as the hedonist would claim.

Robert Nozick (1938–2002) attacked the hedonistic idea that pleasure is the only good by testing our intuitions via a now famous thought-experiment. Nozick asks:

Suppose there was an experience machine that would give you any experience you desired. Super-duper neuropsychologists could stimulate your brain so that you would think and feel you were writing a great novel, or making a friend, or reading an interesting book. All the time you would be floating in a tank, with electrodes attached to your brain. Should you plug into this machine for life, pre-programming your life experiences? [...] Of course, while in the tank you won't know that you're there; you'll think that it's all actually happening [...] would you plug in?¹⁴

Nozick's challenge to Hedonism is based on the thought that most people who consider this possible situation would opt not to plug in. Indeed, if you ask yourself if you would actually choose to leave behind your real friends, family and life in favor of a pre-programmed existence you also might conclude that plugging into the experience machine would not be desirable. However, if Hedonism is correct and our well-being is determined entirely by the amount of pleasure that we experience, then Nozick wonders "what else can matter to us, other than how our lives feel from the inside?"¹⁵ The experience machine guarantees us pleasure yet we find it unappealing compared to a real life where pleasure is far from assured. This may suggest that our well-being is determined by other factors in addition to how much pleasure we secure, perhaps knowledge or friendships.

The hedonists need not give way entirely on this point, of course, as they may feel that the experience machine is desirable just because it guarantees experiences of pleasure. Or, you might believe that our suspicions about the machine are misplaced. After all, once inside the machine we would not suspect that things were not real. You may feel that the hedonist could bite-the-bullet (accept the apparently awkward conclusion as a non-fatal implication of the theory) and say that any reticence to enter the machine is irrational. Perhaps the lives of those choosing to be plugged in to the

¹⁴ Robert Nozick, *Anarchy, State, and Utopia* (Oxford: Blackwell Publishing, 1974), 42.

¹⁵ Nozick, 42.

machine would go extraordinary well!

The Foundations of Bentham's Utilitarianism

Jeremy Bentham (1748–1832) was the first of the “classical utilitarians”. Driven by a genuine desire for social reform, Bentham wanted to be as much involved in law, politics and economics as abstract philosophizing.

Bentham developed his moral theory of Utilitarianism on the foundation of the type of hedonistic thinking described in section two. For Bentham, the only thing that determines the value of a life, or indeed the value of an event or action, is the amount of pleasure contained in that life, or the amount of pleasure produced as a result of that event or action. Bentham is a hedonistic utilitarian. This belief in Hedonism, however, was not something that Bentham took to be unjustified or arbitrary; for him Hedonism could be empirically justified by evidence in the world in its favor. According to Bentham:

Nature has placed mankind under the governance of two sovereign masters, pain and pleasure. It is for them alone to point out what we ought to do, as well as to determine what we shall do.¹⁶

Bentham moves from this empirical claim about the factors that guide our behavior to a normative claim about how we ought to live. He creates a moral theory based on the bringing about of more pleasure and less pain.

When first understanding Utilitarianism, it is also crucial to understand what is meant by the term “utility”. Bentham defined it as

“[...] that property in any object, whereby it tends to produce benefit, advantage, pleasure, good, or happiness [...] or [...] to prevent the happening of mischief, pain, evil, or unhappiness”.¹⁷

Utility is thus promoted when pleasure is promoted and when unhappiness is avoided. Bentham’s commitment to Hedonism means for him that goodness is just an increase in pleasure, and evil or unhappiness is just an increase in pain or decrease in pleasure. With this understanding of utility in mind, Bentham commits himself to the Principle of Utility:

By the principle of utility is meant that principle which approves or disapproves of every action whatsoever, according to the tendency which it appears to have to augment or diminish the happiness of the party whose interest is in question: or, what is the same

¹⁶ Jeremy Bentham, *The Principles of Morals and Legislation* (Prometheus Books, 1781).

¹⁷ Bentham, 66.

thing in other words, to promote or to oppose that happiness.¹⁸

In effect, this principle simply says that promoting utility, defined in terms of pleasure, is to be approved of and reducing utility is to be disapproved of.

The Principle of Utility, backed by a commitment to Hedonism, underpins the central utilitarian claim made by Bentham. Based on a phrase that he wrongly attributed to Joseph Priestley (1733–1804), Bentham suggests that the measure of right and wrong is the extent to which an action produces the greatest good for the greatest number of people. Of course, what counts as good, for Bentham, is pleasure. We can then rephrase what Bentham himself calls his fundamental axiom as a requirement to promote the greatest pleasure for the greatest number of people, in order to act morally.

The Structure of Bentham's Utilitarianism

In addition to being hedonistic, Bentham's Utilitarianism is also:

1. Consequentialist/Teleological
2. Relativist
3. Maximizing
4. Impartial

Bentham's Utilitarianism is consequentialist because the moral value of an action or event is determined entirely by the consequences of that event. The theory is also described as teleological for the same reason, based on the Greek word telos that means "end" or "purpose". If more pleasure follows as a consequence of "Action A" rather than "Action B", then according to the fundamental axiom of Utilitarianism "Action A" should be undertaken and is morally right; choosing "Action B" would be morally wrong.

In addition, Bentham's Utilitarianism is Relativistic rather than Absolutist. Absolutist moral views hold that certain actions will always be morally wrong irrespective of context or consequences. For example, many campaigning groups suggest that torture is always morally unacceptable whether it is carried out by vindictive dictators seeking to instill fear in a population or whether it is authorized by democratically elected governments seeking to obtain information in order to stop a terrorist attack. For absolutists then, the act of torture is absolutely wrong in all cases and situations.

Clearly, Bentham cannot hold this type of view because sometimes the pain involved in torture may lead to the promotion of greater pleasure (or less intense pain) overall, such as in the case where torture stops a terrorist atrocity. On this basis, the Benthamite utilitarian must believe that whether a certain action is right or wrong is always relative to the situation in which the action takes place.

¹⁸ Bentham, 65.

Bentham's Utilitarianism is maximizing because it does not merely require that pleasure is promoted, but that the greatest pleasure for the greatest number is secured. This means that some actions that lead to pleasure will still not be morally good acts if another action that could have produced even more pleasure in that setting was rejected. Thus, for example, if you gain some pleasure from spending money on a new book, but that money could have produced more pleasure had it been donated to a local charity for the homeless, then buying a new book would be morally wrong even though it led to some pleasure because it did not maximize the total amount of pleasure that was possible in that circumstance.

Finally, Bentham's Utilitarianism is also impartial in the sense that what matters is simply securing the maximum amount of pleasure for the maximum number of people; the theory does not give special preference regarding which people are supposed to have access to, or share in, that total pleasure. Bentham's utilitarian theory is associated with the idea of equal consideration of interests; as long as total pleasure is maximized then it does not matter if that pleasure is experienced by royalty, presidents, siblings, children, friends or enemies. In the total calculation of pleasure, we are all equal regardless of our status, behavior or any other social factor.

Hedonic Calculus

Hopefully it is now clear that for Bentham the consequences in terms of pleasure production of any action are what determine the morality of that action, and that no other factors are relevant. However, it is not clear how exactly we should go about working out what to do in specific cases. For example:

You are a military airman flying a fighter jet that is about to intercept a passenger airliner that seems to have been hijacked by an as yet unknown figure. The plane appears to be on a path that could take it either to an airport or, potentially, directly to a major and highly populated city. You are tasked with deciding how to act and must, therefore, choose whether or not to fire a missile at the plane. Firing at the plane would kill the passengers but save all lives on the ground, yet not firing may save the passengers, or it may give the passengers only a few more minutes before the plane is flown into a city full of innocents and they are killed in any case. Suggesting that the pilot weigh up the options and choose the action that secures the greatest pleasure for the greatest number is not obviously helpful in making such a difficult decision with so many variables.

Bentham recognized that such Problems of Calculation relating to the pleasure associated with future actions needed addressing in order for Utilitarianism to be a workable moral theory. Bentham therefore created the Hedonic Calculus (sometimes known as the Felicific Calculus) in order to help an individual work out how much pleasure would be created by differing possible actions. The Hedonic Calculus, as suggested by Bentham, is based on assessing possible pleasures according to their:

1. Intensity
2. Duration
3. Certainty

4. Remoteness (i.e. how far into the future the pleasure is)
5. Fecundity (i.e. how likely it is that pleasure will generate other related pleasures)
6. Purity (i.e. if any pain will be felt alongside that pleasure)
7. Extent (i.e. how many people might be able to share in that pleasure)¹⁹

The Hedonic Calculus is therefore supposed to provide a decision-procedure for a utilitarian who is confused as to how to act in a morally tricky situation. Thus, our fighter-pilot might consider the intensity of the pleasure of surviving versus the duration of the pain of death, while also needing to balance these factors against the relative certainty of the possible pains or pleasures. No doubt, the fighter pilot would still face an agonizing moral choice but it seems that he would at least have some methodology for working out what Utilitarianism morally requires of him.

Problems with Bentham's Utilitarianism

However, whether or not measuring possible actions in terms of "units of pleasure" associated with them is actually plausible is very much an open question and so the problem of calculation is not necessarily solved simply by the existence of the Hedonic Calculus. Consider the most recent highly pleasurable experience that you enjoyed and compare it to a highly pleasurable experience from earlier in your life. It may be that you cannot say confidently that one provided more pleasure than the other, especially if the experiences were extremely varied; perhaps winning a sporting trophy versus going on your first holiday. Pleasures that are so fundamentally different in nature may simply be incommensurable — they may be incapable of being measured by a common standard such as the Hedonic Calculus.

In addition, the problem of calculation can be extended beyond the issues raised above. Remember that Bentham's Utilitarianism is impartial in the sense that all individuals who gain pleasure as a result of a certain action count towards the total amount of pleasure. However, the following case raises the Problem of Relevant Beings:

You are considering whether or not to approve a new housing development on a piece of unoccupied land outside the current boundary of your town. You are clear that, if approved, the development will create a great deal of pleasure for both new residents and construction workers without any pain being experienced by others.

You are aware, however, that the development will require the culling of several badgers and the removal of a habitat currently supporting many birds, stray cats and rodents of various types.

On the surface, this case should be obvious for the utilitarian without any special problem of calculation; the greatest good for the greatest number would be secured if the development were permitted to go ahead. However, this assumes that non-human

¹⁹ Bentham, 87.

animals are not relevant to the calculation of pleasures and pains. Yet, if pleasure is all that matters for how well a life goes then it is not clear why animals, that may be able to experience some form of pleasure and can almost certainly experience pain, should be excluded from the calculation process.

Indeed, Bentham, when referring to the moral value of animals, noted that: "The question (for deciding moral relevance) is not 'Can they reason?', nor 'Can they talk?', but 'Can they suffer?'"²⁰ If the suffering and pain of humans is relevant to moral calculations then surely it is at least plausible that so should the suffering and pain of non-human animals.

Being a maximizing ethical theory, Utilitarianism is also open to a Demandingness Objection. If it is not the case that pleasure needs to be merely promoted but actually maximized at all opportunities, then the standard for acting morally appears to be set extremely high. For example, did you buy a doughnut at some point this year or treat yourself to a magazine? Live the life of a high-roller and treat yourself to a taxi ride rather than walking to your destination? While your actions certainly brought about differing degrees of pleasure to both yourself and to those who gained economic benefit from your decision, it seems that you could have created much more pleasure by saving up your money and ensuring it reached those suffering extreme financial hardships or residing in poverty around the world. As a result of being a maximizing moral theory, Utilitarianism seems to make immorality very hard to avoid as it is so utterly demanding on our behavior.

A further problem for Utilitarianism relates to the Tyranny of the Majority. Remember that as a relativistic moral theory, Utilitarianism does not allow for any moral absolutes – such as the absolute right to democracy, or absolute legal or basic human rights. Indeed, Bentham himself dismissed the idea of "natural rights" as a nonsensical concept masqueraded as a meaningful one. However, if we accept that absolute rights are simply "nonsense upon stilts" as Bentham put it, then Utilitarianism seems to be open to cases where the majority are morally required to exploit the minority for the greater good of maximizing total pleasure. For example, imagine that total pleasure would be maximized if the resources of a small country were forcibly taken from them to be used freely and exploited by the people of a much larger country (this is hardly unrealistic). However, such forceful theft – only justified by the fact that a greater majority of people would gain pleasure – does not seem to be morally justifiable. Yet, according to Utilitarianism's commitment to maximizing pleasure, such an action would not only be morally acceptable but it would be morally required.

As a consequentialist/teleological moral theory Utilitarianism is also open to the Problem of Wrong Intentions. This problem can be highlighted by considering the cases of Dominic and Callum.

²⁰ Jeremy Bentham, "An Introduction to the Principles of Morals and Legislation," in *Utilitarianism and Other Essays*, ed. Alan Ryan (Harmondsworth, Middlesex ; New York, N.Y., U.S.A: Penguin Classics, 1987).

Dominic is seating in a coffee shop when a masked intruder bursts in threatening to rob the shop. Dominic, with the intention of saving lives, attempts to stop the intruder but sadly, in the ensuing struggle, the intruder's gun is accidentally fired and an innocent person is killed.

Now, consider a second case where an intruder bursts in with a gun but Callum, rather than trying to intervene, immediately ducks for cover with the intention of saving himself and leaving the rest of the customers to fend for themselves. Luckily for Callum, when he ducks for cover he accidentally trips into the would-be thief, knocking him unconscious thus allowing his peaceful detention until police arrive.

According to the utilitarian calculation, Callum acted in a way that maximized pleasure while Dominic acted wrongly because the consequence of his act was tragic pain. However, it seems unfair and wrong to suggest that Callum acted rightly when he had just intended to save himself, although he had a lucky outcome, while Dominic acted wrongly when his intention was to save others but was unlucky in his outcome. Utilitarianism, as a consequentialist theory, ignores intentions and focuses only on consequences.

Utilitarianism also faces the **Problem of Partiality**. This is clear if we consider the familiar moral dilemma of being stuck on a life raft with three other people but with only enough supplies for two people. On the raft with you is a doctor who is confident that he can pass on a cure for cancer if he survives, a world class violinist who brings pleasure to millions each year, and one of your parents or siblings. I am afraid to report that, for the purposes of this example, your parent or sibling is nothing special in comparison to other individuals on the raft. In this circumstance, Utilitarianism would seem to require you not only to give up your own space on the raft but ensure that your parent or sibling joins you in the freezing water with no hope of survival; this is the way of maximizing total pleasure in such a scenario. Yet, even if you believe that the morality might call for your own self-sacrifice, it seems extremely unfair not to allow you to give extra moral weight to the life of a loved one. Unfortunately for the utilitarian, perhaps, the status as a beloved family member should make no special difference to your judgment regarding how to act. This seems to be not only over-demanding but also overly cold and calculating. Utilitarianism requires **Agent-Neutrality** – you must look at the situation as any neutral observer would and not give special preference to anyone irrespective of your emotional attachments, because each individual must count for one and no more than one.

Finally, Bentham's Utilitarianism also comes under attack from the related **Integrity Objection**, framed most prominently by Bernard Williams (1929– 2003). As an agent-neutral theory, no person can give up impartiality when it comes to judgements about the impact of a potential action upon their family or loved ones. In addition, no person can give up impartiality when it comes to the impact of an action upon their own feelings, character and general sense of integrity. In order to make clear the potential worry associated with this, Williams describes the fictional case of Jim and the Indians.

Jim is an explorer who stumbles upon an Indian leader who is about to

execute twenty people. Jim knows nothing of their possible crimes or any other factors involved, but he is offered a difficult choice by the Indian chief who is eager to impress his foreign traveler.

Jim can either shoot one of the prisoners himself and then the rest will be set free as a mark of celebration, or he can refuse the offer in which case all twenty prisoners will be executed as was planned. It is key to note that Jim does not have control of the situation in the sense that he is powerless to bargain or negotiate with anyone, and nor can he use a weapon to successfully free any prisoners. He has only the two options laid out.²¹

The point of this example is not to establish what the right action is. You may find yourself in agreement with utilitarians who suggest Jim must shoot one prisoner in order to save the lives of the rest. Rather, the purpose of the example is to show that Utilitarianism forces us to reach this conclusion too quickly. Given the commitment to Agent-Neutrality, Jim must treat himself as a neutral observer working out which action will produce the greatest good for the greatest number. Morally, he is not entitled to give more weight to his own feelings than he would give to the feelings of any other and therefore it does not matter whether Jim is a pacifist and has been a lifelong advocate for prisoner reform and rehabilitation. If the utilitarian calculation suggests that he must shoot one of the prisoners, then he must shoot with no regard to any compromising of his integrity and self-identity. You may accept this as an unfortunate consequence of a terrible situation, but it may be a problem for a moral theory if it fails to recognize or respect a person's most sincere and deepest convictions.

Mill's Utilitarian Proof

John Stuart Mill (1806–1873) was concerned by many of the problems facing the utilitarian theory put forward by Bentham, but as a hedonist he did not wish to see the theory rejected. Mill sought to refine and improve the Benthamite utilitarian theory in order to create a successful version of Hedonistic Utilitarianism.

Mill was so confident about the prospects for a version of Hedonistic Utilitarianism because he believed that there was an empirically backed proof available to support the principle that the greatest happiness/pleasure should always be secured for the greatest number. Mill's proof, much like Bentham's empirical defense of Hedonism, relies on the evidence from observation that people desire their own happiness. This observation of fact supports Mill's claim that since people desire their own happiness, this is evidence that such happiness is desirable. Mill says "...each person's happiness is a good to that person, and the general happiness, therefore, a good to the aggregate of all persons".²² Since our happiness is good for us, and general happiness is just the total of the happiness of all persons, then general happiness is also good. To put it another way, if

²¹ J. J. C. Smart: and Bernard Williams, *Utilitarianism, For and Against* (Cambridge: Cambridge University Press, 1973), 98.

²² John Stuart Mill and Jeremy Bentham, *Utilitarianism and Other Essays*, ed. Alan Ryan (Harmondsworth, Middlesex, England ; New York, N.Y., U.S.A: Penguin Classics, 1987), 308.

individual happiness is a good worth pursuing then happiness in general must be worth pursuing.

In order to justify Hedonism, Mill sought to justify the claim that the good of happiness is the only thing that makes our lives go better. Mill defends this claim by suggesting that knowledge, health and freedom etc. (as other plausible goods that might make a life go better) are only valuable in so far as they bring about happiness. Knowledge is desired only because it provides happiness when acquired, not because it, by itself and in isolation, makes life go better.

Mill's proof of Utilitarianism in terms of the general desirability of maximizing total happiness is, however, open to criticism. For one thing, the fact that something is desired does not seem to justify the claim that it is desirable. G. E. Moore (1873–1958) points out that Mill moves from the factual sense that something is desirable if it is desired to the normative sense that it should be desired without any justification. It is possible, for example, to desire to kill another person. This is desirable in the sense people could and do desire it (it is possible to do so – it is an action that is desire-able), but not in the sense that we would want them to desire it.

In addition, the idea that other apparent goods, such as knowledge and health, are only valuable in so far as they promote happiness/pleasure is extremely controversial; can you imagine a situation in which you gained value from knowledge without any associated pleasure or happiness? If so, you may have a counter example to Mill's claim.

Mill's Qualitative Utilitarianism

In attempting to redraw Bentham's Utilitarianism, Mill's most substantial thought was to move away from Bentham's idea that all that mattered was the quantity of total pleasure. Instead, Mill thought that quality of pleasure was also crucial to deciding what is moral.

Bentham's Utilitarianism is quantitative in the sense that all Bentham focusses on is the maximization of hedonically calculated quantities of total pleasure. Thus, he says that "Prejudice apart, the game of push-pin is of equal value with the arts and sciences of music and poetry".²³ All that matters for Bentham is producing pleasure and the way this is achieved is unimportant. If playing on a console affords you more pleasure than reading Shakespeare, then Bentham would view your life as going better if you play the console. However, Mill introduces a quality criterion for pleasure. Mill says that:

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, is of a

²³ J. Bentham and E. Dumont, *The Rationale of Reward* (R. Heward, 1830), 206, <https://books.google.co.uk/books?id=6igN9srLgg8C>.

different opinion, it is only because they only know their own side of the question.²⁴

Bentham could not admit that the unhappy Socrates would be living a life with more value than the happier fool. Mill, on the other hand, believes that quality, not merely quantity, of pleasure matters and can therefore defend the claim that Socrates has the better life even by hedonistic standards.

According to Mill, higher pleasures are worth more than lower pleasures. Higher pleasures are those pleasures of the intellect brought about via activities like poetry, reading or attending the theatre. Lower pleasures are animalistic and base; pleasures associated with drinking beer, having sex or lazing on a sun-lounger. What we should seek to maximize are the higher quality pleasures even if the total pleasure (hedonically calculated via Bentham's calculus) turns out to be quantitatively lower as a result. Justifying this distinction between higher and lower quality pleasures as non-arbitrary and not just an expression of his own tastes, Mill says that competent judges, those people who have experienced both types of pleasure, are best placed to select which pleasures are higher and lower. Such competent judges, says Mill, would and do favor pleasures of the intellect over the base pleasures of the body. On this basis, Mill is open to the criticism that many people have both read books and drunk beer and that if given the choice would choose the latter. Whether or not Mill's defense of his supposedly non-prejudiced distinction of higher and lower pleasures is successful is an open question for your evaluation and analysis.

Mill's Rule Utilitarianism versus Bentham's Act Utilitarianism

In addition to a difference in views regarding the importance of the quality of a pleasure, Mill and Bentham are also separated by reference to Act and Rule Utilitarianism and although such terms emerged only after Mill's death, Mill is typically considered a rule utilitarian and Bentham an act utilitarian.

An act utilitarian, such as Bentham, focuses only on the consequences of individual actions when making moral judgments. However, this focus on the outcome of individual acts can sometimes lead to odd and objection-raising examples. Judith Jarvis Thomson (1929–) raised the problem of the “transplant surgeon”.

Imagine a case where a doctor had five patients requiring new organs to stop their death and one healthy patient undergoing a routine check. In this case, it would seem that total pleasure is best promoted by killing the one healthy patient, harvesting his organs and saving the other five lives; their pleasure outweighs the cost to the formerly healthy patient.²⁵

²⁴ John Stuart Mill, *Utilitarianism* (London: Parker, Son, and Bourn, West Strand, 1863), 281.

²⁵ Judith Jarvis Thomson, “The Trolley Problem,” *The Yale Law Journal* 94, no. 6 (1985): 1396, <https://doi.org/10.2307/796133>.

While Bentham does suggest that we should have “rules of thumb” against such actions, for typically they will lead to unforeseen painful consequences, in the case as simply described the act utilitarian appears powerless to deny that such a killing is required in order to maximize total pleasure (just add your own details to secure this conclusion for the act utilitarian).

Rule utilitarians, in whose camp we can place Mill, adopt a different moral decision-procedure. Their view is that we should create a set of rules that, if followed, would produce the greatest amount of total happiness. In the transplant case, killing the healthy man would not seem to be part of the best set of utilitarian-justified rules since a rule allowing the killing of healthy patients would not seem to promote total happiness; one outcome, for example, would be that people would very likely stop coming to hospitals for fear for their life! Therefore, if a rule permitting killing was allowed then the maximization of total happiness would not be promoted overall.

It is through Rule Utilitarianism that we can make sense of Mill’s “harm principle”. According to Mill, there is:

...one very simple principle, as entitled to govern absolutely the dealings of society with the individual in the way of compulsion and control.²⁶

That principle is:

The only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others. His own good, either physical or moral, is not a sufficient warrant.²⁷

Even if a particular act of harming another person might bring about an increase in total pleasure on a single occasion, that act may not be condoned by the set of rules that best promotes total pleasure overall. As such, the action would not be morally permitted.

Strong versus Weak Rule Utilitarianism

Rule utilitarians may seem to avoid troubling cases like the transplant surgeon and be able to support and uphold individual human and legal rights based on rules that reflect the harm principle. This fact would also help rule utilitarians overcome objections based on the treatment of minorities because exploitation of minority groups would, perhaps, fail to be supported by the best utilitarian- justified set of rules. Yet, rule utilitarians face a troubling dilemma:

1. Strong Rule Utilitarianism: Guidance from the set of rules that, if followed, would promote the greatest amount of total happiness must always be followed.

²⁶ John Stuart Mill, *On Liberty* (New York and Melborne: The Walter Scott Publishing Co., Ltd, 1863).

²⁷ Mill.

- Weak Rule Utilitarianism: Guidance from the set of rules that, if followed, would promote the greatest amount of total happiness can be ignored in circumstances where more happiness would be produced by breaking the rule.

The strong rule utilitarian appears to suffer from what J. J. C. Smart (1920– 2012) described as “Rule Worship”. No longer focusing on the consequences of the action before them, the strong rule utilitarian appears to ignore the option to maximize total happiness in favor of following a general and non- relative rule regarding how to act. The strong rule utilitarian may be able to avoid problems based on treatment of minorities or a lack of absolute legal and human rights, but it is not clear that they survive these problems holding on to a teleological, relativistic utilitarian theory. Utilitarianism seems to be saved from troubling implications only by denying core features.

On the other hand, while Weak Rule Utilitarianism retains a teleological nature it appears to collapse into Act Utilitarianism. The rules provide guidelines that can be broken, and given that the act utilitarian can also offer “rules of thumb” against actions that tend not to produce maximum goodness or utility in general, such as killing healthy patients, it is not clear where this version of Rule Utilitarianism gains a unique identity. In what cases would Act Utilitarianism and Weak Rule Utilitarianism actually provide different moral guidance? This is something you should consider in the light of your own examples or previous examples in this chapter.

Comparing the Classical Utilitarians

Bentham	Mill
Hedonist	Hedonist
All pleasures equally valuable	Quality of Pleasure Matters Intellectual > Animalistic
Act Utilitarian	Rule Utilitarian
Teleological, impartial relativistic, maximizing	Impartial, maximizing theory

Non-Hedonistic Contemporary Utilitarianism

Peter Singer and Preference Utilitarianism

Utilitarianism is not a dead theory and it did not end with Mill. Henry Sidgwick (1838–1900) is considered to have taken over the baton after Mill, and R. M. Hare (1919–2002) was perhaps chief advocate in the mid twentieth century. However, few contemporary philosophers can claim as much influence in public life outside philosophy as can the preference utilitarian,

Peter Singer (1946–).

Singer advocates a non-hedonistic version of Utilitarianism. His utilitarian theory is teleological, maximizing, impartial and relativistic but he does not claim that the greatest

good for the greatest number can be reduced to pleasure in either raw or higher forms. Instead, Singer believes that what improves a person's life is entirely determined by the satisfaction of their preferences. If you satisfy your preference to achieve a good qualification your life goes better in virtue of satisfying that preference. If someone else desires to get a job rather than continue in education, their life goes better for them if they secure their preference and gain employment. Individuals, according to Singer, must be at the core of moral thinking:

There would be something incoherent about living a life where the conclusions you came to in ethics did not make any difference to your life. It would make it an academic exercise. The whole point about doing ethics is to think about the way to live. My life has a kind of harmony between my ideas and the way I live. It would be highly discordant if that was not the case.²⁸

On this basis, when making moral decisions we should consider how best to ensure the maximization of total preference satisfaction – it does not matter if our preference satisfaction fails to provide pleasure for us. Continuing to follow Bentham's commitment to impartiality, Singer also supports equal weighing of preferences when deciding which action better promotes greater preference satisfaction; all preferences are to weigh equally. This potentially leaves Singer open to the same issues that plagued Bentham. Namely, regarding circumstances where partiality seems desirable, or when the preferences of the majority seem to threaten a minority group, or require us to sacrifice our integrity. Further, the problem of calculation also seems to be relevant because it is not obvious how you could work out the preferences of others in at least some difficult moral cases (let alone the preferences of animals, if they are also relevant).

In response to a concern regarding the moral relevance of satisfying bloodthirsty or apparently immoral preferences and counting such satisfaction as a moral achievement (consider the preferences of a nation of pedophiles, for example), we might look to the ideas of Richard Brandt (1910–1997). Brandt, writing about the rationality of certain preferences, suggested that rational preferences were those that might survive cognitive psychotherapy.²⁹ However, there is a question as to how arbitrary this requirement is and whether or not some unnerving preferences might form the core of certain individual characters therefore being sustained even after such therapy.

Summary

Utilitarianism remains a living theory and retains hedonistic and non-hedonistic advocates, as well as supporters of both act and rule formulations. The core insight that consequences matter gives the theory some intuitive support even in the light of hypothetical cases that pose serious problems for utilitarians. The extent to which the

²⁸ Kevin Toolis, "The Most Dangerous Man in the World," the Guardian, November 6, 1999, <http://www.theguardian.com/lifeandstyle/1999/nov/06/weekend.kevintoolis>.

²⁹ Richard B. Brandt, *Ethical Theory*, vol. 70 (Prentice-Hall, 1959).

different versions of Utilitarianism survive their objections is very much up to you as a critically-minded philosopher to decide.

Common Student Mistakes

- Not reflecting the attitudinal aspect of pleasure that Bentham's theory may account for.
- Minimizing the long-term impact of actions when it comes to pleasure/ pain production.
- Imprecise understanding of the hedonic/non-hedonic split in Utilitarianism.
- Imprecision in use of examples to defend/challenge Utilitarianism.
- Suggesting that "Jim and the Indians" is not a counterexample to Utilitarianism simply because you judge killing the fewer number of people is ultimately the morally right thing to do.

Issues To Consider

1. Is there anything that would improve your life that cannot be reduced to either pleasure or preference satisfaction?
2. Would you enter Nozick's experience machine if you knew you would not come out? Would you put someone you care about into the machine while they were asleep, so that they never had to make the decision?
3. Can pleasure be measured? Does Bentham go about this task correctly?
4. Which is the most serious problem facing Bentham's Act Utilitarianism? Can it be overcome?
5. Does Mill successfully improve Bentham's Act Utilitarianism in any way?
6. Are you ever told to stop watching television and do something else? Is this good for you? Why?
7. Look at the quote at the start of the chapter by Dara Ó Briain – is it possible that some pleasures are inferior in value to others?
8. Do you have convictions or beliefs you would not want to sacrifice for the greater good, should you ever be forced to?
9. Why do utilitarians not give up on the idea of maximizing pleasure and just talk in terms of promoting sufficient pleasure? Would this solve or raise problems?
10. Is Weak Rule Utilitarianism merely Act Utilitarianism by another name?
11. Does Strong Rule Utilitarianism deserve to be labelled as a utilitarian theory?
12. If your preferences change after psychotherapy, did the original preferences ever matter?

Key Terminology

- Normative
- Relativistic
- Teleological
- Consequentialist

- Principle of Utility
- Agent-Neutrality
- Hedonic Calculus
- Utility
- Intrinsic

References

- Bentham, Jeremy, *The Rationale of Reward* (London: Robert Heward, 1830), freely available at <https://books.google.co.uk/books?id=6igN9srLgg8C>
- , ‘An Introduction to the Principles of Morals and Legislation’, in *Utilitarianism and Other Essays*, ed. by Alan Ryan (London: Penguin Books, 2004).
- , *An Introduction to the Principles of Morals and Legislation*, freely available at <http://www.econlib.org/library/Bentham/bnthsPML18.html>
- Brandt, Richard, *Ethical Theory: The Problems of Normative and Critical Ethics* (Englewood Cliffs, NJ: Prentice Hall, 1959).
- Mill, John Stuart, *On Liberty* (London: Longman, Roberts, Green & Co., 1869), freely available at <http://www.econlib.org/library/Mill/mlLbty1.html>
- , ‘Utilitarianism’, in *Utilitarianism and Other Essays*, ed. by Alan Ryan (London: Penguin Books, 2004).
- , Utilitarianism, freely available at <https://www.utilitarianism.com/mill1.htm>
- Nozick, Robert, ‘The Experience Machine’, in *Ethical Theory*, ed. by Russ Shafer-Landau (Oxford: Blackwell Publishing, 2007).
- Thomson, Judith Jarvis, ‘The Trolley Problem’, *The Yale Law Journal*, 94.6 (1985): 1395–415, <https://doi.org/10.2307/796133>
- Toolis, Kevin, ‘The Most Dangerous Man in the World’, *the Guardian* (6 November 1999), freely available at <https://www.theguardian.com/lifeandstyle/1999/nov/06/weekend.kevintoolis>
- Williams, Bernard, ‘Jim and the Indians’, in his *A Critique of Utilitarianism*, freely available at https://www.unc.edu/courses/2009spring/plcy/240/001/Jim_and_Indians.pdf

Kantian Ethics

In spite of its horrifying title Kant's Groundwork of the Metaphysic of Morals is one of the small books which are truly great; it has exercised on human thought an influence almost ludicrously disproportionate to its size.

- H. J. Paton, 'Preface' in I. Kant, Moral Law, p. 7.

An Introduction to Kantian Ethics

Immanuel Kant was born in 1724 in Königsberg in East Prussia, where he died in 1804. Kant is famous for revolutionising how we think about just about every aspect of the world – including science, art, ethics, religion, the self and reality. He is one of the most important thinkers of all time, which is even more remarkable by the fact that Kant is a truly awful writer. His sentences are full of technical language, are very long, and are incredibly dense. You have been warned!

Kant is a rationalist writing during the Enlightenment (1685–1815). He thinks that we can gain knowledge from our senses and through our rational capacities. This means his general philosophical approach starts by asking what we can know *a priori*. This is key to understanding his work but also makes his writing on ethics seem a bit odd. We think the study of ethics – unlike say maths – ought to direct our eye to what is going on around us in the world. Yet Kant starts by turning his eyes “inward” to thinking about ethical ideas.

Kant believes that in doing this people will come to recognize that certain actions are right and wrong irrespective of how we might feel and irrespective of any consequences. For Kant, actions are right if they respect what he calls the Categorical Imperative. For example, because lying fails to respect the Categorical Imperative it is wrong and is wrong irrespective of how we might feel about lying or what might happen if we did lie; it is actions that are right and wrong rather than consequences. This means that Kant's theory is deontological rather than teleological. It focuses on our duties rather than our ends/goals/consequences.

There is, however, something intuitive about the idea that morality is based on reason rather than feelings or consequences. Consider my pet cat Spartan. He performs certain actions like scrabbling under bed covers, meowing at birds and chasing his tail. Now consider my daughter Beth, she performs certain actions like caring for her sister and helping the homeless.

Spartan's actions are not moral whereas Beth's actions are. Spartan's thinking and actions are driven by his desires and inclination. He eats and plays and sleeps when he desires to do so, there is no reasoning on his part. Beth, in contrast, can reflect on the various reasons she has, reasons to care for her sister and the homeless.

We might think then that humans are moral beings not because we have certain

desires but precisely because we are rational. We have an ability to “stand back” and consider what we are doing and why. Kant certainly thought so and he takes this insight as his starting point.

Some Key Ideas

Duty

Kant’s main works in ethics are his *Metaphysics of Morals* (1797) and the *Groundwork of the Metaphysics of Morals* (1785). Neither give practical advice about particular situations but rather through rational reflection, Kant seeks to establish the supreme principle of morality.

He starts from the notion of “duty” and although this is a rather old- fashioned term, the idea behind it should sound familiar. Imagine, your friend has told you that she is pregnant but asks you to promise to keep her secret. Through the coming weeks this juicy bit of gossip is on the tip of your tongue but you do not tell anyone because of your promise. There are things we recognize as being required of us irrespective of what we (really) desire to do. This is what Kant means by duty.

But this raises the question. If it is not desires that move us to do what is right (even really strong desires), what does? In our example, why is it that we keep our promise despite the strong desire to gossip? Kant’s answer is “the good will”.

Good Will

Kant gives the following characterization of the good will. It is something that is good irrespective of effects:

A good will is good not 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.³⁰

It is also good without qualification.

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.³¹

What does Kant mean? Well, pick anything you like which you think might make an action good – for example, happiness, pleasure, courage, and then ask yourself if there are any situations you can think of where an action having those features makes those

³⁰ Immanuel Kant, *Groundwork for the Metaphysic of Morals*, ed. Jonathan Bennett (Early Modern Texts, 2008), 39, <https://web.archive.org/web/20171002211626/http://www.earlymoderntexts.com/assets/pdfs/kant1785.pdf>.

³¹ Kant, 40.

actions worse?

It seems there are. Imagine someone who is happy when kicking a cat; or someone taking pleasure in torture; or a serial killer whose courage allows her to abduct children in broad daylight. In such cases the happiness, pleasure and courage make the actions worse. Kant thinks we can repeat this line of thinking for anything and everything, except one thing – the good will.

The good will unlike anything else is good unconditionally and what makes a good will good is willing alone; not other attitudes, or consequences, or characteristics of the agent. Even Kant thinks this sounds like a rather strange idea. So how can he (and we) be confident that the good will even exists?

Consider Mahatma Gandhi's (1869–1948) non-violent protest for Indian independence. He stood peacefully whilst the British police beat him. Here is a case where there must have been an overwhelming desire to fight back. But he did not. In this type of action Kant would claim that we "see" the good will – as he says – "shining like a jewel".³² Seeing such resilience in the face of such awful violence we are humbled and can recognize, what Kant calls, its moral worth. Obviously not all actions are as significant as Gandhi's! However, Kant thinks that any acts like this, which are performed despite conflicting desires, are due to the good will. Considering such actions (can you think of any?) means we can recognize that the good will exists.

Acting for the Sake of Duty and Acting in Accordance with Duty

From what we have said above about the nature of duty and good will we can see why Kant says that to act from good will is acting for the sake of duty. We act despite our desires to do otherwise. For Kant this means that acting for the sake of duty is the only way that an action can have moral worth. We will see below what we have to do for our actions to be carried out for the sake of duty. However, before we do this, we need to be really clear on this point about moral worth.

Imagine that you are walking with a friend. You pass someone begging on the street. Your friend starts to weep, fumbles in his wallet and gives the beggar some money and tells you that he feels such an empathy with the poor man that he just has to help him.

For Kant, your friend's action has no moral worth because what is moving him to give money is *empathy rather than duty!* He is acting in accordance with duty. However, Kant does think your friend should be applauded as such an action is something that is of value although it wouldn't be correct to call it a moral action.

To make this point clearer, Kant asks us to consider someone who has no sympathy

³² Kant, 40.

for the suffering of others and no inclination to help them. But despite this:

...he nevertheless tears himself from his deadly insensibility and performs the action without any inclination at all, but solely from duty then for the first time his action has genuine moral worth.³³

In contrast to our friend, this person is acting for the sake of duty and hence their action is moral. We must be careful though. Kant is not telling us to become emotionally barren robots! He is not saying that before we can act morally we need to get rid of sympathy, empathy, desires, love, and inclinations. This would make Kant's moral philosophy an absurd non-starter.

Let us see why Kant is not saying this. Consider an action such as giving to others. We should ask whether an action of giving to others would have been performed even if the agent lacked the desire to do so. If the answer is "yes" then the act has moral worth. This though is consistent with the agent actually having those desires. The question for Kant is not whether an agent has desires but what moved the agent to act. If they acted because of those desires they acted in accordance with duty and their action had no moral worth. If they acted for the sake of duty, and just happened to have those desires, then their action has moral worth.

Categorical and Hypothetical Imperatives

If we agree with Kant and want to act for the sake of duty what should we do? His answer is that we have to act out of respect for the moral law. He has two examples of how this works in practice: lying and suicide. We look at the former in Chapter 13, we will consider Kant's example of suicide at the end of this chapter. However, before doing this we need to get a sense of what Kant has in mind when he talks about acting out of respect for the moral law.

The moral law is what he calls the "Categorical Imperative". He thinks there are three formulations of this.

- CI-1: ...act only according to that maxim through which you can at the same time will that it become a universal law.³⁴
- CI-2: So act that you use humanity, in your own person as well as in the person of any other, always at the same time as an end, never merely as a means.³⁵
- CI-3: ...every rational being must so act as if he were through his maxim

³³ Kant, 43.

³⁴ Kant, 15.

³⁵ Kant, 66.

always a lawmaking member in the universal kingdom of ends.³⁶

We will consider these in turn, showing how they are linked. Consider then, CI-1. Kant's idea is that we use this "test" to see what maxims are morally permissible. If we act in accordance with those then we are acting from duty and our actions have moral worth. Let us look at what this means.

Initially it is worth considering what "categorical" and "imperative" mean. An imperative is just a command. "Clean your room!" is an imperative I give my daughter every Saturday. "Do not park in front of these gates!" is a command on my neighbour's gate. "Love your God with all your heart, mind and soul" is a command from the Bible.

What about the "categorical" part? If a command is categorical then people ought to follow it irrespective of how they feel about following it, irrespective of what consequences might follow, or who may or may not have told them to follow it. For example, the command "do not peel the skin of babies" is categorical. You ought not to do this and the fact that this might be your life's ambition, or that you really want to do it, or that your teacher has told you to do it, is completely irrelevant.

Contrast this with Hypothetical Imperatives. If I tell my daughter to clean her room, this is hypothetical. This is because whether she ought to clean her room is dependent on conditions about her and me. If she does not care about a clean room and about what her dad thinks, then it is not true that she ought to clean her room. Most commands are hypothetical. For example, "study!" You ought to study only if certain things are true about you; for example, that you care about doing well, that you want to succeed in the test etc.

Kant thinks that moral "oughts" – for example, "you ought not lie" – are categorical. They apply to people irrespective of how they feel about them.

The next thing we need is the idea of a "maxim". This is relatively simple and is best seen through the following examples. Imagine I'm considering whether to make a false promise. Perhaps I think that by falsely promising you that I will pay you back I will be more likely to get a loan from you. In that case my maxim is something like "whenever I can benefit from making a false promise I should do so".

Imagine I decide to exercise because I feel depressed, then I may be said to be acting on the maxim "Whenever I feel depressed I will exercise". **A maxim is a general principle or rule upon which we act.** We do not decide on a set of maxims, perhaps writing them down, and then try to live by them but rather a maxim is the principle or rule that can make sense of an action whether or not we have thought about it in these terms.

³⁶ Kant, 21.

The First Formulation of the Categorical Imperative

Let's put these bits together in relation to CI-1

...act only according to that maxim through which you can at the same time will that it become a universal law.³⁷

The “test” that CI-1 prescribes is the following. Consider the maxim on which you are thinking about acting, and ask whether you can either

- (i) conceive that it become a universal law, or
- (ii) will that it become a universal law.

If a maxim fails on either (i) or (ii) then there is no good reason for you to act on that maxim and it is morally impermissible to do so. If it passes the CI test, then it is morally permissible.

Kant is not saying that the CI-1 test is a way of working out what is and what is not moral. Presumably we can think of lots of maxims, which are non-moral, which pass the test, for example, “whenever I am bored I will watch TV”.

Equally he is not saying that if a maxim cannot be universalized then it is morally impermissible. Some maxims are just mathematically impossible. For example, “whenever I am going to exercise I will do it for an above the average amount of time”. This maxim cannot be universalized because we cannot conceive that everyone does something above “average”.

Finally, it is worth remembering that the maxim must be able to be willed as a universal law. This is important because maxims such as “if your name is Jill and you are 5ft 11, you can lie” will fail to be universalized because you cannot will that your name is Jill or that your height is 5ft11. It has to be possible to will as a universal law and for this to be true it must be at least possible for it actually to come about. This shows that the common concern that we can get any maxim to pass the CI-1 test by simply adding more and more specific details, such as names, heights or locations, fails. This is very abstract (what did we tell you about Kant’s work!). Let us consider an example.

Perfect and Imperfect Duties

Recall the example of making a false promise to secure a loan. The maxim is “whenever I can benefit from doing so, I should make a false promise”. The question is whether I could conceive or will that this become a universal law.

I could not. If everyone followed this maxim then we would all believe everyone

³⁷ Kant, 21.

else could make a false promise if it would benefit them to do so. Kant thinks such a situation is not conceivable because the very idea of making a promise relies on trust. But if “whenever it is of benefit to you, you can make false promises” was to become a universal law then there would be no trust and hence no promising. So, by simply thinking about the idea of promising and lying we see the maxim will fail the test and, because we cannot universalize the maxim, then making a false promise becomes morally impermissible. This is true universally for all people in all circumstances for anyone can, in principle, go through the same line of reasoning.

A maxim failing at (i) is what Kant calls a **contradiction in conception**, and succeeding at (i) means we are dealing with what Kant calls a **perfect duty**. In our example we have shown we have a perfect duty not to make false promises.

Consider another example. Imagine that someone in need asks us for money but we decide not to help them. In this case our maxim is “whenever someone is in need and asks for money do not give them money”. Does this pass the CI-1 test?

No it fails the CI-1 test. Although it is true that the maxim passes (i) not giving to the needy does not threaten the very idea of giving money away. Kant thinks that anyone thinking about this will see that that maxim will fail at (ii) and hence it is morally impermissible. Here is why.

You cannot know if you will be in need in the future and presumably you would want to be helped if you were in need. In which case you are being inconsistent if you willed that “people should not help those in need” should become a universal law. For you might want people to help those in need in the future, namely, you.

So we cannot will the maxim “whenever someone is in need do not help them” to become a universal moral law. Again this is a thought process that anyone can go through and it means that this moral claim is true universally for all people in all circumstances. Failing at (ii) is what Kant calls a contradiction in will, and failing at (ii) means we are dealing with what Kant calls an imperfect duty.

Is absolutely recognizing that simply asking “what everyone did that?” CI-1 is not a form of Utilitarianism. (See Part I: Moral Theories)

Utilitarianism.) Kant is not saying that it is wrong to make false promises because if people did then the world would be a horrible place. Rather Kant is asking about whether we can conceive or will the maxim to become a universal law.

Second Formulation of the Categorical Imperative

The second formulation (CI-2) is the following:

So act that you use humanity, in your own person as well as in the person of any other, always at the same time as an end, never merely as a means.

Kant thinks that CI-1 and CI-2 are two sides of the same coin, though precisely how they are related is a matter of scholarly debate. Put very simply CI-2 says you should not use people, because if you do, you are failing to treat them as a rational agent and this is morally wrong.

For example, if I use your essay without your knowledge then I have not treated you as a rational agent. I would have done had I asked you for your essay and you had freely chosen to let me have it. But given that I did not ask you, I was in a sense making choices on your behalf and thus did not treat you as a rational agent. So according to Kant I should always treat you as an end not a means. I should always treat you as a free rational agent.

Kant's theory then has a way of respecting the dignity of people. We should treat people with respect and with dignity purely on the basis that they are rational agents, and not because of their race, gender, education, upbringing etc. From this you can also see that Kant's theory allows us to speak about "rights". If someone has a right then they have this right irrespective of gender, education, upbringing etc. For example, Jill has a right to free speech because she is a person, consequently that right will not disappear if she changes her location, personal circumstances, relationship status, political viewpoint etc. After all she does not stop being a person.

Importantly, CI-2 does not say that you either treat someone as a means or an end. I could treat someone as an end by treating them as a means. Suppose that you have freely decided to become a taxi driver. If I use you as a means by asking you to take me to the airport I am also treating you as an end. But Kant does not believe this to be morally wrong because I am respecting you as a rational agent; after all, you chose to be a taxi driver. Of course, if I get into your car and point a gun at your head and ask to be taken to the airport then I am not treating you as an end but rather solely as a means, which is wrong.

The Third Formulation of the Categorical Imperative and Summary

The final formulation of the Categorical Imperative is a combination of CI-1 and CI-2. It asks us to imagine a kingdom which consists of only those people who act on CI-1. They never act on a maxim which cannot become a universal law. In such a kingdom

people would treat people as ends, because CI-2 passes CI-1. This is why CI-3 is often called the “Kingdom of Ends” formulation:

...every rational being must so act as if he were through his maxim always a lawmaking member in the universal kingdom of ends.

In summary, we have seen that Kant thinks that acts have moral worth only if they are carried out for the sake of duty. Agents act for the sake of duty if they act out of respect for the moral law, which they do by following the Categorical Imperative in one of its formulations.

Consequently, Kant thinks that acts are wrong and right universally, irrespective of consequences and desires. If lying is wrong then it is wrong in all instances. From all this, it follows that we cannot be taught a set of moral rules for each and every situation and Kant believes that it is up to us to work it out for ourselves by thinking rationally.

There have been, and continue to be, many books and journal articles written about Kant’s ethics. He has a profound and deep insight into the nature of morality and he raises some fundamental questions about what it is to be human. Kant’s moral theory is radically Egalitarian as his theory is blind to individual personal circumstances, race, gender and ethnicity. Everyone is equal before the moral law!

Related to this, his theory respects the rights of individuals and, relatedly, their dignity. Any theory that is to have a hope of capturing our notion of rights needs to be able to respect the thought that a right is not something that disappears if circumstances change. Jill has a right to life, period; we do not say Jill has a right to life “if...” and then have to fill in the blanks. This is precisely something that Kant’s theory can give us. CI-1 generates maxims which do not have exceptions and CI-2 tells us that we should always treat everyone as an end in themselves and never solely as a means to an end. It tells us, for example, that we ought not to kill Jill, and this holds true in all circumstances.

There are, though, a number of tough questions that Kant’s work raises. We consider some of these below. However, as with all the philosophical ideas we discuss in this book, Kant’s work is still very much alive and has defenders across the world. Before we turn to these worries, we work through an example that Kant gives regarding suicide.

Kant on Suicide

Kant is notoriously stingy with examples. One he does mention is suicide. This is an emotive topic and linked to questions about mental health and religion. An attraction of Kant’s view is the ability to apply his Categorical Imperatives in a dispassionate way. His framework should allow us to “plug in” the issue and “get out” an answer. Let’s see how this might work.

Kant thinks that suicide is always wrong and has very harsh words for someone who attempts suicide:

He who so behaves, who has no respect for human nature and makes a thing of himself, becomes for everyone an Object of freewill. We are free to treat him as a beast, as a thing, and to use him for our sport as we do a horse or a dog, for he is no longer a human being; he has made a thing of himself, and, having himself discarded his humanity, he cannot expect that others should respect humanity in him.³⁸

But why does he think this? How does this fit with Kant's Categorical Imperatives? We will look at the first two formulations.

Fundamental to remember is that for Kant the motive that drives all suicide is "avoid evil". By which he means avoiding suffering, pain, and other negative outcomes in one's life. All suicide attempts are due to the fact that we love ourselves and thus want to "avoid evils" that may befall us.

Imagine then that I decide to commit suicide. Given what we have just said about my motives this means I will be acting on this maxim: "From self-love I make as my principle to shorten my life when its continued duration threatens more evil than it promises satisfaction".¹³

Following CI-1 the question then is whether it is possible to universalise this maxim? Kant thinks not. For him it is unclear how we could will it that all rational agents as the result of self-love can destroy themselves when their continued existence threatens more evil than it promises satisfaction. For Kant self-love leading to the destruction of the self is a contradiction. Thus he thinks that we have a perfect (rather than an imperfect) duty to ourselves not to commit suicide. To do so is morally wrong. This is how Kant puts it:

One sees at once a contradiction in a system of nature whose law would destroy life [suicide] by means of the very same feeling that acts so as to stimulate the furtherance of life [self-love], and hence there could be no existence as a system of nature. Therefore, such a maxim cannot possibly hold as a universal law of nature and is, consequently, wholly opposed to the supreme principle of all duty.³⁹

Notice a few odd things here in relation to CI-1. The point about universalization seems irrelevant. Kant could have just said it is a contradiction to will from self-love the destruction of oneself. It seems that there is nothing added by asking us to consider this point universalized. It does not add weight to the claim that it is a contradiction.

Second, it is not really a "contradiction" at all! It is different to the lying promise example. In this it seems that the very concept of a promise relies on trust, which lying would destroy. In contrast in the suicide case the "contradiction" seems more like a by-product of Kant's assumption regarding the motivation of suicidal people. So we can

³⁸ Immanuel Kant, *Lectures on Ethics* (Methuen & Co., 1930), pt. 27, p. 373.

³⁹ Kant, *Groundwork for the Metaphysic of Morals*.

avoid the “contradiction” if we allow for the possibility that suicide need not be driven by self-love. If this were true then there would be no “contradiction”. Hence, it seems wrong to call the duty not to kill oneself – if such a duty exists – a “perfect” duty. So the first formulation does not give Kant the conclusion that suicide is morally wrong.

Moving to the second formulation. This helps us understand Kant’s harsh assessment of people attempting suicide. Remember he calls such people “objects” or “beasts” or “things”. So, what is the difference between beasts or objects or things, and humans? The answer is that we are rational. Recall, that for Kant our rationality is of fundamental value. If anyone’s actions do not recognize someone else’s rationality then they have done something morally wrong. This amounts to treating them as merely means to our own end. Given all this you can see what Kant is getting at. For him committing suicide is treating yourself as a mere means to some end – namely the end of avoiding pain and suffering etc. – and not an end in itself. You are treating yourself as a “beast” a “thing” an “object”, not as a human being with the gift of reason. This is morally wrong.

Moreover, if you do this, then others treating you with respect as a rational person can conclude that you also want others to treat you in this way. Because if you are rational then you must think that it is OK to universalize the maxim that we can treat others as objects, beast and thing. They can thus treat you as a beast, object, and thing and still be treating you with respect as a rationale agent. With regard to attempting suicide your action is wrong because you have ignored your own rationality. You have treated yourself as a mere means to an end.

But, like the first formulation this is very weak. It is unclear why in attempting suicide you are treating yourself as a mere means to an end. You might think you are respecting your rationality by considering suicide. Recall, Kant says that it is sometimes fine to treat people as a means to an end, e.g. a taxi driver. It is fine where people have given consent for you to treat them that way. In that case, suicide might be like the taxi driver case. We have freely decided to treat ourselves as a means to an end. We are, then, treating ourselves as a rational agent and not doing something morally wrong by committing suicide. There are some other things that Kant says about the wrongness of suicide that do not link to the Categorical Imperatives. For example, he talks about humans being the property of God and hence our lives not being something we can choose to extinguish. However, we need not discuss this here.

There is a consensus between Kant scholars that, as it stands, Kant’s argument against suicide fails. There are some though who use Kant’s ideas as a starting point for a more convincing argument against suicide. For example, see J. David Velleman (1999) and Michael Cholbi (2000).

Problems and Responses: Conflicting Duties

If moral duties apply in all circumstances, then what happens when we have duties which conflict? Imagine that you have hidden some Jewish people in your basement in

Nazi Germany. Imagine then that an SS officer knocks at your door and asks if you are hiding Jews? What might Kant's theory tell us to do? Our duty is to refrain from lying so does this mean we are morally required to tell the SS officer our secret? If this is the conclusion then it makes Kant's theory morally repugnant.

However, there is no requirement in Kant's theory to tell the truth, there is just a requirement not to lie. Lying is about intentional deceit, so maybe in this example there is a way not to lie. For example, if we simply stayed silent.

Even if we respond in this sort of way in this example, presumably we can engineer an example that would not allow for this. For example, perhaps we are in a law court and the SS officer asks us under oath. In that example, silence would not be an option. This certainly would seem to count against Kant's theory for it does seem morally wrong to reveal the location of the Jewish people.

The main point though is that Kant thinks we need to take the features of each individual situation into account. He does not just want us to mindlessly apply generic rules whilst paying no attention to what is before us. Peter Rickman writes regarding these types of cases:

...it should be plain that more than one imperative/moral principle is relevant to the situation. Certainly we should tell the truth; but do we not also have a duty to protect an innocent man from harm? Further, do we not have an obligation to fight evil? We are confronted with a conflict of values here. Unfortunately, as far as I know, there is no explicit discussion of this issue in Kant. One could assume, however, that his general approach of distinguishing the lesser from the greater evil should be applied. I think Kant might say that although lying is never right, it might be the lesser evil in some cases.⁴⁰

The point is not that these sorts of examples are "knock down" criticisms of Kant's theory but rather that Kant's theory is underspecified and fails to give guidance with these specific sorts of cases. In fact, we might think that this is an advantage of his theory that has given us the supreme principle of morality and the general way of proceeding but has left it up to us to work out what to do in each situation. We will leave the reader to see if this can be done and in particular, whether it can be done in a way consistent with the other aspects of his moral theory.

Problems and Responses: The Role of Intuitions

One of the most common criticisms levelled at Kant's theory is that it is simply counter intuitive. For example, lying, for him, is morally impermissible in all instances irrespective of the consequences. Yet we seem to be able to generate thought

⁴⁰ Peter Rickman, "Having Trouble With Kant? | Issue 86 | Philosophy Now," Magazine, Philosophy Now, July 2017, https://web.archive.org/web/20170724103219/https://philosophynow.org/issues/86/Having_Trouble_With_Kant

experiments that show that this is a morally repugnant position.

However, in Kant's defence we might ask why we should use our intuitions as any form of test for a moral theory. Intuitions are notoriously fickle and unreliable. Even if you pick the oddest view you can think of, you would probably find some people at some point in time that would find this view "intuitive". So how worried should we be if Kant's theory leads to counter intuitive consequences? This then raises a more general methodological question to keep at the forefront of your mind when reading this book. What role, if any, should intuitions have in the formation and the testing of moral theory?

Problem and Responses: Categorical Imperatives and Etiquette

Kant argues that what we are morally required to do is a matter of reason. If people reason in the right way then they will recognize, for example, that lying is wrong. However, some philosophers, for example Philippa Foot (1920–2010), have worried about this link to reason. The strength of Foot's challenge is that she agrees that morality is a system of Categorical Imperatives but says that this need not be due to reason.

Foot uses the example of etiquette to motivate her argument.⁴¹ Rules of etiquette seem to be Categorical Imperatives but are not grounded in reason. Consider an example. I had a friend at university who was a sportsman. He was in many teams, his degree was in sports and exercise and if there were ever a spare minute he would be running, on his bike or in the pool. Unsurprisingly he wore a tracksuit and trainers all the time!

During our second year at university a mutual friend died. There was a big formal funeral arranged. My friend decided to go to this funeral in his tracksuit and trainers. I asked him about this and his response was that it was what he liked wearing. However, to my mind at least, this reason, which was based on his desire, did not change the fact that he really ought not have worn a tracksuit. Foot would agree and thinks that rules of etiquette are categorical because they are not dependent on any particular desires someone would have.

However, even if they are categorical, Foot thinks that rules of etiquette are not rules of reason. We do not think that if we reasoned correctly we would recognize that we ought not to wear tracksuits to funerals, or (to think of some other rules of etiquette) we ought not to reply to a letter written in the third person in the first person, or we ought not to put our feet on the dinner table during a meal etc. It is not simply a matter of thinking in the right way but rather to recognize these "oughts" as part of a shared cultural practice.

So although this does not show that Kant is wrong, it does throw down a challenge

⁴¹ Philippa Foot, "Morality as a System of Hypothetical Imperatives," *Philosophical Review* 81, no. 3 (1972): 305–16.

to him. That is, we need independent reasons to think that the categorical nature of moral “oughts” are based on reason and not just part of a shared cultural practice. To respond to this challenge, the Kantian would have to put forward the argument that in the particular case of moral “oughts”, we have a good argument to ground the categorical nature in reason rather than institutional practices.

Problems and Responses: The Domain of Morality

Kant thinks that the domain of morality is merely the domain of reasons and as far as we are agents who can reason then we have duties and rights and people ought to treat us with dignity. The flip side of this is that non-rational agents, such as non-human animals, do not have rights and we can, according to Kant, treat them as we like!

The challenge to Kant’s theory is that the scope of morality seems bigger than the scope of reasons. People do think that we have moral obligations toward non-rational agents. Consider someone kicking a cat. We might think that morally they ought not to do this. However, Kant’s theory does not back this up because, as far as we know, cats are not rational agents. Despite it not being wrong to treat animals in this way, Kant still thinks that we should not, because if we did, then we would be more likely to treat humans in this way.

Summary

Kant’s moral theory is extremely complicated and badly expressed. However, it is hugely influential and profound. As a system builder Kant’s work starts with rational reflection from which he attempts to develop a complete moral system.

He starts from the notion of duty. He shows that what allows us to act for the sake of duty is the good will, and that the good will is unconditionally good. If we want to act for the sake of duty we need to act out of respect for the moral law and this amounts to following the Categorical Imperative. Kant argues that in following the Categorical Imperative, agents will converge on what is morally permissible. Hence Kant can talk about absolute and objective moral truths.

Common Student Mistakes

- Confusing acting in accordance with duty and acting for the sake of duty.
- Thinking that Kant’s theory has no room for emotions.
- Thinking that Kant’s Categorical Imperative can be summed up in the question: “how would you like it if everyone did that”?
- Thinking that the Categorical Imperative is a form of Utilitarianism.
- Thinking Kant believes you can never treat someone as a means to an end.

Issues To Consider

1. Think about your life. Do you think there are things you “ought to do”?
2. Do you think that there are things you ought to do irrespective of your desires and inclinations?
3. What are Categorical and Hypothetical Imperatives? Do you think that rules of etiquette are categorical or hypothetical?
4. How might Kant respond to the SS officer example?
5. Can you think of some examples where you might be treating someone solely as means-to-an-end?
6. Would capital punishment pass the CI-2 test?
7. How might CI-2 relate to prostitution? Do you think that Kant would say that it is morally permissible? (See also Chapter 10).
8. Why might Kant’s theory be well placed to respect people’s rights?
9. Do you think we have any moral obligations towards animals? What would Kant say?
10. What role do you think intuitions should have in assessing moral theories?

Key Terminology

- A priori
- Categorical Imperative
- Deontological
- Duty
- Egalitarian
- Good will
- Hypothetical Imperative
- Maxim
- Rationalist
- Rights

References

Cholbi, Michael J., ‘Kant and the Irrationality of Suicide’, *History of Philosophy Quarterly*, 17.2 (2000): 159–76.

Foot, Philippa, ‘Morality as a System of Hypothetical Imperatives’, *The Philosophical Review*, 81.3 (1972): 305–16, <https://doi.org/10.2307/2184328>

Kant, Immanuel, *Moral Law: The Groundwork of the Metaphysics of Morals*,

Translated and analysed by H. J. Paton (Oxford: Routledge, 2013).

—, *Lectures on Ethics* (Cambridge: Cambridge University Press, 1997).

Rickman, Peter, ‘Having Trouble with Kant?’, *Philosophy Now*, freely available at https://philosophynow.org/issues/86/Having_Trouble_With_Kant

Velleman, J. David, ‘A Right of Self-termination?’, *Ethics*, 109.3 (1999): 606–28, <https://doi.org/10.1086/233924>

—, *Beyond Price: Essays on Birth and Death* (Cambridge: Open Book Publishers, 2015), <https://doi.org/10.11647/OBP.0061>; freely available at <https://www.openbookpublishers.com/reader/349>

Aristotelian Virtue Ethics

To seek virtue for the sake of reward is to dig for iron with a spade of gold.⁴²

Aristotelian Virtue Ethics Introduction

Aristotle (384–322 BC) was a scholar in disciplines such as ethics, metaphysics, biology and botany, amongst others. It is fitting, therefore, that his moral philosophy is based around assessing the broad characters of human beings rather than assessing singular acts in isolation. Indeed, this is what separates Aristotelian Virtue Ethics from both Utilitarianism and Kantian Ethics.

The Function Argument

Aristotle was a teleologist, a term related to, but not to be confused with, the label “teleological” as applied to normative ethical theories such as Utilitarianism. Aristotle was a teleologist because he believed that every object has what he referred to as a final cause. The Greek term *telos* refers to what we might call a purpose, goal, end or true final function of an object. Indeed, those of you studying Aristotle in units related to the Philosophy of Religion may recognize the link between Aristotle’s general teleological worldview and his study of ethics.

Aristotle claims that “...for all things that have a function or activity, the good and the ‘well’ is thought to reside in the function”.⁴³ Aristotle’s claim is essentially that in achieving its function, goal or end, an object achieves its own good. Every object has this type of a true function and so every object has a way of achieving goodness. The *telos* of a chair, for example, may be to provide a seat and a chair is a good chair when it supports the curvature of the human bottom without collapsing under the strain. Equally, says Aristotle, what makes good sculptors, artists and flautists is the successful and appropriate performance of their functions as sculptors, artists and flautists.

This teleological (function and purpose) based worldview is the necessary backdrop to understanding Aristotle’s ethical reasoning. For, just as a chair has a true function or end, so Aristotle believes human beings have a *telos*. Aristotle identifies what the good for a human being is in virtue of working out what the function of a human being is, as per his Function Argument.

Function Argument

⁴² Ivan Panin, *Thoughts* (Grafton, MA: Ivan Panin, 1890), 92.

⁴³ Aristotle, “Nicomachean Ethics, Book 2,” in *Aristotle in 23 Volumes*, trans. H Rackham, vol. 19, 23 vols. (London: Harvard University Press, 1934), <http://data.perseus.org/citations/urn:cts:greekLit:tlg0086.tlg010.perseus-eng1:2>.

1. All objects have a telos.
2. An object is good when it properly secures its telos.

Given the above, hopefully these steps of the argument are clear so far. At this point, Aristotle directs his thinking towards human beings specifically.

3. The telos of a human being is to reason.
4. The good for a human being is, therefore, acting in accordance with reason.

In working out our true function, Aristotle looks to that feature that separates humanity from other living animals. According to Aristotle, what separates humankind from the rest of the world is our ability not only to reason but to act on reasons. Thus, just as the function of a chair can be derived from its uniquely differentiating characteristic, so the function of a human being is related to our uniquely differentiating characteristic and we achieve the good when we act in accordance with this true function or telos.

The notion that humanity has a true function may sound odd, particularly if you do not have a religious worldview of your own. However, to you especially Aristotle wrote that "...as eye, hand, foot and in general each of the parts evidently has a function, may one lay it down that man similarly has a function apart from all these?"⁴⁴

On the basis that we would ascribe a function to our constituent parts – we know what makes a good kidney for example – so too Aristotle thinks it far from unreasonable that we have a function as a whole. Indeed, this may be plausible if we consider other objects. The component parts of a car, for example, have individual functions but a car itself, as a whole, has its own function that determines whether or not it is a good car.

Aristotelian Goodness

On the basis of the previous argument, the good life for a human being is achieved when we act in accordance with our telos. However, rather than leaving the concept of goodness as general and abstract we can say more specifically what the good for a human involves. Aristotle uses the Greek term eudaimonia to capture the state that we experience if we fully achieve a good life. According to Aristotle, eudaimonia is the state that all humans should aim for as it is the aim and end of human existence. To reach this state, we must ourselves act in accordance with reason. Properly understanding what Aristotle means by eudaimonia is crucial to understanding his Virtue Ethical moral position.

Eudaimonia has been variously translated and no perfect translation has yet been identified. While all translations have their own issues, eudaimonia understood as

⁴⁴ Aristotle.

flourishing is perhaps the most helpful translation and improves upon a simple translation of happiness. The following example may make this clearer.

Naomi is an extremely talented pianist. Some days, she plays music that simply makes her happy, perhaps the tune from the television soap opera "Neighbours" or a rendition of "Twinkle, Twinkle Little Star". On other days, she plays complex music such as the supremely difficult Chopin-Godowsky Études. These performances may also make Naomi happy, but she seems to be flourishing as a pianist only with the latter performances rather than the former. If we use the language of function, both performances make Naomi happy but she fulfils her function as a pianist (and is a good pianist) only when she flourishes with the works of greater complexity.

Flourishing in life may make us happy but happiness itself is not necessarily well aligned with acting in accordance with our telos. Perhaps, if we prefer the term happiness as a translation for eudaimonia we mean really or truly happy, but it may be easier to stay with the understanding of eudaimonia as flourishing when describing the state of acting in accordance with our true function.

Aristotle concludes that a life is eudaimon (adjective of eudaimonia) when it involves "...the active exercise of the mind in conformity with perfect goodness or virtue".⁴⁵ Eudaimonia is secured not as the result exercising of our physical or animalistic qualities but as the result of the exercise of our distinctly human rational and cognitive aspects.

Eudaimonia and Virtue

The quotation provided at the end of section three was the first direct reference to virtue in the explanatory sections of this chapter. With Aristotle's theoretical presuppositions now laid out, we can begin to properly explain and evaluate his conception of the virtues and their link to moral thinking.

According to Aristotle, virtues are character dispositions or personality traits. This focus on our dispositions and our character, rather than our actions in isolation, is what earns Aristotelian Virtue Ethics the label of being an agent-centered moral theory rather than an act-centered moral theory.

Act-Centered Moral Theories

Utilitarianism and Kantian Ethics are two different examples of act-centered moral theories due to their focus on actions when it comes to making moral assessments and judgments. Act-centered moral theories may be teleological or deontological, absolutist or relativist, but they share a common worldview in that particular actions are bearers of

⁴⁵ Aristotle.

moral value – either being right or wrong.

Agent-Centered Moral Theories

Aristotelian Virtue Ethics is an agent-centered theory in virtue of a primary focus on people and their characters rather than singular actions. For Aristotle, morality has more to do with the question “how should I be?” rather than “what should I do?” If we answer the first question then, as we see later in this chapter, the second question may begin to take care of itself. When explaining and evaluating Aristotelian Virtue Ethics you must keep in mind this focus on character rather than specific comments on the morality of actions.

Aristotle refers to virtues as character traits or psychological dispositions. Virtues are those particular dispositions that are appropriately related to the situation and, to link back to our function, encourage actions that are in accordance with reason. Again, a more concrete example will make clear how Aristotle identifies virtues in practice.

All of us, at one time or another, experience feelings of anger. For example, I may become angry when my step-son thoughtlessly eats through the remaining crisps without saving any for others, or he may feel anger when he has to wait an extra minute or two to be picked up at work because his step-father is juggling twenty-six different tasks and momentarily loses track of time (how totally unfair of him...). Anyway, as I was saying, back to Aristotle, “Anyone can become angry – that is easy. But to be angry with the right person, to the right degree, at the right time, for the right purpose, and in the right way – that is not easy”.⁴⁶

For Aristotle, virtue is not a feeling itself but an appropriate psychological disposition in response to that feeling; the proper response. The correct response to a feeling is described as acting on the basis of the Golden Mean, a response that is neither excessive nor deficient. The table below makes this more apparent.

Feeling/Emotion	Vice of Deficiency	Virtuous Disposition (Golden Mean)	Vice of Excess
Anger	Lack of spirit	Patience	Irascibility
Shame	Shyness	Modesty	Shamefulness
Fear	Cowardice	Courage	Rashness
Indignation	Spitefulness	Righteousness	Envy

Anger is a feeling and therefore is neither a virtue nor a vice. However, the correct response to anger – the Golden Mean between two extremes – is patience, rather than a lack of spirit or irascibility. Virtues are not feelings, but characteristic dispositional

⁴⁶ Aristotle.

responses that, when viewed holistically, define our characters and who we are.

The Golden Mean ought not to be viewed as suggesting that a virtuous disposition is always one that gives rise to a “middling” action. If someone puts their life on the line, when unarmed, in an attempt to stop a would-be terrorist attack, then their action may be rash rather than courageous. However, if armed with a heavy, blunt instrument their life-risking action may be courageously virtuous rather than rash. The Golden Mean is not to be understood as suggesting that we always act somewhere between complete inaction and breathless exuberance, but as suggesting that we act between the vices of excess and deficiency; such action may well involve extreme courage or exceptional patience.

In addition to feelings, Aristotle also suggests that we may virtuously respond to situations. He suggests the following examples.

Feeling/Emotion	Vice of Deficiency	Virtuous Disposition (Golden Mean)	Vice of Excess
Social conduct	Cantankerousness	Friendliness	Self-serving flattery
Conversation	Boorishness	Wittiness	Buffoonery
Giving money	Stinginess	Generosity	Profligacy

We must keep in mind the agent-centered nature of Aristotelian Virtue Ethics when considering these examples. A person does not cease to have a witty disposition in virtue of a single joke that might err on the side of buffoonery, or cease to be generous because they fail to donate to charity on one occasion. Our psychological dispositions, virtuous or not, are only to be assessed by judgment of a person’s general character and observation over more than single-act situations. If we act in accordance with reason and fulfil our function as human beings, our behavior will generally reflect our virtuous personality traits and dispositions.

Developing the Virtues

In a quote widely attributed to Aristotle, Will Durrant (1885–1981) sums up the Aristotelian view by saying that “...we are what we repeatedly do. Excellence, then, is not an act but a habit”.⁴⁷ It is fairly obvious that we cannot become excellent at something overnight. Making progress in any endeavor is always a journey that requires both effort and practice over time. Aristotle holds that the same is true for human beings attempting to develop their virtuous character traits in attempt to live the good life. You may feel yourself coming to an Aristotelian Virtue Ethical view after reading this chapter and

⁴⁷ William James Durant, *The Story of Philosophy the Lives and Opinions of the Great Philosophers of the Western World* (Simon & Schuster, 1967), 76.

therefore be moved to become wittier, more courageous and more generous but you cannot simply acquire these traits by decision; rather, you must live these traits in order to develop them.

Cultivating a virtuous character is something that happens by practice. Aristotle compares the development of the skill of virtue to the development of other skills. He says that "...men become builders by building" and "... we become just by doing just acts".⁴⁸ We might know that a brick must go into a particular place but we are good builders only when we know how to place that brick properly. Building requires practical skill and not merely intellectual knowledge and the same applies to developing virtuous character traits. Ethical characters are developed by practical learning and habitual action and not merely by intellectual teaching.

In the end, the virtuous individual will become comfortable in responding to feelings/situations virtuously just as the good builder becomes comfortable responding to the sight of various tools and a set of plans. A skilled builder will not need abstract reflection when it comes to knowing how to build a wall properly, and nor will a skilled cyclist need abstract reflection on how to balance his speed correctly as he goes around a corner.

Analogously, a person skilled in the virtues will not need abstract reflection when faced with a situation in which friendliness and generosity are possibilities; they will simply know on a more intuitive level how to act. This is not to say that builders, cyclists and virtuous people will not sometimes need to reflect specifically on what to do in abnormal or difficult situations (e.g. moral dilemmas, in the case of ethics) but in normal situations appropriate responses will be natural for those who are properly skilled.

It is the need to become skilled when developing virtuous character traits that leads Aristotle to suggest that becoming virtuous will require a lifetime of work. Putting up a single bookshelf does not make you a skilled builder any more than a single act of courage makes you a courageous and virtuous person. It is the repetition of skill that determines your status and the development of virtuous characters requires a lifetime of work rather than a single week at a Virtue Ethics Bootcamp.

Practical Wisdom (Phronesis)

Aristotle does offer some specifics regarding how exactly we might, to use a depressingly modern phrase, "upskill" in order to become more virtuous. Aristotle suggests that the aim of an action will be made clear by the relevant virtuous characteristic as revealed by the Golden Mean; for example, our aim in a situation may be to respond courageously or generously. It is by developing our skill of **practical wisdom** (translation of "phronesis") that we become better at ascertaining what exactly courage or generosity amounts to in a specific situation and how exactly we might

⁴⁸ Aristotle, "Nicomachean Ethics, Book 2."

achieve it.

By developing the skill of practical wisdom, we can properly put our virtuous character traits into practice. For the Aristotelian, practical wisdom may actually be the most important virtuous disposition or character trait to develop as without the skill of practical wisdom it may be difficult to actually practice actions that are witty rather than boorish, or courageous rather than cowardly. Imagine trying to be a philosopher without an acute sense of logical reasoning; you would struggle because this seems to be a foundational good on which other philosophical skills rely. So too it may be with the virtues, practical wisdom supports our instinctive knowledge of how to respond virtuously to various feelings, emotions and situations.

If this still seems to be somewhat opaque, then we may develop our sense of practical wisdom by looking at the actions of others who we do take to be virtuous. A child, for example, will most certainly need to learn how to be virtuous by following examples of others. If we are unsure in our own ability to discern what a courageous response in a given situation is, then we may be guided by the behavior of Socrates, Jesus, Gandhi, Mandela or King, as examples. If we learn from the wisdom and virtue of others, then just as a building apprentice learns from a master so too virtue apprentices can learn from those more skilled than they in practicing virtue. Hopefully, such virtue apprentices will eventually reach a point where they can stand on their own two feet, with their personally developed sense of practical wisdom.

Voluntary Actions, Involuntary Actions and Moral Responsibility

Despite the focus on agents and not actions, Aristotle does have something to contribute when it comes to discussions of potential moral responsibility as associated with particular actions. We can separate actions into two obvious categories:

1. Voluntary actions
2. Involuntary actions

Very broadly, an action is voluntary when it is freely chosen and involuntary when it is not – these terms are more precisely defined next, in line with Aristotle's ideas. These distinctions matter in ethics because a person might be held to be morally responsible for their voluntary actions but not for their involuntary actions. According to Aristotle, an action is voluntary unless it is affected by force or ignorance, as understood in the following ways.

Physical Force

Imagine that Reuben is driving his car on his way home from work. Out of the blue, his passenger grabs his hand and forces him to turn the steering wheel, sending the car into oncoming traffic. Without this physical force, Reuben would not have turned the wheel and he very much regrets the damage that is caused. According to Aristotle, Reuben's action is involuntary because of this external physical force and so he is not

morally responsible for the crash.

Psychological Force

Think of David, working at a bank when a group of thieves break in armed with guns. David is told that if he does not open the safe then he will be killed. Under this extreme psychological pressure, Aristotle would accept that David's opening of the safe is involuntary, because David would not have opened the safe otherwise and he very much regrets doing so. On this basis, David is not morally responsible in any way for the theft.

In addition to force, ignorance of a certain type can also support an action being labelled as involuntary.

Action from Ignorance

Rhys, a talented musician, wishes to perform a surprise concert for a friend and has been practicing songs from the Barry Manilow back catalogue for weeks. However, in the days before the surprise concert his friend, unbeknown to Rhys, develops an intense and very personal dislike for Manilow. Thus, when Rhys takes to the stage and blasts out his rendition of the classic tune "Copacabana" his friend storms off in much distress. In this situation, Aristotle would accept that Rhys acted involuntarily when causing offence because he was unaware of the changed circumstances; he acted from ignorance when performing the song rather than from malice. Without this epistemic (or knowledge-related) barrier, Rhys would not have acted as he did and he very much regrets the distress caused. For these reasons, Rhys bears no moral responsibility for the upset resulting from his song choice.

Crucially, Aristotle does not allow that all action that involves ignorance can be classed as involuntary, thereby blocking associated claims of moral responsibility.

Action in Ignorance

Laurence has had too much to drink and chooses to climb a traffic light with a traffic cone on his head. Laurence's alcohol consumption has made him ignorant, at least temporarily, of the consequences of this action in terms of social relationships, employment and police action. However, for Aristotle this would not mean that his action was involuntary because Laurence acts in ignorance rather than from ignorance due to an external epistemic (or knowledge-based) barrier. Laurence does not, therefore, escape moral responsibility as a result of his self-created ignorance.

Finally, Aristotle also identifies a third form of action – non-voluntary action – that is also related to ignorant action.

Action from Ignorance with No Regret

Return to the case of Rhys and his Manilow performance but remove any sense of

regret on Rhys' part for the distress caused. If, at the moment that the epistemic gap is bridged and Rhys learns of his friend's newly acquired musical views, he feels no regret for his action, then Aristotle would class it as a non-voluntary rather than involuntary action. The action cannot be voluntary as Rhys acted from ignorance, but it is not obviously involuntary as, without a sense of regret, it may have been that Rhys would have performed the action even if he knew what was going to happen.

The detail above is important and your own examples will help your understanding and explanations. The summary, however, is refreshingly simple. If an action is voluntary, then it is completed free from force and ignorance and we can hold the actor morally responsible. However, if the action is involuntary then the actor is not morally responsible as they act on the basis of force or from ignorance.

Objection: Unclear Guidance

Consider yourself caught in the middle of a moral dilemma. Wanting to know what to do you may consult the guidance offered by Utilitarianism or Kantian Ethics and discover that various specific actions you could undertake are morally right or morally wrong. Moving to seek the advice of Aristotelian Virtue Ethics, you may find cold comfort from suggestions that you act generously, patiently and modestly whilst avoiding self-serving flattery and envy. Rather than knowing how to live in general, you may seek knowledge of what to actually do in this case. Virtue Ethics may therefore be accused of being a theory, not of helpful moral guidance, but of unhelpful and non-specific moral platitudes.

In response, the virtue ethicist may remind us that we can learn how to act from considering how truly virtuous people might respond in this situation, but this response raises its own worry – how can we identify who is virtuous, or apply their actions to a potentially novel situation? Although a defender of Virtue Ethics, Rosalind Hursthouse (1943–) gives a voice to this common objection, putting forward the worry directly by saying that “Virtue Ethics does not, because it cannot, tell us what we should do... It gives us no guidance whatsoever. Who are the virtuous agents [that we should look to for guidance]?”⁴⁹ If all the virtue ethicist can offer to a person wondering how to act – perhaps wondering whether or not to report a friend to the police, or whether or not to change careers to work in the charity sector – is “look to the moral exemplars of Socrates and Gandhi and how they would act in this situation”, then we might well sympathize with the objector since very often our moral dilemmas are new situations, not merely old ones repeated. Asking “what would Jesus do”, if we deem Jesus to be a morally virtuous role model, might not seem very helpful for an MP trying to determine whether or not to vote for an increase in subsidies for renewable energy technologies at huge expense, and potential financial risk, to the tax-payer (to take a deliberately specific

⁴⁹ Rosalind Hursthouse, “Normative Virtue Ethics,” in *Ethical Theory: An Anthology* (Second Edition: John Wiley & Sons, Inc., 2013), 645–52.

example).

Despite her statement of the objection, Hursthouse thinks that this is an unfair characterization of Virtue Ethics. Hursthouse suggests that Virtue Ethics provides guidance in the form of “v-rules”. These are guiding rules of the form “do what is honest” or “avoid what is envious”.⁵⁰ These rules may not be specific, but they do stand as guidance across lots of different moral situations. Whether or not you believe that this level of guidance is suitable for a normative moral theory is a judgment that you should make yourself and then defend.

Objection: Clashing Virtues

Related to the general objection from lack of guidance, a developed objection may question how we are supposed to cope with situations in which virtues seem to clash. Courageous behaviour may, in certain cases, mean a lack of friendliness; generosity may threaten modesty. In these situations, the suggestion to “be virtuous” may again seem to be unhelpfully vague.

To this particular objection, the Aristotelian virtue ethicist can invoke the concept of practical wisdom and suggest that the skilled and virtuous person will appropriately respond to complex moral situations. A Formula One car, for example, will be good when it has both raw speed and delicate handling and it is up to the skilled engineer to steer a path between these two virtues. So too a person with practical wisdom can steer a path between apparently clashing virtues in any given situation. Virtue ethicists have no interest in the creation of a codified moral rule book covering all situations and instead put the onus on the skill of the virtuous person when deciding how to act. Again, whether this is a strength or weakness is for you to decide and defend.

Objection: Circularity

An entirely different objection to Aristotelian Virtue Ethics is based on a concern regarding logical circularity. According to Aristotle, the following statements seem to be correct:

1. An act is virtuous if it is an act that a virtuous person would commit in that circumstance.
2. A person is virtuous when they act in virtuous ways.

This, however, looks to be circular reasoning. If virtuous actions are understood in terms of virtuous people, but virtuous people are understood in terms of virtuous

⁵⁰ Hursthouse.

actions, then we have unhelpfully circular reasoning.

Julia Annas (1946–) responds to this apparent problem by arguing that there is nothing dangerously circular in this reasoning because it is simply a reflection of how we learn to develop our virtuous dispositions.⁵¹ Annas suggests the analogy of piano-playing:

1. Great piano playing is what great pianists do.
2. A pianist is great when he “does” great piano playing.

In this case, there does not seem to be any troubling circularity in reasoning. It is not the case that whatever a great pianist plays will be great, but rather that great pianists have the skills to make great music. So too it is with virtues, for virtuous people are not virtuous just because of their actual actions but because of who they are and how their actions are motivated. It is their skills and character traits that mean that, in practice, they provide a clear guide as to which actions are properly aligned with virtues. Thus, if we wish to decide whether or not an act is virtuous we can assess what a virtuous person would do in that circumstance, but this does not mean that what is virtuous is determined by the actions of a specifically virtuous individual. The issue is whether or not a person, with virtuous characteristics in the abstract, would actually carry that action out. Virtuous people are living and breathing concrete guides, helping us to understand the actions associated with abstract virtuous character dispositions.

Objection: Contribution to Eudaimonia

The final distinct objection to Aristotelian Virtue Ethics considered in this chapter stems from the Aristotelian claim that living virtuously will contribute to our ability to secure a eudaimon life. A challenge to this view may be based on the fact that certain dispositions may seem to be virtuous but may not actually seem to contribute to our flourishing or securing the good life.

As an example of this possible objection in practice, consider the following. Shelley is often described as generous to a fault and regularly dedicates large amounts of her time to helping others to solve problems at considerable cost, in terms of both time and effort, to herself. Working beyond the limits that can reasonably be expected of her, we may wish to describe Shelley as virtuous given her generous personality. However, by working herself so hard for others, we may wonder if Shelley is unduly limiting her own ability to flourish.

Responses to this initial statement of the objection are not hard to imagine. We may say that Shelley has either succumbed to a vice of excess and is profligate with her time rather than generous, or we may accept that she is generous rather than profligate and accept the uncomfortable conclusion and say that this virtuous character trait is helping

⁵¹ Julia Annas, *Intelligent Virtue* (Oxford University Press, 2011).

her to flourish. This second claim may seem more plausible if we ruled out a description of Shelley wasting her time.

Still, this objection may stand up if you can envisage a situation in which someone could be properly described as rash rather than courageous or wasteful rather than generous and, because of these traits, actually be contributing to their own flourishing. You should consider your own possible cases if you seek to support this general objection.

Moral Good and Individual Good

For Aristotle, moral goodness and individual goodness may seem to be intimately linked. After all, a virtuous person will be charitable and friendly etc. and as a result of these characteristics and dispositions will both advance their own journey towards eudaimonia and make life better for others. Hedonism (which claims that pleasure is the only source of well-being – see Chapter 1), as a rival theory attempting to outline what is required for well-being, might be thought to fail because it downplays the importance of acting in accordance with reason, so hedonists do not therefore live according to their telos or true function.

Aristotle says of his ideally virtuous person that they will have a unified psychology – that their rational and non-rational psychologies will speak with one voice. On the contrary, the non-virtuous person will have a psychology in conflict between their rational and non-rational elements. In considering who has the better life from their own individual perspectives – the happy Hedonist or the Aristotelian virtuous person – you should again form your own reasoned judgment.

It is important to note, as we conclude this chapter, that Aristotle does not suggest that living a virtuous life is sufficient to guarantee a state of eudaimonia for a person. External factors such as poverty, disease or untimely death may scupper a person's advance towards eudaimonia. However, for Aristotle, being virtuous is necessary for the achievement of eudaimonia; without the development of virtues it is impossible for a person to flourish even if they avoid poverty, disease, loneliness etc.

Summary

Aristotelian Virtue Ethics is very different in nature to the other act-centered normative moral theories considered in this book. Whether this, in itself, is a virtue or a vice is an issue for your own judgment. The lack of a codified and fixed moral rule book is something many view as a flaw, while others perceive it as the key strength of the theory. Some, meanwhile, will feel uncomfortable with Aristotle's teleological claims, differing from those who are happy to accept that there is an objectively good life that is possible for human beings. Regardless, there is little doubt that Aristotelian Virtue Ethics offers a distinct normative moral picture and that it is a theory worthy of your

reflections.

Common Student Mistakes

- Understanding virtues as feelings.
- Misunderstanding the function of a human being (eudaimonia).
- Thinking that the Golden Mean always suggests “neutral” or “middling” actions.
- Incorrect differentiation between voluntary, involuntary and non- voluntary actions.
- Claiming that Virtue Ethics offers no guidance whatsoever in moral situations.
- Claiming that Virtue Ethics is uninterested in actions.

Issues to Consider

1. Who has the better life – the happy hedonist or the virtuous individual?
2. Are the virtues fixed and absolute? Or can virtues be relative to culture and time?
3. Is becoming moral a skill? Is morality based on “knowing that” or “knowing how”?
4. Can Virtue Ethics offer useful guidance?
5. Is the Golden Mean a useful way of working out virtuous characteristics?
6. Are some virtues more important than others? Why?
7. Can you think of a virtue that does not contribute to eudaimonia?
8. Can you think of something that contributes to eudaimonia that is not a virtue?
9. If there is no purpose to life, is there any point in subscribing to Aristotelian Virtue Ethics?
10. What should you do if virtues seem to clash when faced with different possible actions?
11. Who might count as virtuous role models and why?
12. Do human beings have a telos or proper function?

Key Terminology

Act-centered	Phronesis
Agent-centered	Virtue
Dispositions	Telos
Eudaimonia	Golden mean

References

Annas, Julia, Intelligent Virtue (Oxford: Oxford University Press, 2011). Aristotle, The Nicomachean Ethics, translated by William David Ross (Oxford:

Clarendon Press, 1908), freely available at <http://sacred-texts.com/cla/ari/nico/index.htm>

Hursthouse, Rosalind, 'Normative Virtue Ethics', in Ethical Theory, ed. by Russ Shafer-Landau (Oxford: Blackwell Publishing, 2007), pp. 701–09.

Panin, Ivan, Thoughts (Grafton: Ivan Panin, 1887), freely available at <https://ia601405.us.archive.org/8/items/thoughts00panigoog/thoughts00panigoog.pdf>

Religious Ethics and Natural Law Theory

Grace does not destroy nature but perfects it. – Thomas Aquinas⁵²

They show that what the law requires is written on their hearts, to which their own conscience also bears witness; and their conflicting thoughts will accuse or perhaps excuse them. – Paul of Tarsus⁵³

Religion and Ethics

A great many people around the world are religious and look to their religion for moral guidance. See Figure 5: Religious People around the World (2015) to get a sense of how many people are religiously affiliated around the globe. If this many people are religious, then it is worth taking a moment to look at how their religion informs their ethics. We can only speak in the broadest of strokes here. Consider these next few sections as representative artifacts rather than a systematic, thick description.

A Common Ethic?

Religion scholars will sometimes claim that the only thing all the religions have in common are their core ethical principles.⁵⁵ To a certain extent, this is true. In all of the major religious traditions, there is the **Principle of Reciprocity**, the idea that one should treat others as one would like to be treated. People in the West will often attribute this to Jesus' Golden Rule, but Jesus himself was paraphrasing the great Rabbi Hillel, as he sometimes did.⁵⁶

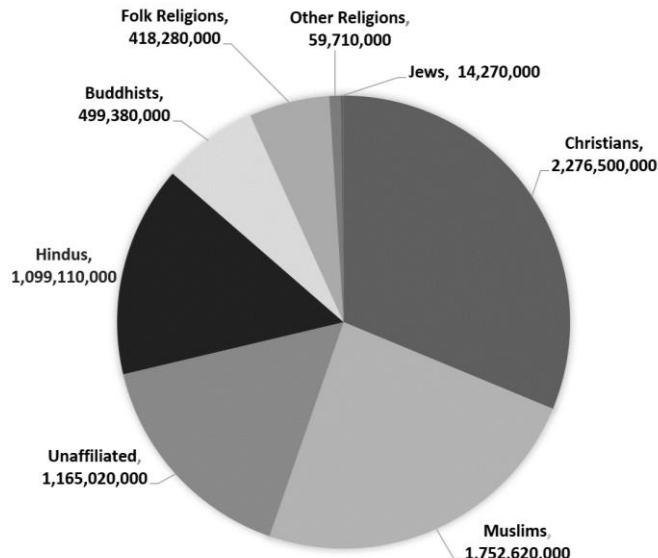


Figure 5: Religious People around the World (2015)⁵⁴

⁵² Thomas Aquinas, *Summa Theologica*, trans. Fathers of the English Dominican Province (Benziger Bros, 1947), <https://dhspriory.org/thomas/summa/> First Part, Question 1, Article 8.

⁵³ Romans 2:15, NRSV

⁵⁴ 1615 L. St NW, Suite 800 Washington, and DC 20036 USA202-419-4300 | Main202-419-4349 | Fax202-419-4372 | Media Inquiries, "The Changing Global Religious Landscape," Pew Research Center's Religion & Public Life Project (blog), April 5, 2017, <http://www.pewforum.org/2017/04/05/the-changing-global-religious-landscape/>.

⁵⁵ See the introduction to Stephen Prothero's *God is Not One*.

⁵⁶ Compare Jesus' summary of the Law and the Prophets in Matthew 22:40 with Hillel's summary of the Torah in Shabbat 31a.

But this commonality is not limited to Judaism and Christianity. Below is a table that lists the Principle of Reciprocity in a variety of sacred texts belonging to various religious traditions.

Table 1: Principle of Reciprocity in the texts of World Religions

Religion	Ethical Rule	Source
<i>Buddhism</i>	Look where you will, there is nothing dearer to man than himself; therefore, as it is the same thing that is dear to you and to others, hurt not others with what pains yourself.	Udana-Varga 5:18
<i>Daoism</i>	Regard your neighbor's gain as your own gain, and your neighbor's loss as your own loss.	"Moral Injunctions," in <i>T'ai Shang Kan Ying Pien</i>
<i>Hinduism</i>	This is the sum of duty: do not to other what would cause pain if done to you.	Mahabharata 5:1517
<i>Christianity</i>	In everything do to others as you would have them do to you; for this is the law and the prophets.	Matthew 7:12
<i>Islam</i>	Not one of you believes until you wish for others what you wish for yourself.	Hadith 40 of al-Nawawi 13
<i>Judaism</i>	What is hateful to you, do not to your neighbor: that is the whole Torah, while the rest is the commentary thereof; go and learn it.	Hillel, Talmud, Shabbat 31a
<i>Sikhism</i>	No one is my enemy, and no one is a stranger. I get along with everyone.	Guru Granth Sahib, Page 1299
<i>Jainism</i>	Indifferent to worldly objects, a man should wander about treating all creatures in the world so as he himself would be treated.	<i>Sutrakritanga</i> Book 1, Lecture 11, Verse 33

Religions also seem to be united on the subject of human worth and the corresponding duty we have towards others. They describe us as having immense value and our value corresponds to an obligation to look after one another. The answer to

Cain's question to God is "Yes, we are our sister and brother's keeper."⁵⁷ In some religions, humanity reflects the divine. For instance, in Hinduism, at the core of a person is an atman, or a drop of Brahman. In the Western monotheisms, humans are made in the image of God, sometimes called the *imago Dei*.⁵⁸ In Buddhism, there are multiple prohibitions of killing persons, from the third *pārājika* to the fourteen precepts of the "Order of Interbeing."⁵⁹ In that Order, we see stark imperatives, including

- 11) Do not live with a vocation that is harmful to humans or nature.
- 12) Do not kill. Do not let others kill.⁶⁰

In Islam, the Cairo Declaration on Human Rights (1990) declares that all human beings are loved by God, have equal worth, and that no one is superior to another on the basis of religion or deeds.⁶¹ In the religions of the world there are also directives to ensure the poor and other vulnerable members of society are taken care of.

Additionally, many religious texts and traditions also see the Earth as something which needs to be tended as a garden. This is most clearly stated in the "Islamic Declaration on Nature":

For the Muslim, humankind's role on earth is that of a Khalifah - vicegerent or trustee of Allah. We are Allah's stewards and agents on Earth. We are not masters of this Earth; it does not belong to us to do what we wish. It belongs to Allah and He has entrusted us with its safekeeping.⁶²

And so, in the major religious traditions there is an ethical demand to treat other adherents and all of humanity with dignity, respect, and compassion. We also see humanity as the stewards of the Earth.

So far, so good, right?

Baptizing Violence?

Ethical theories allow for violence in certain situations and religions are no different.

⁵⁷ In the opening chapters of the book of Genesis there is the myth of the first murder. YHWH asks Cain where his brother Abel is (Cain had killed him a few verses before). Cain responds by asking YHWH whether or not he is his brother's keeper.

⁵⁸ The Desert Monotheisms are those religions that follow the God of Abraham as the one true god and arose in what is now known as the Middle East. The exact meaning of the phrase is contested, but we will use the term to denote the idea that the God of Abraham has created humanity with a special purpose, place, and role in creation.

⁵⁹ Damien Keown, *Buddhist Ethics: A Very Short Introduction* (Oxford: Oxford University Press, 2005), 108.

⁶⁰ Keown, 36.

⁶¹ The Nineteenth Islamic Conference of Foreign Minister, "Cairo Declaration on Human Rights in Islam," University of Minnesota Human Rights Library, 1990, <http://hrlibrary.umn.edu/instree/cairodeclaration.html>.

⁶² Abdullah Omar Nasseef, "The Muslim Declaration on Nature," in *The Assisi Declarations* (Assisi, 1986), 10–12, <http://www.arcworld.org/downloads/THE%20ASSISI%20DECLARATIONS.pdf>.

Within each of the religious traditions above, there are occasions, primarily in the defense of innocents, where violence against another person is allowed, either by individuals or by agents of the state.

Additionally, human history is rife with religiously tinged violence. And so, some claim that because of

- a) the theoretical allowance of violence and
- b) the history of violence by religious adherents;

that religion is fundamentally violence-inducing and therefore should be excluded from serious ethical consideration. However, humans are plenty violent outside of religious considerations. Additionally, there is a tendency to *mask* political, ethnic, class, colonial, post-colonial, nationalist, and other strife under the guise of religious pretenses. Today this is seen most starkly in the reciprocal, but uneven, political violence between the state of Israel and various Palestinian groups. But we can also see this in the violence towards Muslims by Hindu nationalists in India in the name of *Hindutva*.⁶³ We also see this in the Buddhist mob violence against Muslims in Shri Lanka⁶⁴ and state sanctioned religiously and ethnically coded violence in Buddhist Myanmar.⁶⁵

Given the human tendency to find self and group worth through the creation of and subsequent negation of the Other, we should not be surprised to find these moral-political moves justified in certain instances of religious logics. For instance, Christian colonial Europe (the Occidental world) constructed (through literature, paintings, colonial records, armchair anthropology, theology, contracts, missionary accounts, ethnography, et cetera) what they called “the Orient,” a great swath of lands and peoples extending from North Africa through the Middle East, onto India, Persia, and finally China. All of the individual cultures, religions, ethnic groups, and so on were flattened into the Great Other and ascribed all of the character and cultural traits Europe wished it did not have. In naming the Orient as evil, hyper-sexual, immoral, deceitful, exotic, Europe was named as good, pious, moral, trustworthy, and so forth.⁶⁶ Such moves were not unique to Christian Europe during the colonial era, but this is a representative sample of the process occurring with religious difference as a core component.

⁶³ Dibyesh Anand, “The Violence of Security: Hindu Nationalism and the Politics of Representing ‘the Muslim’ as a Danger,” *The Round Table* 94, no. 379 (April 1, 2005): 203–15, <https://doi.org/10.1080/00358530500099076>.

⁶⁴ Matthew Gindin, “Sri Lanka Struggles to Contain Its Violent Buddhist Extremists,” *Tricycle: The Buddhist Review*, March 9, 2018, <https://tricycle.org/trikedaily/sri-lanka-buddhist-violence/>.

⁶⁵ Matthew Gindin, “Rohingya in ‘Last Stages of Genocide,’” *Tricycle: The Buddhist Review*, April 25, 2018, <https://tricycle.org/trikedaily/rohingya-genocide/>.

⁶⁶ The best introduction to this historical phenomenon is E.W. Said, *Orientalism* (Penguin Group, 2006), <https://books.google.com/books?id=66slHa2VTmoC>.



Figure 6: The Orient (Black) and Occident (Grey) as marked out by Europeans during the Colonial Era.

Theo-Political Religious Violence

Direct violence by religious groups can be discussed from at least two perspectives:

1. Theocracy and
2. Agent Apocalypticism.

In both of these perspectives, religious groups morally map the world according to their religious stories and see it as imperative that they either usher in the divine restoration of the world or police the world to maintain the divine order. For these groups, violence is one useful tool among others. State violence in theocratic societies are often fascistic to some degree. They hold that the organic harmonious whole is threatened by impiety or the Religious Other and the social fabric then needs to be policed – violently if need be.

Agent Apocalypticism is almost the inverse of theocratic societies. Here there is a persecuted minority (or a perceived persecuted minority) that sees themselves as agents in the divine plan to radically reorient the world. When apocalyptic groups see themselves as powerless to effect change (as is often the case), they are commonly pacifist in practice. It is God alone who can wield violence for God's own ends. — “Vengeance is mine, says the LORD.”⁶⁷ God is justified in using whatever violence is

⁶⁷ Here we use allusions to Deuteronomy 32:35 and Romans 12:17–19 to stand in for the religious claim (found in most religions of the world) that violence is prohibited, particularly retributive violence. The scales of justice are balanced by God, not by the followers of God.

necessary to achieve the radical reorientation of a world fundamentally rebelling from God. *However*, when the apocalyptic group sees themselves as agents of either *instituting* or *triggering* the start of God's cleansing the Cosmos, then nearly any action, violent or nonviolent is justified.⁶⁸ A great many of the instances of religiously motivated terrorism is rooted in apocalypticism. We see this in Jihadi-Salafism⁶⁹ (vs. quietist Salafism and political Salafism) and Christian Reconstructionist terrorist groups. Perhaps the most dramatic and extended example of this process is found in the leadup to and aftermath of the Münster Rebellion.⁷⁰

Religion and Sexual Violence

So far, we have talked about theo-political violence. We also want to look *briefly* at sexual violence. Note that structures we describe as allowing sexual violence to exist and persist are *not innate to religion*. They are true for any insular and opaque group. The paradox is that the more conservative a religious group is on sexual mores, the more likely the group is to have cases of sexual abuse go unchecked. We have seen this in Judaic,⁷¹ Christian,^{72,73} Muslim,⁷⁴ and Buddhist⁷⁵ sub-groups. What these communities seem to have in common are

- a) hierachal power relations,
 - b) strict sexual mores, and
-

⁶⁸ Jamel Velji, "Apocalyptic Religion and Violence," in *The Oxford Handbook of Religion and Violence*, ed. Michael Jerryson, Mark Juergensmeyer, and Margo Kitts, 2013, <http://oxfordhandbooks.com/view/10.1093/oxfordhb/9780199759996.001.0001/oxfordhb-9780199759996-e-14>.

⁶⁹ Joas Wagemakers, *Salafism* (Interactive Factory, n.d.), <http://religion.oxfordre.com/view/10.1093/acrefore/9780199340378.001.0001/acrefore-9780199340378-e-255>.

⁷⁰ Waite Gary K., "From Apocalyptic Crusaders to Anabaptist Terrorists: Anabaptist Radicalism after Miinster, 1535-1544," *Archiv Für Reformationsgeschichte - Archive for Reformation History* 80, no. jg (1989): 173, <https://doi.org/10.14315/arg-1989-jg10>.

⁷¹ Sara Zalcberg, "The Place of Culture and Religion in Patterns of Disclosure and Reporting Sexual Abuse of Males: A Case Study of Ultra Orthodox Male Victims.," *Journal of Child Sexual Abuse* 26, no. 5 (July 2017): 590-607, <https://doi.org/10.1080/10538712.2017.1316335>.

⁷² Elizabeth B. Ludwin King, "Transitional Justice and The Legacy Of Child Sexual Abuse in The Catholic Church" 81, no. 1 (January 1, 2018): 121-43.

⁷³ Andrew S. Denney, Kent R. Kerley, and Nickolas G. Gross, "Child Sexual Abuse in Protestant Christian Congregations: A Descriptive Analysis of Offense and Offender Characteristics" 9, no. 1 (January 1, 2018): 27-27.

⁷⁴ Henna Budhwani and Kristine R. Hearld, "Muslim Women's Experiences with Stigma, Abuse, and Depression: Results of a Sample Study Conducted in the United States.," *Journal of Women's Health (15409996)* 26, no. 5 (May 2017): 435-41, <https://doi.org/10.1089/jwh.2016.5886>.

⁷⁵ "Fears Mount over Scale of Buddhist Sect Sexual Abuse; Followers Allege They Were Coerced into Sex in 1970s and 80s with Elders of UK's Triratna Order," *The Observer (London, England)*, 2017, edsgbe, <http://0-search.ebscohost.com.avalon.searchmobius.org/login.aspx?direct=true&db=edsgbe&AN=edsgcl.481755225&site=eds-live>.

- c) opaque power structures.

These attributes do not cause sexual abuse, but they create spaces and power disparities that allow abuse to happen and incentivize the hiding of abuse when it does occur.⁷⁶

Conclusion: Embodied Religion and Morality

In this brief survey, we've seen that embodied religion and lived morality is a mixed bag. There are, in the lived traditions, beliefs and practices of adherents and the hearts of religious texts, tremendous potential and historical actuality of the concern for and material well being of people and our shared environment. We have also seen that expressions of religious traditions, either in by individuals or groups, logics that allow or demand harm of persons, communities, and our shared environment. The common facts appear to be humanity and our foibles rather than "religion" itself or any particular religious traditions.

The Euthyphro Dilemma and Divine Command Theory

Now we need to address the question of how religious people determine why which acts moral and which acts are immoral. The likely answer from a religious person as to why we should not steal, or commit adultery is: "because God forbids us"; or if we ask why we should love our neighbor or give money to charity then the answer is likely to be "because God commands it". Drawing this link between what is right and wrong and what God commands and forbids is what is called the **Divine Command Theory** (DCT).

There is a powerful and influential challenge to such an account called the Euthyphro dilemma after the challenge was first raised in Plato's *Euthyphro*. The dilemma runs as follows:

Either God commands something is right because it is, or it is right because God commands it.

- a) If God commands something because it is right, then God's commands do not make it right, His commands only tell us what is right. This means God simply drops out of the picture in terms of explaining why something is right.
- b) If on the other hand something is right because God commands it then anything at all could be right; killing children or setting fire to churches could be morally acceptable. But if a moral theory says this then that looks as if the theory is wrong.

Most Divine Command Theists reject the first option and opt for this second option

⁷⁶ Zalcberg, "The Place of Culture and Religion in Patterns of Disclosure and Reporting Sexual Abuse of Males: A Case Study of Ultra Orthodox Male Victims."

– that God's commands make something right. But they then have to face the problem that it makes morality haphazard. This “**arbitrariness problem**” as it is sometimes called, is the reason that many, including Aquinas, give up on the Divine Command Theory.

Introduction to Aquinas

Thomas Aquinas (1225–1274) was an intellectual and religious revolutionary, living at a time of great philosophical, theological and scientific development. He was a member of the Dominican Friars and taught by one of the greatest intellects of the age, Albert the Great (1208–1280). In a nutshell Aquinas wanted to move away from Plato's thinking, which was hugely influential at the time, and instead introduce Aristotelian ideas to science, nature and theology.

Aquinas wrote an incredible amount – in fact one of the miracles accredited to him was the amount he wrote! His most famous work is Summa Theologica and this runs to some three and half thousand pages and contains many fascinating and profound insights, such as proofs for God's existence. The book remained a fundamental basis for Catholic thinking right up to the 1960s! But do not worry we will only be focusing on a few key ideas! Specifically books I-II, questions 93–95.

For Aquinas, what role, if any at all, does God have when it comes to morality? For him, God's commands are there to help us to come to see what is right and wrong rather than determine what is right and wrong. That is, Aquinas opts for the Option A in the Euthyphro dilemma as stated above. But then this raises the obvious question: if it is not God's commands that make something right and wrong, then what does? Does not God just fall out of the picture? This is where his Natural Law Theory comes in.

Natural Law Theory

Aquinas's Natural Law Theory contains four different types of law:

1. Eternal Law,
2. Natural Law,
3. Human Law and
4. Divine Law.

The way to understand these four laws and how they relate to one another is via the Eternal Law, so we'd better start there...

By “Eternal Law” Aquinas means God's rational purpose and plan for all things. And because the Eternal Law is part of God's mind then it has always, and will always, exist. The Eternal Law is not simply something that God decided at some point to write.

Aquinas thinks that everything has a purpose and follows a plan. He, like Aristotle, is

a teleologist⁷⁷⁽⁾ and believes that every object has a telos; the acorn has the telos of growing into an oak; the eye a telos of seeing; a rat of eating and reproducing etc. (notice this links to his view on sex, see Chapter 10). If something fulfils its purpose/plan then it is following the Eternal Law.

Aquinas thinks that something is good in as far as it fulfils its purpose/plan. This fits with common sense. A “good” eye is one which sees well, an acorn is a good if it grows into a strong oak tree.

But what about humans? Just as a good eye is to see, and a good acorn is to grow then a good human is to...? Is to what? How are we going to finish this sentence? What do you think?

Aquinas thinks that the answer is reason and that it is this that makes us distinct from rats and rocks. What is right for me and you as humans is to act according to reason. If we act according to reason then we are partaking in the Natural Law.

If we all act according to reason, then we will all agree to some overarching general rules (what Aquinas calls primary precepts). These are absolute and binding on all rational agents and because of this Aquinas rejects relativism.

The first primary precept is that good is to be pursued and done and evil avoided.

He thinks that this is the guiding principle for all our decision making.

Before unpacking this, it is worth clarifying something about what “law” means. Imagine that we are playing Cluedo and we are trying to work out the identity of the murderer. There are certain rules about how to move around the board, how to deal out cards, how to reveal the murderer etc. These rules are all written down and can be consulted.

However, in playing the game there are other rules that operate which are so obvious that they are neither written down nor spoken. One such rule is that a claim made in the game cannot both be true and false; if it is Professor Plum who is the murderer then it cannot be true that it is not Professor Plum who is the murderer. These are internal rules which any rational person can come to recognize by simply thinking

⁷⁷ Stems from the Greek term “telos,” which refers to what we might call a purpose, goal, end/or the true final function of an object & not to be confused with a teleological ethical theory such as Utilitarianism (see the chapter on Part I: Moral Theories

Utilitarianism.

and are not external like the other rules – such as you can only have one guess as to the identity of the murderer. When Aquinas talks of Natural Laws, he means internal rules and not external ones.

Natural Law does not generate an external set of rules that are written down for us to consult but rather it generates general rules that any rational agent can come to recognize simply in virtue of being rational. For example, for Aquinas it is not as if we need to check whether we should pursue good and avoid evil, as it is just part of how we already think about things. Aquinas gives some more examples of primary precepts:

1. Protect and preserve human life.
2. Reproduce and educate one's offspring.
3. Know and worship God.
4. Live in a society.

These precepts are primary because they are true for all people in all instances and are consistent with Natural Law.

Aquinas also introduces what he calls the Human Law which gives rise to what he calls "Secondary Precepts". These might include such things as do not drive above 70mph on a motorway, do not kidnap people, always wear a helmet when riding a bike, do not hack into someone's bank account. Secondary precepts are not generated by our reason but rather they are imposed by governments, groups, clubs, societies etc.

It is not always morally acceptable to follow secondary precepts. It is only morally acceptable if they are consistent with the Natural Law. If they are, then we ought to follow them, if they are not, then we ought not. To see why think through an example.

Consider the secondary precept that "if you are a woman and you live in Saudi Arabia then you are not allowed to drive". Aquinas would argue that this secondary precept is practically irrational because it treats people differently based on an arbitrary difference (gender). He would reason that if the men in power in Saudi actually really thought hard then they too would recognize that this law is morally wrong. This in turn means that Aquinas would think that this human law does not fit with the Natural Law. Hence, it is morally wrong to follow a law that says that men can, and women cannot, drive. So although it is presented as a secondary precept, because it is not in accordance with Natural Law, it is what Aquinas calls an apparent good. This is in contrast with those secondary precepts which are in accordance with the Natural Law and which he calls the real goods.

Unlike primary precepts, Aquinas is not committed to there being only one set of secondary precepts for all people in all situations. It is consistent with Aquinas's thinking to have a law to drive on the right in the US and on the left in the UK as there is no practical reason to think that there is one correct side of the road on which to drive.

It is clear that on our own we are not very good at discovering primary precepts and consequently Aquinas thinks that what we ought to do is talk and interact with people.

To discover our real goods – our secondary precepts which accord with Natural Law – we need to be part of a society. For example, we might think that “treat Christians as secondary citizens” is a good secondary precept until we talk and live with Christians. The more we can think and talk with others in society the better and it is for this reason that “live in society” is itself a primary precept.

But looking at what we have said already about Natural Laws and primary and secondary precepts, we might think that there is no need for God. If we can learn these primary precepts by rational reflection then God simply drops out of the story (recall the Euthyphro dilemma above).

Just to recap as there are lots of moving parts to the story. We now have Eternal Law (God’s plans/purpose for all things), Natural Laws (our partaking in the Eternal Law which leads to primary precepts), Human Laws (humans making specific laws to capture the truths of the Natural Laws which lead to secondary precepts) and now finally Aquinas introduces the Divine Law.

The Divine Law, which is discovered through revelation, should be thought of as the Divine equivalent of the Human Law (those discovered through rational reflection and created by people). Divine laws are those that God has, in His grace, seen fit to give us and are those “mysteries”, those rules given by God which we find in scripture; for example, the ten commandments. But why introduce the Divine Law at all? It certainly feels we have enough Laws. Here is a story to illustrate Aquinas’s answer.

A number of years ago I was talking to a minister of a church. He told me about an instance where a married man came to ask his advice about whether to finish an affair he was having. The man’s reasoning went as follows – “I am having an affair which just feels so right, we are both very much in love and surely God would want what is best for me! How could it be wrong if we are so happy?”

In response, the minister opened the Bible to the Ten Commandments and pointed out the commandment that it says that it is wrong to commit adultery. Case closed. The point of this story is simple. We can be confused and mistaken about what we think we have most reason to do and because of this we need someone who actually knows the mind of God to guide us, and who better to know this than God Himself. This then is precisely what is revealed in the Divine Law.

Or consider another example. We recognize that we find it hard to forgive our friends and nearly always impossible to forgive our enemies. We tell ourselves we have the right to be angry, to bear grudges, etc. Isn’t this just human? However, these human reasons are distortions of the Eternal Law. We need some guidance when it comes to forgiveness and it is where the Divine Law which tells us that we should forgive others – including our enemies. Following the Human Laws and the Divine Laws will help us to fulfil our purposes and plans and be truly happy.

Summary of Aquinas’s Natural Law Theory

For Aquinas everything has a function (a telos) and the good thing(s) to do are those acts that fulfil that function. Some things such as acorns, and eyes, just do that naturally. However, humans are free and hence need guidance to find the right path. That right path is found through reasoning and generates the “internal” Natural Law. By following the Natural Law we participate in God’s purpose for us in the Eternal Law.

However, the primary precepts that derive from the Natural Law are quite general, such as, pursue good and shun evil. So we need to create secondary precepts which can actually guide our day-to-day behaviour. But we are fallible so sometimes we get these secondary precepts wrong, sometimes we get them right. When they are wrong they only reflect our apparent goods. When they are right they reflect our real goods.

Finally, however good we are because we are finite and sinful, we can only get so far with rational reflection. We need some revealed guidance and this comes in the form of Divine Law. So to return to the Euthyphro dilemma. God’s commands through the Divine Law are ways of illuminating what is in fact morally acceptable and not what determines what is morally acceptable. Aquinas rejects the Divine Command Theory.

Putting this into Practice: The Doctrine of Double Effect (DDE)

Let’s consider some examples to show that what we have said so far might actually work. Imagine someone considering suicide. Is this morally acceptable or not? Recall, it is part of the Natural Law to preserve and protect human life. Clearly suicide is not preserving and protecting human life. It is therefore irrational to kill oneself and cannot be part of God’s plan for our life; hence it is morally unacceptable.

Imagine that someone is considering having an abortion after becoming pregnant due to rape. The same reasoning is going to apply. We ought to preserve and protect human life and hence an abortion in this case is morally wrong.

However, as we will see, Aquinas thinks that there are some instances where it is morally acceptable to kill an innocent person and therefore there may be occasions when it is morally acceptable to kill a foetus. But how can this be correct? Will this not violate the primary precept about preserving life? The answer is to understand that for Aquinas, an action is not just about what we do externally but is also about what we do internally (i.e. our motivations). With this distinction he can show that, for example, killing an innocent can be morally acceptable.

To make this clear, Aquinas introduces one of his most famous ideas: the “**Doctrine of Double Effect**”. Let’s see how this works.

Imagine a child brought up in a physically, sexually and emotionally abusive family. He is frequently scared for his life and is locked in the house for days at a time.

One day when his father is drunk and ready to abuse him again he quickly grabs a kitchen knife and slashes his father’s artery.

His father bleeds out and dies in a matter of minutes. Do you think the son did anything wrong?

Many people would say that he did nothing morally wrong and in fact, some might even go as far as to say that he should get a pat on the back for his actions. What about Aquinas? What would he say?

We might think that given the Natural Law to “preserve and protect life” he would say that this action is morally wrong. But, in fact, he would say the son’s action was not morally wrong (Aquinas discusses self-defense in the Summa Theologica (II-II, Qu. 64)).

So why is the son killing the father not in direct contradiction with the primary precept? Aquinas asks us to consider the difference between the external act – the fact that the father was killed, and the internal act – the motive.

In our example, the action is one of self-defense because of the son’s internal action and because of this, Aquinas would think the killing is morally acceptable. This distinction and conclusion is possible because of Aquinas’s Doctrine of Double Effect which states that if an act fulfills four conditions then it is morally acceptable. If not, then it is not.

1. The first principle is that the act must be a good one.
2. The second principle is that the act must come about before the consequences.
3. The third is that the intention must be good.
4. The fourth, it must be for serious reasons.

This is abstract so let’s go back to our example.

- The act of the son was performed to save his own life so that is good – we can tick (1).
- Moreover, the act to save his life came about first – we can tick (2).
- The son did not first act to kill his father in order to save his own life. That would be doing evil to bring about good and that is never morally acceptable. The intention of the son was to preserve and protect his life, so the intention was good – tick (3).
- Finally, the reasons were serious as it was his life or his father’s life – tick (4).

So given that the act meets all four principles, it is in line with the DDE and hence the action is morally acceptable, even though it caused someone to die and hence seems contrary to the primary precept of preserving life.

We can draw a contrasting case. Imagine that instead of slashing his father in self-defense, the son plans the killing. He works out the best time, the best day and then sets up a trip wire causing his father to fall from his flat window to his death. Does this action meet the four criteria of the DDE? Well, no, because the son’s intention is to kill the

father rather than save his own life – we must put a cross at (3).

We have already seen that suicide is morally impermissible for Aquinas, so does that mean that any action you take that leads knowingly to your own death is morally wrong? No. Because even though the external act of your own death is the same, the internal act – the intention – might be different. An action is judged via the Natural Law both externally and internally.

Imagine a case where a soldier sees a grenade thrown into her barracks. Knowing that she does not have time to defuse it or throw it away, she throws herself on the grenade. It blows up, killing her but saving other soldiers in her barracks. Is this wrong or right? Aquinas says this is morally acceptable given DDE. If we judge this act both internally and externally we'll see why.

The intention – the internal act – was not to kill herself even though she could foresee that this was certainly what was going to happen.

- The act itself is good, to save her fellow soldiers (1).
- The order is right, she is not doing evil so good will happen (2).
- The intention is good, it is to save her fellow soldiers (3).
- The reason is serious, it concerns people's lives (4).

Contrast this with a soldier who decides to kill herself by blowing herself up. The intention is not good and hence the DDE does not permit this suicidal action.

Finally, imagine that a woman is pregnant and also has inoperable uterine cancer. The doctors have two choices; to take out the uterus and save the mother, but the fetus will die; or leave the fetus to develop and be born healthy, but the woman will die. What would Aquinas say in this instance? Well using the DDE he would say that it is morally acceptable to remove the cancer.

The action is to remove the cancer; it has the foreseeable consequences of the fetus dying but that is not what is intended.

- The action – to remove the cancer – is good (1).
- The act of removing the cancer comes before the death of the fetus (2).
- The intention to save the woman's life is also good (3).
- Finally, the reasons are serious as they are about the life and death of the woman and the fetus (4).

So even though this is a case where the doctor's actions bring about the death of the fetus it would be acceptable for Aquinas through his Natural Law Theory, as is shown via the DDE.

Some Thoughts about Natural Law Theory

There are many things we might consider when thinking through Aquinas's Natural Law Theory. There are some obvious problems we could raise, such as the problem about whether or not God exists. If God does not exist then the Eternal Law does not exist and therefore the whole theory comes tumbling down. However, as good philosophers we ought always to operate with a principle of charity and grant our opponent is rational and give the strongest possible interpretation of their argument. So, let's assume for the sake of argument that God exists. How plausible is Aquinas's theory? There are a number of things that we can pick up on.

Aquinas's theory works on the idea that if something is "natural", that is, if it fulfils its function, then it is morally acceptable, but there are a number of unanswered questions relating to natural.

We might ask, **why does "natural" matter?** We can think of things that are not "natural" but which are perfectly acceptable, and things which are natural which are not. For example, wearing clothes, taking medication and body piercing certainly are not natural, but we would not want to say such things are morally wrong.

On the other hand, we might consider that violence is a natural response to an unfaithful partner, but also think that such violence is morally unacceptable. So, it is not true that we can discover what is morally acceptable or not simply by discovering what is natural and what is not.

Put this worry aside. Recall, Aquinas thinks that reproduction is natural and hence reproduction is morally acceptable. This means that sex that does not lead to reproduction is morally unacceptable. Notice that Aquinas is not saying that if sex does not lead to pregnancy it is wrong. After all, sometimes the timing is not right. His claim is rather that if there is no potential for sex to lead to pregnancy then it is wrong. However, even with this qualification this would mean a whole host of things such as homosexuality and contraception are morally wrong. We might take this as a reason to rethink Aquinas's moral framework. There is, though, a more fundamental worry at the heart of this approach (and Aristotle's) to ethics. Namely, they think that everything has a goal (telos). Now, with some things this might be plausible. Things such as the eye or an acorn have a clear function – to grow, to see – but what about humans? This seems a bit less obvious! Do humans (rather than our individual parts) really have a telos? There are certainly some philosophers – such as the existentialists, for example Simone de Beauvoir (1908–1986) – who think that there is no such thing as human nature and no such thing as a human function or goal.

But if we are unconvinced that humans have a goal, then this whole approach to ethics seems flawed.

Next we might raise questions about DDE. Go back to our example about abortion.

For Natural law theory:

- Natural ≠ what occurs in nature
- Natural = what fulfills a thing's purpose, or telos.

For Aquinas it is morally acceptable to remove the uterus even if we know that in doing so the fetus will die. What is not morally acceptable is to intend to kill the fetus by removing the uterus. On first reading this seems to make sense; we have an intuitive feel for what DDE is getting at. However, when we consider it in more detail it is far from clear.

Imagine two doctors who (apparently) do exactly the same thing, they both remove the uterus and the fetus dies. The one intends to take out the uterus – in full knowledge that the fetus will die – the other intends to kill the fetus. For the DDE to work in the way that Aquinas understands it, this difference in intention makes the moral difference between the two doctors. However, is there really a moral difference? To put pressure on the answer that there is, ask yourself what you think it means to intend to do something. If the first doctor says “I did not intend to kill the fetus” can we make sense of this? After all, if you asked her “did you know that in taking out the uterus the fetus would die?” she would say “yes, of course”. But if she did this and the fetus died, did not she intend (in some sense) to kill the fetus? So, this issue raises some complex question about the nature of the mind, and how we might understand intentions.

Finally, we might wonder how easy it is to work out what actually to do using the Natural Law. We would hope our moral theory gives us direction in living our lives. That, we might think, is precisely the role of a moral theory. But how might it work in this case?

For Aquinas, if we rationally reflect then we arrive at the right way of proceeding. If this is in line with the Natural Law and the Divine Law then it is morally acceptable. If it is out of line, then it is not. The assumption is that the more we think, the more rational we become, the more convergence there will be. We'll all start to have similar views on what is right and wrong. But is this too optimistic? Very often, even after extensive reflection and cool deliberation with friends and colleagues, it is not obvious to us what we as rational agents should do. We all know people we take to be rational, but we disagree with them on moral issues. And even in obviously rational areas such as mathematics, the best mathematicians are not able to agree. We might then be skeptical that as rational agents we will come to be in line with the Natural and Divine Laws.

Summary

Aquinas is an intellectual giant. He wrote an incredible amount covering a vast array of topics. His influence has been immense. His central idea is that humans are created by God to reason – that is our function. Humans do the morally right thing if we act in accordance with reason, and the morally wrong thing if we don't. Aquinas is an incredibly subtle and complex thinker. For example, his Doctrine of Double Effect makes us to reflect on what we actually mean by “actions”, “intentions” and “consequences”. His work remains much discussed and researched and typically still plays a central role in a Christian Ethics that rejects Divine Command Theory.

Common Student Mistakes

- Thinking that Aquinas is a Divine Command Theorist.
- Thinking that Eternal Law is something that God decided to write.
- Thinking that Natural Laws are laws of science – e.g. law of thermodynamics.
- Thinking that all the “laws” are absolute.
- Thinking that it is always morally required of us to follow secondary precepts.
- Thinking that Aquinas is committed to there being only one set of secondary precepts for all people in all situations.

Issues to Consider

1. If God exists, then what – if anything – do you think that has to do with what is right and wrong?
2. We might answer the “arbitrariness” dilemma by citing God’s nature. Why might this answer be problematic?
3. What is the Eternal Law?
4. What are Natural Laws and primary precepts?
5. What are Human Laws and secondary precepts?
6. What are Divine Laws?
7. Just as a good eye is to see, and a good acorn is to grow then a good human is to...? Is to what? How are we going to finish this sentence?
8. People often talk about what is “natural”? What do you think they mean by this? How useful is the notion of “natural” in a moral theory?
9. Think of a descriptive claim. Think of a prescriptive claim. Why might it be problematic moving from one to the other?
10. If people thought long enough, do you think there would be convergence on what is morally right and wrong?
11. What is the Doctrine of Double Effect?
12. What is the difference – if anything – between intending to bring about some end and acting where you know your action will bring about that end?

Key Terminology

Apparent goods	Primary precepts
A priori	Real goods
A posteriori	Secondary precepts
Eternal Law	Internal acts
External acts	Doctrine of Double Effect
Natural Law	

References

Aquinas, Thomas, Summa Theologica, freely available at <http://www.summatheologica.info/summa/parts/?p=1>

Plato, Euthyphro, translated by Benjamin Jowett, freely available at <http://classics.mit.edu/Plato/euthyfro.html>

Part II: Readings

Active Nihilism

Slave and Master Morality by Nietzsche

Introduction

In *Beyond Good and Evil*, Nietzsche detects two types of morality mixed not only in higher civilization but also in the psychology of the individual. Master-morality values power, nobility, and independence: it stands “beyond good and evil.” Slave-morality values sympathy, kindness, and humility and is regarded by Nietzsche as “herd-morality.” The history of society, Nietzsche believes, is the conflict between these two outlooks: the herd attempts to impose its values universally, but the noble master transcends their “mediocrity.”⁷⁸ The below selection is taken from the book *Beyond Good and Evil*.

Text

[Origin of Aristocracy]

257. Every elevation of the type “man,” has hitherto been the work of an aristocratic society and so it will always be—a society believing in a long scale of gradations of rank and differences of worth among human beings, and requiring slavery in some form or other. Without the pathos of distance, such as grows out of the incarnated difference of classes, out of the constant out-looking and down-looking of the ruling caste on subordinates and instruments, and out of their equally constant practice of obeying and commanding, of keeping down and keeping at a distance—that other more mysterious pathos could never have arisen, the longing for an ever new widening of distance within the soul itself, the formation of ever higher, rarer, further, more extended, more comprehensive states, in short, just the elevation of the type “man,” the continued “self-surmounting of man,” to use a moral formula in a supermoral sense.

To be sure, one must not resign oneself to any humanitarian illusions about the history of the origin of an aristocratic society (that is to say, of the preliminary condition for the elevation of the type “man”): the truth is hard. Let us acknowledge unprejudicedly how every higher civilization hitherto has originated! Men with a still natural nature, barbarians in every terrible sense of the word, men of prey, still in possession of unbroken strength of will and desire for power, threw themselves upon weaker, more moral, more peaceful races (perhaps trading or cattle-rearing communities), or upon old

⁷⁸ Introduction taken from *Reading for Philosophical Inquiry* by Archie and Archie.

mellow civilizations in which the final vital force was flickering out in brilliant fireworks of wit and depravity. At the commencement, the noble caste was always the barbarian caste: their superiority did not consist first of all in their physical, but in their psychical power—they were more complete men (which at every point also implies the same as “more complete beasts”).

[Higher Class of Being]

258. Corruption—as the indication that anarchy threatens to break out among the instincts, and that the foundation of the emotions, called “life,” is convulsed—is something radically different according to the organization in which it manifests itself. When, for instance, an aristocracy like that of France at the beginning of the Revolution, flung away its privileges with sublime disgust and sacrificed itself to an excess of its moral sentiments, it was corruption:—it was really only the closing act of the corruption which had existed for centuries, by virtue of which that aristocracy had abdicated step by step its lordly prerogatives and lowered itself to a function of royalty (in the end even to its decoration and parade-dress). The essential thing, however, in a good and healthy aristocracy is that it should not regard itself as a function either of the kingship or the commonwealth, but as the significance highest justification thereof—that it should therefore accept with a good conscience the sacrifice of a legion of individuals, who, for its sake, must be suppressed and reduced to imperfect men, to slaves and instruments. Its fundamental belief must be precisely that society is not allowed to exist for its own sake, but only as a foundation and scaffolding, by means of which a select class of beings may be able to elevate themselves to their higher duties, and in general to a higher existence: like those sun-seeking climbing plants in Java—they are called Sipo Matador,—which encircle an oak so long and so often with their arms, until at last, high above it, but supported by it, they can unfold their tops in the open light, and exhibit their happiness.

[Life Denial]

259. To refrain mutually from injury, from violence, from exploitation, and put one’s will on a par with that of others: this may result in a certain rough sense in good conduct among individuals when the necessary conditions are given (namely, the actual similarity of the individuals in amount of force and degree of worth, and their co-relation within one organization). As soon, however, as one wished to take this principle more generally, and if possible even as the fundamental principle of society, it would immediately disclose what it really is—namely, a Will to the denial of life, a principle of dissolution and decay.

Here one must think profoundly to the very basis and resist all sentimental weakness: life itself is essentially appropriation, injury, conquest of the strange and weak, suppression, severity, obtrusion of peculiar forms, incorporation, and at the least, putting it mildest, exploitation;—but why should one for ever use precisely these words on which for ages a disparaging purpose has been stamped?

Even the organization within which, as was previously supposed, the individuals treat each other as equal—it takes place in every healthy aristocracy—must itself, if it be a

living and not a dying organization, do all that towards other bodies, which the individuals within it refrain from doing to each other it will have to be the incarnated Will to Power, it will endeavour to grow, to gain ground, attract to itself and acquire ascendancy—not owing to any morality or immorality, but because it lives, and because life is precisely Will to Power. On no point, however, is the ordinary consciousness of Europeans more unwilling to be corrected than on this matter, people now rave everywhere, even under the guise of science, about coming conditions of society in which “the exploiting character” is to be absent—that sounds to my ears as if they promised to invent a mode of life which should refrain from all organic functions.

“Exploitation” does not belong to a depraved, or imperfect and primitive society it belongs to the nature of the living being as a primary organic function, it is a consequence of the intrinsic Will to Power, which is precisely the Will to Life—Granting that as a theory this is a novelty—as a reality it is the fundamental fact of all history let us be so far honest towards ourselves!

[Master Morality]

260. In a tour through the many finer and coarser moralities which have hitherto prevailed or still prevail on the earth, I found certain traits recurring regularly together, and connected with one another, until finally two primary types revealed themselves to me, and a radical distinction was brought to light.

There is master-morality and slave-morality,—I would at once add, however, that in all higher and mixed civilizations, there are also attempts at the reconciliation of the two moralities, but one finds still oftener the confusion and mutual misunderstanding of them, indeed sometimes their close juxtaposition—even in the same man, within one soul. The distinctions of moral values have either originated in a ruling caste, pleasantly conscious of being different from the ruled—or among the ruled class, the slaves and dependents of all sorts.

In the first case, when it is the rulers who determine the conception “good,” it is the exalted, proud disposition which is regarded as the distinguishing feature, and that which determines the order of rank. The noble type of man separates from himself the beings in whom the opposite of this exalted, proud disposition displays itself he despises them. Let it at once be noted that in this first kind of morality the antithesis “good” and “bad” means practically the same as “noble” and “despicable”—the antithesis “good” and “evil” is of a different origin. The cowardly, the timid, the insignificant, and those thinking merely of narrow utility are despised; moreover, also, the distrustful, with their constrained glances, the self-abasing, the dog-like kind of men who let themselves be abused, the mendicant flatterers, and above all the liars:—it is a fundamental belief of all aristocrats that the common people are untruthful. “We truthful ones”—the nobility in ancient Greece called themselves.

It is obvious that everywhere the designations of moral value were at first applied to men; and were only derivatively and at a later period applied to actions; it is a gross mistake, therefore, when historians of morals start with questions like, “Why have

sympathetic actions been praised?" The noble type of man regards himself as a determiner of values; he does not require to be approved of; he passes the judgment: What is injurious to me is injurious in itself; he knows that it is he himself only who confers honour on things; he is a creator of values. He honours whatever he recognizes in himself: such morality equals self-glorification. In the foreground there is the feeling of plenitude, of power, which seeks to overflow, the happiness of high tension, the consciousness of a wealth which would fain give and bestow:—the noble man also helps the unfortunate, but not—or scarcely—out of pity, but rather from an impulse generated by the superabundance of power. The noble man honours in himself the powerful one, him also who has power over himself, who knows how to speak and how to keep silence, who takes pleasure in subjecting himself to severity and hardness, and has reverence for all that is severe and hard. "Wotan placed a hard heart in my breast," says an old Scandinavian Saga: it is thus rightly expressed from the soul of a proud Viking. Such a type of man is even proud of not being made for sympathy; the hero of the Saga therefore adds warningly: "He who has not a hard heart when young, will never have one." The noble and brave who think thus are the furthest removed from the morality which sees precisely in sympathy, or in acting for the good of others, or in *déintèrèsement*, the characteristic of the moral; faith in oneself, pride in oneself, a radical enmity and irony towards "selflessness," belong as definitely to noble morality, as do a careless scorn and precaution in presence of sympathy and the "warm heart."

It is the powerful who know how to honour, it is their art, their domain for invention. The profound reverence for age and for tradition—all law rests on this double reverence,— the belief and prejudice in favor of ancestors and unfavorable to newcomers, is typical in the morality of the powerful; and if, reversely, men of "modern ideas" believe almost instinctively in "progress" and the "future," and are more and more lacking in respect for old age, the ignoble origin of these "ideas" has complacently betrayed itself thereby.

A morality of the ruling class, however, is more especially foreign and irritating to present-day taste in the sternness of its principle that one has duties only to one's equals; that one may act towards beings of a lower rank, towards all that is foreign, just as seems good to one, or "as the heart desires," and in any case "beyond good and evil": it is here that sympathy and similar sentiments can have a place. The ability and obligation to exercise prolonged gratitude and prolonged revenge—both only within the circle of equals,—artfulness in retaliation, refinement of the idea in friendship, a certain necessity to have enemies (as outlets for the emotions of envy, quarrelsomeness, arrogance—in fact, in order to be a good friend): all these are typical characteristics of the noble morality, which, as has been pointed out, is not the morality of "modern ideas," and is therefore at present difficult to realize, and also to unearth and disclose.

[Slave Morality]

It is otherwise with the second type of morality, slave-morality. Supposing that the abused, the oppressed, the suffering, the unemancipated, the weary, and those uncertain of themselves should moralize, what will be the common element in their moral estimates? Probably a pessimistic suspicion with regard to the entire situation of man

will find expression, perhaps a condemnation of man, together with his situation. The slave has an unfavorable eye for the virtues of the powerful; he has a skepticism and distrust, a refinement of distrust of everything "good" that is there honoured—he would fain persuade himself that the very happiness there is not genuine. On the other hand, those qualities which serve to alleviate the existence of sufferers are brought into prominence and flooded with light; it is here that sympathy, the kind, helping hand, the warm heart, patience, diligence, humility, and friendliness attain to honour; for here these are the most useful qualities, and almost the only means of supporting the burden of existence. Slave-morality is essentially the morality of utility.

Here is the seat of the origin of the famous antithesis "good" and "evil":—power and dangerousness are assumed to reside in the evil, a certain dreadfulness, subtlety, and strength, which do not admit of being despised. According to slave-morality, therefore, the "evil" man arouses fear; according to master-morality, it is precisely the "good" man who arouses fear and seeks to arouse it, while the bad man is regarded as the despicable being.

The contrast attains its maximum when, in accordance with the logical consequences of slave-morality, a shade of depreciation—it may be slight and well-intentioned—at last attaches itself to the "good" man of this morality; because, according to the servile mode of thought, the good man must in any case be the safe man: he is good-natured, easily deceived, perhaps a little stupid, un bonhomme. Everywhere that slave-morality gains the ascendancy, language shows a tendency to approximate the significations of the words "good" and "stupid."

[Creation of Values]

A last fundamental difference: the desire for freedom, the instinct for happiness and the refinements of the feeling of liberty belong as necessarily to slave-morals and morality, as artifice and enthusiasm in reverence and

devotion are the regular symptoms of an aristocratic mode of thinking and estimating.— Hence we can understand without further detail why love as a passion—it is our European specialty—must absolutely be of noble origin; as is well known, its invention is due to the Provencal poet-cavaliers, those brilliant, ingenuous men of the "gai saber," to whom Europe owes so much, and almost owes itself.

261. Vanity is one of the things which are perhaps most difficult for a noble man to understand: he will be tempted to deny it, where another kind of man thinks he sees it self-evidently. The problem for him is to represent to his mind beings who seek to arouse a good opinion of themselves which they themselves do not possess—and consequently also do not "deserve,"—and who yet believe in this good opinion afterwards. This seems to him on the one hand such bad taste and so self-disrespectful, and on the other hand so grotesquely unreasonable, that he would like to consider vanity an exception, and is doubtful about it in most cases when it is spoken of.

He will say, for instance: "I may be mistaken about my value, and on the other hand

may nevertheless demand that my value should be acknowledged by others precisely as I rate it:—that, however, is not vanity (but self-conceit, or, in most cases, that which is called ‘humility,’ and also ‘modesty’).” Or he will even say: “For many reasons I can delight in the good opinion of others, perhaps because I love and honour them, and rejoice in all their joys, perhaps also because their good opinion endorses and strengthens my belief in my own good opinion, perhaps because the good opinion of others, even in cases where I do not share it, is useful to me, or gives promise of usefulness:—all this, however, is not vanity.”

The man of noble character must first bring it home forcibly to his mind, especially with the aid of history, that, from time immemorial, in all social strata in any way dependent, the ordinary man was only that which he passed for:—not being at all accustomed to fix values, he did not assign even to himself any other value than that which his master assigned to him (it is the peculiar right of masters to create values).

It may be looked upon as the result of an extraordinary atavism, that the ordinary man, even at present, is still always waiting for an opinion about himself, and then instinctively submitting himself to it; yet by no means only to a “good” opinion, but also to a bad and unjust one (think, for instance, of the greater part of the self-appreciations and self-deprecations which believing women learn from their confessors, and which in general the believing Christian learns from his Church).

In fact, conformably to the slow rise of the democratic social order (and its cause, the blending of the blood of masters and slaves), the originally noble and rare impulse of the masters to assign a value to themselves and to “think well” of themselves, will now be more and more encouraged and extended; but it has at all times an older, ampler, and more radically ingrained propensity opposed to it—and in the phenomenon of “vanity” this older propensity overmasters the younger. The vain person rejoices over every good opinion which he hears about himself (quite apart from the point of view of its usefulness, and equally regardless of its truth or falsehood), just as he suffers from every bad opinion: for he subjects himself to both, he feels himself subjected to both, by that oldest instinct of subjection which breaks forth in him.

It is “the slave” in the vain man’s blood, the remains of the slave’s craftiness—and how much of the “slave” is still left in woman, for instance!—which seeks to seduce to good opinions of itself; it is the slave, too, who immediately afterwards falls prostrate himself before these opinions, as though he had not called them forth.—And to repeat it again: vanity is an atavism.

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Religious Approaches

In this section, we will look at a couple of approaches that deal with the religious approaches to Ethics. The first reading is a dialog from Plato where Socrates interrogates Euthyphro about whether it is possible for the Gods to decide what is moral. The second reading is Thomas Aquinas reflecting upon possible objections and the corresponding replies to his understanding of Natural Law Theory in Christianity.

Euthyphro by Plato

Introduction

The following is a dialogue between Plato's mentor and teacher, Socrates and Euthyphro, considered to be the most pious (religious) person in all of Athens. Socrates questions him on whether it is possible for morality to be rooted in religion, here described as those things "which [all] the gods love."

But the question at the heart of this readings is "**Why do the gods love what they love?**" If the gods love what they love because the thing is worthy of being loved, then the gods are merely following a higher rationale than their own choices. On the other hand, if they love whatever they happen to choose to love, then there is no rhyme or reason to what's moral.

Reading

Euthyphro: What strange thing has happened, Socrates, that you have left your accustomed haunts in the Lyceum and are now haunting the portico where the king archon sits? For it cannot be that you have an action before the king, as I have.

Socrates: Our Athenians, Euthyphro, do not call it an action, but an indictment.

Euthyphro: What? Somebody has, it seems, brought an indictment against you; for I don't accuse you of having brought one against anyone else.

Socrates: Certainly not.

Euthyphro: But someone else against you?

Socrates: Quite so.

Euthyphro: Who is he?

Socrates: I don't know the man very well myself, Euthyphro, for he seems to be a young and unknown person. His name, however, is Meletus, I believe. And he is of the

deme of Pitthus, if you remember any Pitthian Meletus, with long hair and only a little beard, but with a hooked nose.

Euthyphro: I don't remember him, Socrates. But what sort of an indictment has he brought against you?

Socrates: What sort? No mean one, it seems to me; for the fact that, young as he is, he has apprehended so important a matter reflects no small credit upon him. For he says he knows how the youth are corrupted and who those are who corrupt them. He must be a wise man; who, seeing my lack of wisdom and that I am corrupting his fellows, comes to the State, as a boy runs to his mother, to accuse me. And he seems to me to be the only one of the public men who begins in the right way; for the right way is to take care of the young men first, to make them as good as possible, just as a good husbandman will naturally take care of the young plants first and afterwards of the rest.

And so Meletus, perhaps, is first clearing away us who corrupt the young plants, as he says; then after this, when he has turned his attention to the older men, he will bring countless most precious blessings upon the State,—at least, that is the natural outcome of the beginning he has made.

Euthyphro: I hope it may be so, Socrates; but I fear the opposite may result. For it seems to me that he begins by injuring the State at its very heart, when he undertakes to harm you. Now tell me, what does he say you do that corrupts the young?

Socrates: Absurd things, my friend, at first hearing. For he says I am a maker of gods; and because I make new gods and do not believe in the old ones, he indicted me for the sake of these old ones, as he says.

Euthyphro: I understand, Socrates; it is because you say the divine monitor keeps coming to you. So he has brought the indictment against you for making innovations in religion, and he is going into court to slander you, knowing that slanders on such subjects are readily accepted by the people.

Why, they even laugh at me and say I am crazy when I say anything in the assembly about divine things and foretell the future to them.

And yet there is not one of the things I have foretold that is not true; but they are jealous of all such men as you and I are. However, we must not be disturbed, but must come to close quarters with them.

Socrates: My dear Euthyphro, their ridicule is perhaps of no consequence. For the Athenians, I fancy, are not much concerned, if they think a man is clever, provided he does not impart his clever notions to others; but when they think he makes others to be like himself, they are angry with him, either through jealousy, as you say, or for some other reason.

Euthyphro: I don't much desire to test their sentiments toward me in this matter.

Socrates: No, for perhaps they think that you are reserved and unwilling to impart your wisdom. But I fear that because of my love of men they think that I not only pour myself out copiously to anyone and everyone without payment, but that I would even pay something myself, if anyone would listen to me.

Now if, as I was saying just now, they were to laugh at me, as you say they do at you, it would not be at all unpleasant to pass the time in the court with jests and laughter; but if they are in earnest, then only soothsayers like you can tell how this will end.

Euthyphro: Well, Socrates, perhaps it won't amount to much, and you will bring your case to a satisfactory ending, as I think I shall mine.

Socrates: What is your case, Euthyphro? Are you defending or prosecuting?

Euthyphro: Prosecuting.

Socrates: Whom?

Euthyphro: Such a man that they think I am insane because I am prosecuting him.

Socrates: Why? Are you prosecuting one who has wings to fly away with?

Euthyphro: No flying for him at his ripe old age.

Socrates: Who is he?

Euthyphro: My father.

Socrates: Your father, my dear man?

Euthyphro: Certainly.

Socrates: But what is the charge, and what is the suit about?

Euthyphro: Murder, Socrates.

Socrates : Heracles! Surely, Euthyphro, most people do not know where the right lies; for I fancy it is not everyone who can rightly do what you are doing, but only one who is already very far advanced in wisdom.

Euthyphro: Very far, indeed, Socrates, by Zeus.

Socrates: Is the one who was killed by your father a relative? But of course he was; for you would not bring a charge of murder against him on a stranger's account.

Euthyphro: It is ridiculous, Socrates, that you think it matters whether the man who was killed was a stranger or a relative, and do not see that the only thing to consider is whether the action of the slayer was justified or not, and that if it was justified one ought to let him alone, and if not, one ought to proceed against him, even if he share one's hearth and eat at one's table.

For the pollution is the same if you associate knowingly with such a man and do not purify yourself and him by proceeding against him. In this case, the man who was killed was a hired workman of mine, and when we were farming at Naxos, he was working there on our land.

Now he got drunk, got angry with one of our house slaves, and butchered him. So my father bound him hand and foot, threw him into a ditch, and sent a man here to Athens to ask the religious adviser what he ought to do.

In the meantime he paid no attention to the man as he lay there bound, and neglected him, thinking that he was a murderer and it did not matter if he were to die. And that is just what happened to him. For he died of hunger and cold and his bonds before the messenger came back from the adviser.

Now my father and the rest of my relatives are angry with me, because for the sake of this murderer I am prosecuting my father for murder. For they say he did not kill him, and if he had killed him never so much, yet since the dead man was a murderer, I ought not to trouble myself about such a fellow, because it is unholy for a son to prosecute his father for murder. Which shows how little they know what the divine law is in regard to holiness and unholiness.

Socrates: But, in the name of Zeus, Euthyphro, do you think your knowledge about divine laws and holiness and unholiness is so exact that, when the facts are as you say, you are not afraid of doing something unholy yourself in prosecuting your father for murder?

Euthyphro: I should be of no use, Socrates, and Euthyphro would be in no way different from other men, if I did not have exact knowledge about all such things.

Socrates: Then the best thing for me, my admirable Euthyphro, is to become your pupil and, before the suit with Meletus comes on, to challenge him and say that I always thought it very important before to know about divine matters and that now, since he says I am doing wrong by acting carelessly and making innovations in matters of religion, I have become your pupil.

And "Meletus," I should say, "if you acknowledge that Euthyphro is wise in such matters, then believe that I also hold correct opinions, and do not bring me to trial; and if you do not acknowledge that, then bring a suit against him, my teacher, rather than against me, and charge him with corrupting the old, namely, his father and me, which he does by teaching me and by correcting and

punishing his father."

And if he does not do as I ask and does not release me from the indictment or bring it against you in my stead, I could say in the court the same things I said in my challenge to him, could I not?

Euthyphro: By Zeus, Socrates, if he should undertake to indict me, I fancy I should find his weak spot, and it would be much more a question about him in court than about me.

Socrates: And I, my dear friend, perceiving this, wish to become your pupil; for I know that neither this fellow Meletus, nor anyone else, seems to notice you at all, but he has seen through me so sharply and so easily that he has indicted me for impiety.

Now in the name of Zeus, tell me what you just now asserted that you knew so well.

What do you say is the nature of piety and impiety, both in relation to murder and to other things?

Is not holiness always the same with itself in every action and, on the other hand, is not unholiness the opposite of all holiness, always the same with itself and whatever is to be unholy possessing some one characteristic quality?

Euthyphro: Certainly, Socrates.

Socrates: Tell me then, what do you say holiness is, and what unholiness?

Euthyphro: Well then, I say that holiness is doing what I am doing now, prosecuting the wrongdoer who commits murder or steals from the temples or does any such thing, whether he be your father, or your mother or anyone else, and not prosecuting him is unholy.

And, Socrates, see what a sure proof I offer you,—a proof I have already given to others,—that this is established and right and that we ought not to let him who acts impiously go unpunished, no matter who he may be.

Men believe that Zeus is the best and most just of the gods, and they acknowledge that he put his father in bonds because he wickedly devoured his children, and he in turn had mutilated his father for similar reasons; but they are incensed against me because I proceed against my father when he has done wrong, and so they are inconsistent in what they say about the gods and about me.

Socrates: Is not this, Euthyphro, the reason why I am being prosecuted, because when people tell such stories about the gods I find it hard to accept them? And

therefore, probably, people will say I am wrong.

Now if you, who know so much about such things, accept these tales, I suppose I too must give way. For what am I to say, who confess frankly that I know nothing about them?

But tell me, in the name of Zeus, the god of friendship, do you really believe these things happened?

Euthyphro: Yes, and still more wonderful things than these, Socrates, which most people do not know.

Socrates: And so you believe that there was really war between the gods, and fearful enmities and battles and other things of the sort, such as are told of by the poets and represented in varied designs by the great artists in our sacred places and especially on the robe which is carried up to the Acropolis at the great Panathenaea? for this is covered with such representations. Shall we agree that these things are true, Euthyphro?

Euthyphro: Not only these things, Socrates; but, as I said just now, I will, if you like, tell you many other things about the gods, which I am sure will amaze you when you hear them.

Socrates: I dare say. But you can tell me those things at your leisure some other time. At present try to tell more clearly what I asked you just now. For, my friend, you did not give me sufficient information before, when I asked what holiness was, but you told me that this was holy which you are now doing, prosecuting your father for murder.

Euthyphro: Well, what I said was true, Socrates.

Socrates: Perhaps. But, Euthyphro, you say that many other things are holy, do you not?

Euthyphro: Why, so they are.

Socrates: Now call to mind that this is not what I asked you, to tell me one or two of the many holy acts, but to tell the essential aspect, by which all holy acts are holy; for you said that all unholy acts were unholy and all holy ones holy by one aspect. Or don't you remember?

Euthyphro: I remember.

Socrates: Tell me then what this aspect is, that I may keep my eye fixed upon it and employ it as a model and, if anything you or anyone else does agrees with it, may say that the act is holy, and if not, that it is unholy.

Euthyphro: If you wish me to explain in that way, I will do so.

Socrates: I do wish it.

Euthyphro: Well then, what is dear to the gods is holy, and what is not dear to them is unholy.

Socrates: Excellent, Euthyphro, now you have answered as I asked you to answer. However, whether it is true, I am not yet sure; but you will, of course, show that what you say is true.

Euthyphro: Certainly.

Socrates: Come then, let us examine our words. The thing and the person that are dear to the gods are holy, and the thing and the person that are hateful to the gods are unholy; and the two are not the same, but the holy and the unholy are the exact opposites of each other. Is not this what we have said?

Euthyphro: Yes, just this.

Socrates: And it seems to be correct?

Euthyphro: I think so, Socrates.

Socrates: Well then, have we said this also, that the gods, Euthyphro, quarrel and disagree with each other, and that there is enmity between them?

Euthyphro: Yes, we have said that.

Socrates: But what things is the disagreement about, which causes enmity and anger? Let us look at it in this way. If you and I were to disagree about number, for instance, which of two numbers were the greater, would the disagreement about these matters make us enemies and make us angry with each other, or should we not quickly settle it by resorting to arithmetic?

Euthyphro: Of course we should.

Socrates: Then, too, if we were to disagree about the relative size of things, we should quickly put an end to the disagreement by measuring?

Euthyphro: Yes.

Socrates: And we should, I suppose, come to terms about relative weights by weighing?

Euthyphro: Of course.

Socrates: But about what would a disagreement be, which we could not settle and which would cause us to be enemies and be angry with each other? Perhaps you cannot give an answer offhand; [7d] but let me suggest it. Is it not about right and wrong, and noble and disgraceful, and good and bad? Are not these the questions about which you and I and other people become enemies, when we do become enemies, because we differ about them and cannot reach any satisfactory agreement?

Euthyphro: Yes, Socrates, these are the questions about which we should become enemies.

Socrates: And how about the gods, Euthyphro, if they disagree, would they not disagree about these questions?

Euthyphro: Necessarily.

Socrates: Then, my noble Euthyphro, according to what you say, some of the gods too think some things are right or wrong and noble or disgraceful, and good or bad, and others disagree; for they would not quarrel with each other if they did not disagree about these matters. Is that the case?

Euthyphro: You are right.

Socrates: Then the gods in each group love the things which they consider good and right and hate the opposites of these things?

Euthyphro: Certainly.

Socrates: But you say that the same things are considered right by some of them and wrong by others; and it is because they disagree about these things [8a] that they quarrel and wage war with each other. Is not this what you said?

Euthyphro: It is.

Socrates: Then, as it seems, the same things are hated and loved by the gods, and the same things would be dear and hateful to the gods.

Euthyphro: So it seems.

Socrates: And then the same things would be both holy and unholy, Euthyphro, according to this statement.

Euthyphro: I suppose so.

Socrates: Then you did not answer my question, my friend. For I did not ask you what is at once holy and unholy; but, judging from your reply, what is dear to the gods is

also hateful to the gods. And so, Euthyphro, it would not be surprising if, in punishing your father as you are doing, you were performing an act that is pleasing to Zeus, but hateful to Cronus and Uranus, and pleasing to Hephaestus, but hateful to Hera, and so forth in respect to the other gods, if any disagree with any other about it.

Euthyphro: But I think, Socrates, that none of the gods disagrees with any other about this, or holds that he who kills anyone wrongfully ought not to pay the penalty.

Socrates: Well, Euthyphro, to return to men, did you ever hear anybody arguing that he who had killed anyone wrongfully, or had done anything else whatever wrongfully, ought not to pay the penalty?

Euthyphro: Why, they are always arguing these points, especially in the law courts. For they do very many wrong things; and then there is nothing they will not do or say, in defending themselves, to avoid the penalty.

Socrates: Yes, but do they acknowledge, Euthyphro, that they have done wrong and, although they acknowledge it, nevertheless say that they ought not to pay the penalty?

Euthyphro: Oh, no, they don't do that.

Socrates: Then there is something they do not do and say. For they do not, I fancy, dare to say and argue that, if they have really done wrong, they ought not to pay the penalty; but, I think, they say they have not done wrong; do they not?

Euthyphro: You are right.

Socrates: Then they do not argue this point, that the wrongdoer must not pay the penalty; but perhaps they argue about this, who is a wrongdoer, and what he did, and when.

Euthyphro: That is true.

Socrates: Then is not the same thing true of the gods, if they quarrel about right and wrong, as you say, and some say others have done wrong, and some say they have not? For surely, my friend, no one, either of gods or men, has the face to say that he who does wrong ought not to pay the penalty.

Euthyphro: Yes, you are right about this, Socrates, in the main.

Socrates: But I think, Euthyphro, those who dispute, both men and gods, if the gods do dispute, dispute about each separate act. When they differ with one another about any act, some say it was right and others that it was wrong. Is it not so?

Euthyphro: Certainly.

Socrates: Come now, my dear Euthyphro, inform me, that I may be made wiser, what proof you have that all the gods think that the man lost his life wrongfully, who, when he was a servant, committed murder, was bound by the master of the man he killed, and died as a result of his bonds before the master who had bound him found out from the advisers what he ought to do with him, and that it is right on account of such a man for a son to proceed against his father and accuse him of murder. Come, try to show me clearly about this, that [9b] the gods surely believe that this conduct is right; and if you show it to my satisfaction, I will glorify your wisdom as long as I live.

Euthyphro: But perhaps this is no small task, Socrates; though I could show you quite clearly.

Socrates: I understand; it is because you think I am slower to understand than the judges; since it is plain that you will show them that such acts are wrong and that all the gods hate them.

Euthyphro: Quite clearly, Socrates; that is, if they listen to me.

Socrates: They will listen, if they find that you are a good speaker. [9c] But this occurred to me while you were talking, and I said to myself: "If Euthyphro should prove to me no matter how clearly that all the gods think such a death is wrongful, what have I learned from Euthyphro about the question, what is holiness and what is unholiness? For this act would, as it seems, be hateful to the gods; but we saw just now that holiness and its opposite are not defined in this way; for we saw that what is hateful to the gods is also dear to them; and so I let you off any discussion of this point, Euthyphro. If you like, all the gods may think it wrong and may hate it. But shall we now emend our definition and say that whatever all the gods hate is unholy and whatever they all love is holy, and what some love and others hate is neither or both? Do you wish this now to be our definition of holiness and unholiness?

Euthyphro: What is to hinder, Socrates?

Socrates: Nothing, so far as I am concerned, Euthyphro, but consider your own position, whether by adopting this definition you will most easily teach me what you promised. [9e]

Euthyphro: Well, I should say that what all the gods love is holy and, on the other hand, what they all hate is unholy.

Socrates: Then shall we examine this again, Euthyphro, to see if it is correct, or shall we let it go and accept our own statement, and those of others, agreeing that it is so, if anyone merely says that it is? Or ought we to inquire into the correctness of the statement?

Euthyphro: We ought to inquire. However, I think this is now correct.

Socrates: We shall soon know more about this, my friend. Just consider this question:—Is that which is holy loved by the gods because it is holy, or is it holy because it is loved by the gods?

Euthyphro: I don't know what you mean, Socrates.

Socrates: Then I will try to speak more clearly. We speak of being carried and of carrying, of being led and of leading, of being seen and of seeing; and you understand—do you not?—that in all such expressions the two parts differ one from the other in meaning, and how they differ.

Euthyphro: I think I understand.

Socrates: Then, too, we conceive of a thing being loved and of a thing loving, and the two are different?

Euthyphro: Of course. Socrates. Now tell me, is a thing which is carried a carried thing because one carries it, or for some other reason?

Euthyphro: No, for that reason.

Socrates: And a thing which is led --is it led because one leads it, and a thing which is seen is so because one sees it?

Euthyphro: Certainly.

Socrates: Then one does not see it because it's a seen thing, but, on the contrary, it is a seen thing because one sees it; and one does not lead it because it is a led thing, but it is a led thing because one leads it; and one does not carry it because it is a carried thing, but it is a carried thing because one carries it.

Is it clear, Euthyphro, what I am trying to say? I am trying to say this, that if anything becomes or undergoes, it does not become because it is in a state of becoming, but it is in a state of becoming because it becomes, and it does not undergo because it is a thing which undergoes, but because it undergoes it is a thing which undergoes; or do you not agree to this?

Euthyphro: I agree.

Socrates: Is not that which is beloved a thing which is either becoming or undergoing something?

Euthyphro: Certainly.

Socrates: And is this case like the former ones: those who love it do not love it because it is a bad thing, but it is a beloved thing because they love it?

Euthyphro: Obviously.

Socrates: Now what do you say about that which is holy, Euthyphro, it is loved by all the gods, is it not, according to what you said?

Euthyphro: Yes.

Socrates: For this reason, because it is holy, or for some other reason?

Euthyphro: No, for this reason.

Socrates: It is loved because it is holy, not holy because it is loved?

Euthyphro: I think so.

Socrates: But that which is dear to the gods is dear to them and beloved by them because they love it.

Euthyphro: Of course.

Socrates: Then that which is dear to the gods and that which is holy are not identical, but differ one from the other.

Euthyphro: How so, Socrates?

Socrates: Because we are agreed that the holy is loved because it is holy and that it is not holy because it is loved; are we not?

Euthyphro: Yes.

Socrates: But we are agreed that what is dear to the gods is dear to them because they love it, that is, by reason of this love, not that they love it because it is dear.

Euthyphro: Very true.

Socrates: But if that which is dear to the gods and that which is holy were identical, my dear Euthyphro, then if the holy were loved because it is holy, that which is dear to the gods would be loved because it is dear, and if that which is dear to the gods is dear because it is loved, then that which is holy would be holy because it is loved; but now you see that the opposite is the case, showing that the two are different from each other.

For the one becomes lovable from the fact that it is loved, whereas the other is

loved because it is in itself lovable.

And, Euthyphro, it seems that when you were asked what holiness is you were unwilling to make plain its essence, but you mentioned something that has happened to this holiness, namely, that it is loved by the gods. But you did not tell as yet what it really is.

So, if you please, do not hide it from me, but begin over again and tell me what holiness is, no matter whether it is loved by the gods or anything else happens it; for we shall not quarrel about that. But tell me frankly, What is holiness, and what is unholiness?

Euthyphro: But, Socrates, I do not know how to say what I mean. For whatever statement we advance, somehow or other it moves about and won't stay where we put it.

Socrates: Your statements, Euthyphro, are like works of my² ancestor Daedalus, and if I were the one who made or advanced them, you might laugh at me and say that on account of my relationship to him my works in words run away and won't stay where they are put. But now—well, the statements are yours; so some other jest is demanded; for they stay fixed, as you yourself see.

Euthyphro: I think the jest does very well as it is; for I am not the one who makes these statements move about and not stay in the same place, but you are the Daedalus; for they would have stayed, so far as I am concerned.

Socrates: Apparently then, my friend, I am a more clever artist than Daedalus, inasmuch as he made only his own works move, whereas I, as it seems, give motion to the works of others as well as to my own. And the most exquisite thing about my art is that I am clever against my will; for I would rather have my words stay fixed and stable than possess the wisdom of Daedalus and the wealth of Tantalus besides. But enough of this. Since you seem to be indolent, I will aid you myself, so that you may instruct me about holiness. And do not give it up beforehand. Just see whether you do not think that everything that is holy is right.

Euthyphro: I do.

Socrates: But is everything that is right also holy? Or is all which is holy right, and not all which is right holy, but part of it holy and part something else?

Euthyphro: I can't follow you, Socrates.

Socrates: And yet you are as much younger than I as you are wiser; but, as I said, you are indolent on account of your wealth of wisdom. But exert yourself, my friend; for it is not hard to understand what I mean. What I mean is the opposite of what the poet said, who wrote:

"Zeus the creator, him who made all things,
thou wilt not name; for where fear is, there also is reverence."

-Stasinus, author of the Cypria

Now I disagree with the poet. Shall I tell you how?

Euthyphro: By all means.

Socrates: It does not seem to me true that where fear is, there also is reverence; for many who fear diseases and poverty and other such things seem to me to fear, but not to reverence at all these things which they fear. Don't you think so, too?

Euthyphro: Certainly.

Socrates: But I think that where reverence is, there also is fear; for does not everyone who has a feeling of reverence and shame about any act also dread and fear the reputation for wickedness?

Euthyphro: Yes, he does fear.

Socrates: Then it is not correct to say "where fear is, there also is reverence." On the contrary, where reverence is, there also is fear; but reverence is not everywhere where fear is, since, as I think, fear is more comprehensive than reverence; for reverence is a part of fear, just as the odd is a part of number, so that it is not true that where number is, there also is the odd, but that where the odd is, there also is number. Perhaps you follow me now?

Euthyphro: Perfectly.

Socrates: It was something of this sort that I meant before, when I asked whether where the right is, there also is holiness, or where holiness is, there also is the right; but holiness is not everywhere where the right is, for holiness is a part of the right. Do we agree to this, or do you dissent?

Euthyphro: No, I agree; for I think the statement is correct.

Socrates: Now observe the next point. If holiness is a part of the right, we must, apparently, find out what part of the right holiness is. Now if you asked me about one of the things I just mentioned, as, for example, what part of number the even was, and what kind of a number it was I should say, "that which is not indivisible by two, but divisible by two"; or don't you agree?

Euthyphro: I agree. Socrates. Now try in your turn to teach me what part of the right holiness is, that I may tell Meletus not to wrong me any more or bring suits against me for impiety, since I have now been duly instructed by you about what

is, and what is not, pious and holy.

Euthyphro: This then is my opinion, Socrates, that the part of the right which has to do with attention to the gods constitutes piety and holiness, and that the remaining part of the right is that which has to do with the service of men.

Socrates: I think you are correct, Euthyphro; [13a] but there is one little point about which I still want information, for I do not yet understand what you mean by "attention." I don't suppose you mean the same kind of attention to the gods which is paid to other things. We say, for example, that not everyone knows how to attend to horses, but only he who is skilled in horsemanship, do we not?

Euthyphro: Certainly.

Socrates: Then horsemanship is the art of attending to horses?

Euthyphro: Yes.

Socrates: And not everyone knows how to attend to dogs, but only the huntsman?

Euthyphro: That is so.

Socrates: Then the huntsman's art is the art of attending to dogs?

Euthyphro: Yes.

Socrates: And the oxherd's art is that of attending to oxen?

Euthyphro: Certainly.

Socrates: And holiness and piety is the art of attending to the gods? Is that what you mean, Euthyphro?

Euthyphro: Yes.

Socrates: Now does attention always aim to accomplish the same end? I mean something like this: It aims at some good or benefit to the one to whom it is given, as you see that horses, when attended to by the horseman's art are benefited and made better; or don't you think so?

Euthyphro: Yes, I do.

Socrates: And dogs are benefited by the huntsman's art and oxen by the oxherd's and everything else in the same way? Or do you think care and attention are ever meant for the injury of that which is cared for?

Euthyphro: No, by Zeus, I do not.

Socrates: But for its benefit?

Euthyphro: Of course.

Socrates: Then holiness, since it is the art of attending to the gods, is a benefit to the gods, and makes them better? And you would agree that when you do a holy or pious act you are making one of the gods better?

Euthyphro: No, by Zeus, not I.

Socrates: Nor do I, Euthyphro, think that is what you meant. Far from it. But I asked what you meant by [13d] “attention to the gods” just because I did not think you meant anything like that.

Euthyphro: You are right, Socrates; that is not what I mean.

Socrates: Well, what kind of attention to the gods is holiness?

Euthyphro: The kind, Socrates, that servants pay to their masters.

Socrates: I understand. It is, you mean, a kind of service to the gods?

Euthyphro: Exactly.

Socrates: Now can you tell me what result the art that serves the physician serves to produce? Is it not health?

Euthyphro: Yes.

Socrates: Well then; what is it which the art that serves shipbuilders serves to produce?

Euthyphro: Evidently, Socrates, a ship.

Socrates: And that which serves housebuilders serves to build a house?

Euthyphro: Yes.

Socrates: Then tell me, my friend; what would the art which serves the gods serve to accomplish? For it is evident that you know, since you say you know more than any other man about matters which have to do with the gods.

Euthyphro: And what I say is true, Socrates.

Socrates: Then, in the name of Zeus, tell me, what is that glorious result which the gods

accomplish by using us as servants?

Euthyphro: They accomplish many fine results, Socrates.

Socrates: Yes, and so do generals, my friend; but nevertheless, you could easily tell the chief of them, namely, that they bring about victory in war. Is that not the case?

Euthyphro: Of course.

Socrates: And farmers also, I think, accomplish many fine results; but still the chief result of their work is food from the land?

Euthyphro: Certainly.

Socrates: But how about the many fine results the gods accomplish? What is the chief result of their work?

Euthyphro: I told you a while ago, Socrates, that it is a long task to learn accurately all about these things. However, I say simply that when one knows how to say and do what is gratifying to the gods, in praying and sacrificing, that is holiness, and such things bring salvation to individual families and to states; and the opposite of what is gratifying to the gods is impious, and that overturns and destroys everything.

Socrates: You might, if you wished, Euthyphro, have answered much more briefly the chief part of my question. But it is plain that you do not care to instruct me. [14c] For now, when you were close upon it you turned aside; and if you had answered it, I should already have obtained from you all the instruction I need about holiness. But, as things are, the questioner must follow the one questioned wherever he leads. What do you say the holy, or holiness, is? Do you not say that it is a kind of science of sacrificing and praying?

Euthyphro: Yes.

Socrates: And sacrificing is making gifts to the gods and praying is asking from them?

Euthyphro: Exactly, Socrates.

Socrates: Then holiness, according to this definition, would be a science of giving and asking.

Euthyphro: You understand perfectly what I said, Socrates.

Socrates: Yes, my friend, for I am eager for your wisdom, and give my mind to it, so that nothing you say shall fall to the ground. But tell me, what is this service of the gods? Do you say that it consists in asking from them and giving to them?

Euthyphro: Yes.

Socrates: Would not the right way of asking be to ask of them what we need from them?

Euthyphro: What else?

Socrates: And the right way of giving, to present them with what they need from us? For it would not be scientific giving to give anyone what he does not need.

Euthyphro: You are right, Socrates.

Socrates: Then holiness would be an art of barter between gods and men?

Euthyphro: Yes, of barter, if you like to call it so.

Socrates: I don't like to call it so, if it is not true. But tell me, what advantage accrues to the gods from the gifts they get from us? For everybody knows what they give, [15a] since we have nothing good which they do not give. But what advantage do they derive from what they get from us? Or have we so much the better of them in our bartering that we get all good things from them and they nothing from us?

Euthyphro: Why you don't suppose, Socrates, that the gods gain any advantage from what they get from us, do you?

Socrates: Well then, what would those gifts of ours to the gods be?

Euthyphro: What else than honor and praise, and, as I said before, gratitude?

Socrates: Then, Euthyphro, holiness is grateful to the gods, but not advantageous or precious to the gods?

Euthyphro: I think it is precious, above all things.

Socrates: Then again, it seems, holiness is that which is precious to the gods.

Euthyphro: Certainly.

Socrates: Then will you be surprised, since you say this, if your words do not remain fixed but walk about, and will you accuse me of being the Daedalus who makes them walk, when you are yourself much more skillful than Daedalus and make them go round in a circle? Or do you not see that our definition has come round to the point from which it started? For you remember, I suppose, that a while ago we found that holiness and what is dear to the gods were not the same, but different from each other; or do you not remember?

Euthyphro: Yes, I remember.

Socrates: Then don't you see that now you say that what is precious to the gods is holy?
And is not this what is dear to the gods?

Euthyphro: Certainly.

Socrates: Then either our agreement a while ago was wrong, or if that was right, we are wrong now.

Euthyphro: So it seems.

Socrates: Then we must begin again at the beginning and ask what holiness is. Since I shall not willingly give up until I learn. And do not scorn me, but by all means apply your mind now to the utmost and tell me the truth; for you know, if anyone does, and like Proteus, you must be held until you speak. For if you had not clear knowledge of holiness and unholiness, you would surely not have undertaken to prosecute your aged father for murder for the sake of a servant. You would have been afraid to risk the anger of the gods, in case your conduct should be wrong, and would have been ashamed in the sight of men. But now I am sure you think you know what is holy and what is not. So tell me, most excellent Euthyphro, and do not conceal your thought.

Euthyphro: Some other time, Socrates. Now I am in a hurry and it is time for me to go.

Socrates: Oh my friend, what are you doing? You go away and leave me cast down from the high hope I had that I should learn from you what is holy, and what is not, and should get rid of Meletus's indictment by showing him that I have been made wise by Euthyphro about divine matters and am no longer through ignorance acting carelessly and making innovations in respect to them, and that I shall live a better life henceforth.

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Question 94: The Natural Law by Thomas Aquinas

Introduction

In this reading, Thomas Aquinas, considered a “Doctor of the Church” in Catholicism, considers a series of objections to the notion of Natural Law theory. He draws upon reasoning itself and his sacred text to demonstrate his replies to each objection.

Aquinas distinguishes between various sorts of laws:

1. **Eternal Law:** the very mind of God, which governs the rationality of the universe and includes the writing of physical and moral laws, this is fundamentally beyond our grasp as we are finite creatures;
2. **Divine Law:** laws derived from the mind of God that apply to humans and communicated via *revelation*;
3. **Natural Law:** the imprint of eternal law on creatures that should govern their actions, they are discoverable through *reason* for humans;
4. **Human Law:** those laws which we make to govern ourselves and our societies, these should be in alignment with natural, divine, and eternal law.

The natural end of each creature determines the contents of its natural law. Dogs have one natural purpose and humans another. Humans are designed to be rational creatures (this is what distinguishes us from other creatures for Aquinas) and so rationality governs us. Accordingly, we can use rationality to discover natural law.

Under Aquinas’ system, and most natural law approaches, all humans have access to reason and so can *discover* and *agree* upon how we should act according to Natural Law. We can also judge Human Law by determining whether it aligns with or contradicts Natural Law.

As you move through this reading, not only try and learn about Aquinas’ view of morality, but also consider *how* he is thinking through possible objections and how to reply to them.

Article 1. Whether there is an eternal law?

Objection 1.

It would seem that there is no eternal law. Because every law is imposed on someone. But there was not someone from eternity on whom a law could be imposed: since God alone was from eternity. Therefore no law is eternal.

Objection 2.

Further, promulgation is essential to law. But promulgation could not be from

eternity: because there was no one to whom it could be promulgated from eternity. Therefore no law can be eternal.

Objection 3.

Further, a law implies order to an end. But nothing ordained to an end is eternal: for the last end alone is eternal. Therefore no law is eternal.

On the contrary, Augustine says (De Lib. Arb. i, 6): "That Law which is the Supreme Reason cannot be understood to be otherwise than unchangeable and eternal."

I answer that,

As stated above (I-II:90:1 ad 2; I-II:91:3-4), a law is nothing else but a dictate of practical reason emanating from the ruler who governs a perfect community. Now it is evident, granted that the world is ruled by Divine Providence, as was stated in I:22:1 and I:22:2, that the whole community of the universe is governed by Divine Reason. Wherefore the very Idea of the government of things in God the Ruler of the universe, has the nature of a law. And since the Divine Reason's conception of things is not subject to time but is eternal, according to Proverbs 8:23, therefore it is that this kind of law must be called eternal.

Reply to Objection 1.

Those things that are not in themselves, exist with God, inasmuch as they are foreknown and preordained by Him, according to Romans 4:17: "Who calls those things that are not, as those that are." Accordingly the eternal concept of the Divine law bears the character of an eternal law, in so far as it is ordained by God to the government of things foreknown by Him.

Reply to Objection 2.

Promulgation is made by word of mouth or in writing; and in both ways the eternal law is promulgated: because both the Divine Word and the writing of the Book of Life are eternal. But the promulgation cannot be from eternity on the part of the creature that hears or reads.

Reply to Objection 3.

The law implies order to the end actively, in so far as it directs certain things to the end; but not passively—that is to say, the law itself is not ordained to the end—except accidentally, in a governor whose end is extrinsic to him, and to which end his law must needs be ordained. But the end of the Divine government is God Himself, and His law is not distinct from Himself. Wherefore the eternal law is not ordained to another end.

Article 2. Whether there is in us a natural law?

Objection 1.

It would seem that there is no natural law in us. Because man is governed sufficiently by the eternal law: for Augustine says (*De Lib. Arb. i*) that "the eternal law is that by which it is right that all things should be most orderly." But nature does not abound in superfluities as neither does she fail in necessities. Therefore no law is natural to man.

Objection 2.

Further, by the law man is directed, in his acts, to the end, as stated above (I-II:90:2). But the directing of human acts to their end is not a function of nature, as is the case in irrational creatures, which act for an end solely by their natural appetite; whereas man acts for an end by his reason and will. Therefore no law is natural to man.

Objection 3.

Further, the more a man is free, the less is he under the law. But man is freer than all the animals, on account of his free-will, with which he is endowed above all other animals. Since therefore other animals are not subject to a natural law, neither is man subject to a natural law.

On the contrary,

A gloss on Romans 2:14: "When the Gentiles, who have not the law, do by nature those things that are of the law," comments as follows: "Although they have no written law, yet they have the natural law, whereby each one knows, and is conscious of, what is good and what is evil."

I answer that,

As stated above (I-II:90:1 ad 1), law, being a rule and measure, can be in a person in two ways: in one way, as in him that rules and measures; in another way, as in that which is ruled and measured, since a thing is ruled and measured, in so far as it partakes of the rule or measure. Wherefore, since all things subject to Divine providence are ruled and measured by the eternal law, as was stated above (Article 1); it is evident that all things partake somewhat of the eternal law, in so far as, namely, from its being imprinted on them, they derive their respective inclinations to their proper acts and ends. Now among all others, the rational creature is subject to Divine providence in the most excellent way, in so far as it partakes of a share of providence, by being provident both for itself and for others. Wherefore it has a share of the Eternal Reason, whereby it has a natural inclination to its proper act and end: and this participation of the eternal law in the rational creature is called the natural law. Hence the Psalmist after saying (*Psalm 4:6*): "Offer up the sacrifice of justice," as though someone asked what the works of justice are, adds: "Many say, Who sheweth us good things?" in answer to which question he says: "The light of Thy countenance, O Lord, is signed upon us": thus implying that the light of natural reason, whereby we discern what is good and what is evil, which is the function

of the natural law, is nothing else than an imprint on us of the Divine light. It is therefore evident that the natural law is nothing else than the rational creature's participation of the eternal law.

Reply to Objection 1.

This argument would hold, if the natural law were something different from the eternal law: whereas it is nothing but a participation thereof, as stated above.

Reply to Objection 2.

Every act of reason and will in us is based on that which is according to nature, as stated above (I-II:10:1): for every act of reasoning is based on principles that are known naturally, and every act of appetite in respect of the means is derived from the natural appetite in respect of the last end. Accordingly the first direction of our acts to their end must needs be in virtue of the natural law.

Reply to Objection 3.

Even irrational animals partake in their own way of the Eternal Reason, just as the rational creature does. But because the rational creature partakes thereof in an intellectual and rational manner, therefore the participation of the eternal law in the rational creature is properly called a law, since a law is something pertaining to reason, as stated above (I-II:90:1). Irrational creatures, however, do not partake thereof in a rational manner, wherefore there is no participation of the eternal law in them, except by way of similitude.

Article 3. Whether there is a human law?

Objection 1.

It would seem that there is not a human law. For the natural law is a participation of the eternal law, as stated above (Article 2). Now through the eternal law "all things are most orderly," as Augustine states (De Lib. Arb. i, 6). Therefore the natural law suffices for the ordering of all human affairs. Consequently there is no need for a human law.

Objection 2.

Further, a law bears the character of a measure, as stated above (I-II:90:1). But human reason is not a measure of things, but vice versa, as stated in Metaph. x, text. 5. Therefore no law can emanate from human reason.

Objection 3.

Further, a measure should be most certain, as stated in Metaph. x, text. 3. But the dictates of human reason in matters of conduct are uncertain, according to Wisdom 9:14: "The thoughts of mortal men are fearful, and our counsels uncertain." Therefore no law

can emanate from human reason.

On the contrary,

Augustine (De Lib. Arb. i, 6) distinguishes two kinds of law, the one eternal, the other temporal, which he calls human.

I answer that,

As stated above (I-II:90:1 ad 2), a law is a dictate of the practical reason. Now it is to be observed that the same procedure takes place in the practical and in the speculative reason: for each proceeds from principles to conclusions, as stated above (De Lib. Arb. i, 6). Accordingly we conclude that just as, in the speculative reason, from naturally known indemonstrable principles, we draw the conclusions of the various sciences, the knowledge of which is not imparted to us by nature, but acquired by the efforts of reason, so too it is from the precepts of the natural law, as from general and indemonstrable principles, that the human reason needs to proceed to the more particular determination of certain matters.

These particular determinations, devised by human reason, are called human laws, provided the other essential conditions of law be observed, as stated above (I-II:90:2-4). Wherefore Tully says in his Rhetoric (De Invent. Rhet. ii) that "justice has its source in nature; thence certain things came into custom by reason of their utility; afterwards these things which emanated from nature and were approved by custom, were sanctioned by fear and reverence for the law."

Reply to Objection 1.

The human reason cannot have a full participation of the dictate of the Divine Reason, but according to its own mode, and imperfectly. Consequently, as on the part of the speculative reason, by a natural participation of Divine Wisdom, there is in us the knowledge of certain general principles, but not proper knowledge of each single truth, such as that contained in the Divine Wisdom; so too, on the part of the practical reason, man has a natural participation of the eternal law, according to certain general principles, but not as regards the particular determinations of individual cases, which are, however, contained in the eternal law. Hence the need for human reason to proceed further to sanction them by law.

Reply to Objection 2.

Human reason is not, of itself, the rule of things: but the principles impressed on it by nature, are general rules and measures of all things relating to human conduct, whereof the natural reason is the rule and measure, although it is not the measure of things that are from nature.

Reply to Objection 3.

The practical reason is concerned with practical matters, which are singular and contingent: but not with necessary things, with which the speculative reason is concerned. Wherefore human laws cannot have that inerrancy that belongs to the demonstrated conclusions of sciences. Nor is it necessary for every measure to be altogether unerring and certain, but according as it is possible in its own particular genus.

Article 4. Whether there was any need for a Divine law?

Objection 1.

It would seem that there was no need for a Divine law. Because, as stated above (Article 2), the natural law is a participation in us of the eternal law. But the eternal law is a Divine law, as stated above (Article 1). Therefore there was no need for a Divine law in addition to the natural law, and human laws derived therefrom.

Objection 2.

Further, it is written (Sirach 15:14) that "God left man in the hand of his own counsel." Now counsel is an act of reason, as stated above (I-II:14:1). Therefore man was left to the direction of his reason. But a dictate of human reason is a human law as stated above (Article 3). Therefore there is no need for man to be governed also by a Divine law.

Objection 3.

Further, human nature is more self-sufficing than irrational creatures. But irrational creatures have no Divine law besides the natural inclination impressed on them. Much less, therefore, should the rational creature have a Divine law in addition to the natural law.

On the contrary,

David prayed God to set His law before him, saying (Psalm 18:33): "Set before me for a law the way of Thy justifications, O Lord."

I answer that,

Besides the natural and the human law it was necessary for the directing of human conduct to have a Divine law. And this for four reasons. First, because it is by law that man is directed how to perform his proper acts in view of his last end. And indeed if man were ordained to no other end than that which is proportionate to his natural faculty, there would be no need for man to have any further direction of the part of his reason, besides the natural law and human law which is derived from it. But since man is ordained to an end of eternal happiness which is inproportionate to man's natural faculty, as stated above (I-II:5:5), therefore it was necessary that, besides the natural and the human law, man should be directed to his end by a law given by God.

Secondly, because, on account of the uncertainty of human judgment, especially on contingent and particular matters, different people form different judgments on human acts; whence also different and contrary laws result. In order, therefore, that man may know without any doubt what he ought to do and what he ought to avoid, it was necessary for man to be directed in his proper acts by a law given by God, for it is certain that such a law cannot err.

Thirdly, because man can make laws in those matters of which he is competent to judge. But man is not competent to judge of interior movements, that are hidden, but only of exterior acts which appear: and yet for the perfection of virtue it is necessary for man to conduct himself aright in both kinds of acts. Consequently human law could not sufficiently curb and direct interior acts; and it was necessary for this purpose that a Divine law should supervene.

Fourthly, because, as Augustine says (De Lib. Arb. i, 5,6), human law cannot punish or forbid all evil deeds: since while aiming at doing away with all evils, it would do away with many good things, and would hinder the advance of the common good, which is necessary for human intercourse. In order, therefore, that no evil might remain unforbidden and unpunished, it was necessary for the Divine law to supervene, whereby all sins are forbidden.

And these four causes are touched upon in Psalm 118:8, where it is said: "The law of the Lord is unspotted," i.e. allowing no foulness of sin; "converting souls," because it directs not only exterior, but also interior acts; "the testimony of the Lord is faithful," because of the certainty of what is true and right; "giving wisdom to little ones," by directing man to an end supernatural and Divine.

Reply to Objection 1.

By the natural law the eternal law is participated proportionately to the capacity of human nature. But to his supernatural end man needs to be directed in a yet higher way. Hence the additional law given by God, whereby man shares more perfectly in the eternal law.

Reply to Objection 2.

Counsel is a kind of inquiry: hence it must proceed from some principles. Nor is it enough for it to proceed from principles imparted by nature, which are the precepts of the natural law, for the reasons given above: but there is need for certain additional principles, namely, the precepts of the Divine law.

Reply to Objection 3.

Irrational creatures are not ordained to an end higher than that which is proportionate to their natural powers: consequently the comparison fails.

Article 5. Whether there is but one Divine law?

Objection 1.

It would seem that there is but one Divine law. Because, where there is one king in one kingdom there is but one law. Now the whole of mankind is compared to God as to one king, according to Psalm 46:8: "God is the King of all the earth." Therefore there is but one Divine law.

Objection 2.

Further, every law is directed to the end which the lawgiver intends for those for whom he makes the law. But God intends one and the same thing for all men; since according to 1 Timothy 2:4: "He will have all men to be saved, and to come to the knowledge of the truth." Therefore there is but one Divine law.

Objection 3.

Further, the Divine law seems to be more akin to the eternal law, which is one, than the natural law, according as the revelation of grace is of a higher order than natural knowledge. Therefore much more is the Divine law but one.

On the contrary,

The Apostle says (Hebrews 7:12): "The priesthood being translated, it is necessary that a translation also be made of the law." But the priesthood is twofold, as stated in the same passage, viz. the levitical priesthood, and the priesthood of Christ. Therefore the Divine law is twofold, namely the Old Law and the New Law.

I answer that,

As stated in the I:30:3, distinction is the cause of number. Now things may be distinguished in two ways. First, as those things that are altogether specifically different, e.g. a horse and an ox. Secondly, as perfect and imperfect in the same species, e.g. a boy and a man: and in this way the Divine law is divided into Old and New. Hence the Apostle (Galatians 3:24-25) compares the state of man under the Old Law to that of a child "under a pedagogue"; but the state under the New Law, to that of a full grown man, who is "no longer under a pedagogue."

Now the perfection and imperfection of these two laws is to be taken in connection with the three conditions pertaining to law, as stated above. For, in the first place, it belongs to law to be directed to the common good as to its end, as stated above (I-II:90:2). This good may be twofold. It may be a sensible and earthly good; and to this, man was directly ordained by the Old Law: wherefore, at the very outset of the law, the people were invited to the earthly kingdom of the Chanaaneans (Exodus 3:8-17). Again it may be an intelligible and heavenly good: and to this, man is ordained by the New Law. Wherefore, at the very beginning of His preaching, Christ invited men to the kingdom of heaven, saying (Matthew 4:17): "Do penance, for the kingdom of heaven is at hand." Hence Augustine says (Contra Faust. iv) that "promises of temporal goods are contained in the

Old Testament, for which reason it is called old; but the promise of eternal life belongs to the New Testament."

Secondly, it belongs to the law to direct human acts according to the order of righteousness (Article 4): wherein also the New Law surpasses the Old Law, since it directs our internal acts, according to Matthew 5:20: "Unless your justice abound more than that of the Scribes and Pharisees, you shall not enter into the kingdom of heaven." Hence the saying that "the Old Law restrains the hand, but the New Law controls the mind" (Sentent. iii, D, xl).

Thirdly, it belongs to the law to induce men to observe its commandments. This the Old Law did by the fear of punishment: but the New Law, by love, which is poured into our hearts by the grace of Christ, bestowed in the New Law, but foreshadowed in the Old. Hence Augustine says (Contra Admant. Manich. discip. xvii) that "there is little difference [The 'little difference' refers to the Latin words 'timor' and 'amor'—'fear' and 'love.'] between the Law and the Gospel—fear and love."

Reply to Objection 1.

As the father of a family issues different commands to the children and to the adults, so also the one King, God, in His one kingdom, gave one law to men, while they were yet imperfect, and another more perfect law, when, by the preceding law, they had been led to a greater capacity for Divine things.

Reply to Objection 2.

The salvation of man could not be achieved otherwise than through Christ, according to Acts 4:12: "There is no other name . . . given to men, whereby we must be saved." Consequently, the law that brings all to salvation could not be given until after the coming of Christ. But before His coming it was necessary to give to the people, of whom Christ was to be born, a law containing certain rudiments of righteousness unto salvation, in order to prepare them to receive Him.

Reply to Objection 3.

The natural law directs man by way of certain general precepts, common to both the perfect and the imperfect: wherefore it is one and the same for all. But the Divine law directs man also in certain particular matters, to which the perfect and imperfect do not stand in the same relation. Hence the necessity for the Divine law to be twofold, as already explained.

Article 6. Whether there is a law in the fomes of sin?

Objection 1.

It would seem that there is no law of the "fomes" of sin.⁷⁹ For Isidore says (Etym. v) that the "law is based on reason." But the "fomes" of sin is not based on reason, but deviates from it. Therefore the "fomes" has not the nature of a law.

Objection 2.

Further, every law is binding, so that those who do not obey it are called transgressors. But man is not called a transgressor, from not following the instigations of the "fomes"; but rather from his following them. Therefore the "fomes" has not the nature of a law.

Objection 3.

Further, the law is ordained to the common good, as stated above (I-II:90:2). But the "fomes" inclines us, not to the common, but to our own private good. Therefore the "fomes" has not the nature of sin.

On the contrary,

The Apostle says (Romans 7:23): "I see another law in my members, fighting against the law of my mind."

I answer that,

As stated above (Article 2; I-II:90:1 ad 1), the law, as to its essence, resides in him that rules and measures; but, by way of participation, in that which is ruled and measured; so that every inclination or ordination which may be found in things subject to the law, is called a law by participation, as stated above (Article 2; I-II:90:1 ad 1). Now those who are subject to a law may receive a twofold inclination from the lawgiver. First, in so far as he directly inclines his subjects to something; sometimes indeed different subjects to different acts; in this way we may say that there is a military law and a mercantile law. Secondly, indirectly; thus by the very fact that a lawgiver deprives a subject of some dignity, the latter passes into another order, so as to be under another law, as it were: thus if a soldier be turned out of the army, he becomes a subject of rural or of mercantile legislation.

Accordingly under the Divine Lawgiver various creatures have various natural inclinations, so that what is, as it were, a law for one, is against the law for another: thus I might say that fierceness is, in a way, the law of a dog, but against the law of a sheep or another meek animal. And so **the law of man, which, by the Divine ordinance, is allotted to him, according to his proper natural condition, is that he should act in accordance with reason:** and this law was so effective in the primitive state, that nothing

⁷⁹ By "fomes," Aquinas refers to sensuality (as opposed to reason) that leads humans to sin, or act against the natural and divine laws. Fomes outside of Aquinas' usage refers to something that is able to soak up infectious materials.

either beside or against reason could take man unawares. But when man turned his back on God, he fell under the influence of his sensual impulses: in fact this happens to each one individually, the more he deviates from the path of reason, so that, after a fashion, he is likened to the beasts that are led by the impulse of sensuality, according to Psalm 48:21: "Man, when he was in honor, did not understand: he hath been compared to senseless beasts, and made like to them."

So, then, this very inclination of sensuality which is called the "fomes," in other animals has simply the nature of a law (yet only in so far as a law may be said to be in such things), by reason of a direct inclination. But in man, it has not the nature of law in this way, rather is it a deviation from the law of reason. But since, by the just sentence of God, man is destitute of original justice, and his reason bereft of its vigor, this impulse of sensuality, whereby he is led, in so far as it is a penalty following from the Divine law depriving man of his proper dignity, has the nature of a law.

Reply to Objection 1.

This argument considers the "fomes" in itself, as an incentive to evil. It is not thus that it has the nature of a law, as stated above, but according as it results from the justice of the Divine law: it is as though we were to say that the law allows a nobleman to be condemned to hard labor for some misdeed.

Reply to Objection 2.

This argument considers law in the light of a rule or measure: for it is in this sense that those who deviate from the law become transgressors. But the "fomes" is not a law in this respect, but by a kind of participation, as stated above.

Reply to Objection 3.

This argument considers the "fomes" as to its proper inclination, and not as to its origin. And yet if the inclination of sensuality be considered as it is in other animals, thus it is ordained to the common good, namely, to the preservation of nature in the species or in the individual. And this is in man also, in so far as sensuality is subject to reason. But it is called "fomes" in so far as it strays from the order of reason.

Citation and Use

The text was taken from the following text:

Thomas Aquinas, "Question 94: The Natural Law," in *The Summa Theologiae*, trans. Fathers of the English Dominican Province, Second Edition, vol. 1 (London: Burns Oates and Washbourne, 1920).

The work is in the Public Domain in the United States.

Egoism

At its core, Egoism is the idea that morality is primarily concerned with seeking the good of the self above all else. There are varieties of Egoism that are also concerned with the good of others and varieties that disregard the good of others. Here we will look at two versions of Egoism, that of Epicurus and that of Ayn Rand.

Letter to Menoeceus by Epicurus

Background

Epicurus suggest that pleasure being the sole end of beings. Morality for each individual must be the art of procuring for oneself the greatest amount of personal pleasure and avoiding as much suffering as possible.⁸⁰ Epicurus denies that the gods take interest in human affairs and therefore we should not worry about divine moral precepts. Human laws are merely those rules we agree to in order to avoid harm. Morality, for Epicurus, is not following laws or the commands of the gods, but of seeking pleasure and avoiding pain.⁸¹

Text

Epicurus to Menoeceus: Greetings.

Let no one delay to philosophize while he is young nor weary in philosophizing when he is old, for no one is either short of the age or past the age for enjoying health of the soul. And the man who says the time for philosophizing has not yet come or is already past may be compared to the man who says the time for happiness is not yet come or is already gone by. So both the young man and the old man should philosophize, the former that while growing old he may be young in blessings because of gratitude for what has been, the latter that he may be young and old at the same time because of the fearlessness with which he faces the future. Therefore the wise plan is to practice the things that make for happiness, since possessing happiness we have everything and not possessing it we do everything to have it.

THE GODS

Both practice and study the precepts which I continuously urged upon you, discerning these to be the A B C's of the good life. First of all, believing the divine being to

⁸⁰ Felix Alcan, "The Morality of Epicurus and Its Relation to Contemporary Doctrines," in *La Morale d'Epicure et Ses Rapports Avec Les Doctrines Contemporaines*, trans. Mitchell Abidor, 7th Edition (Paris: Kessinger Publishing, LLC), accessed April 3, 2018, <https://www.marxists.org/archive/guyau/1878/epicurus.htm>.

⁸¹ David Konstan, "Epicurus," in *The Stanford Encyclopedia of Philosophy*, ed. Edward N. Zalta, Fall 2016 (Metaphysics Research Lab, Stanford University, 2016), <https://plato.stanford.edu/archives/fall2016/entries/epicurus/>.

be blessed and incorruptible, just as the universal idea of it is outlined in our minds, associate nothing with it that is incompatible with incorruption or alien to blessedness. And cultivate every thought concerning it that can preserve its blessedness along with incorruption. Because there are gods, for the knowledge of them is plain to see. They are not, however, such as many suppose them to be, for people do not keep their accounts of them consistent with their beliefs. And it is not the man who would abolish the gods of the multitude who is impious but the man who associates the beliefs of the multitude with the gods; for the pronouncements of the multitude concerning the gods are not innate ideas but false assumptions. According to their stories the greatest injuries and indignities are said to be inflicted upon evil men, and also benefits.

THE GODS INDIFFERENT TO WICKEDNESS

[These stories are false, because the gods], being exclusively devoted to virtues that become themselves, feel an affinity for those like themselves and regard all that is not of this kind as alien.

DEATH

Habituate yourself to the belief that death is nothing to us, because all good and evil lies in consciousness and death is the loss of consciousness. Hence a right understanding of the fact that death is nothing to us renders enjoyable the mortality of life, not by adding infinite time but by taking away the yearning for immortality, for there is nothing to be feared while living by the man who has genuinely grasped the idea that there is nothing to be feared when not living.

So the man is silly who says that he fears death, not because it will pain him when it comes, but because it pains him in prospect; for nothing that occasions no trouble when present has any right to pain us in anticipation. Therefore death, the most frightening of evils, is nothing to us, for the excellent reason that while we live it is not here and when it is here we are not living. So it is nothing either to the living or to the dead, because it is of no concern to the living and the dead are no longer.

THE INCONSISTENCY OF PEOPLE

But the multitude of men at one time shun death as the greatest of evils and at another choose death as an escape from the evils of life. The wise man, however, neither asks quarter of life nor has he any fear of not living, for he has no fault to find with life nor does he think it any evil to be out of it. Just as in the case of food, he does not always choose the largest portion but rather the most enjoyable; so with time, he does not pick the longest span of it but the most enjoyable.

And the one who bids the young man 'Live well' and the old man 'Die well' is simple-minded, not only because of the pleasure of being alive, but also for the reason that the art of living well and dying well is one and the same. And far worse is he who says: 'It were well never to have been born or having been born to have passed with all speed through the gates of Hades.' For if he is saying this out of conviction, why does he not

take leave of life? Because this course is open to him if he has resolutely made up his mind to it. But if he is speaking in mockery, he is trifling in the case of things that do not countenance trifling.

THE FUTURE

As for the future, we must bear in mind that it is not quite beyond our control nor yet quite within our control, so that we must neither await it as going to be quite within our control nor despair of it as going to be quite beyond our control.

THE DESIRES

As for the desires, we should reflect that some are natural and some are imaginary; and of the natural desires some are necessary and some are natural only; and of the necessary desires some are necessary to happiness [he refers to friendship], and others to the comfort of the body [clothing and housing], and others to life itself [hunger and thirst].

Because a correct appraisal of the desires enables us to refer every decision to choose or to avoid to the test of the health of the body and the tranquillity of the soul, for this is the objective of the happy life. For to this end we do everything that we may feel neither pain nor fear. When once this boon is in our possession, every tumult of the soul is stilled, the creature having nothing to work forward to as something lacking or something additional to seek whereby the good of the soul and the body shall arrive at fullness. For only then have we need of pleasure when from the absence of pleasure we feel pain; and conversely, when we no longer feel pain we no longer feel need of pleasure.

THE BEGINNING AND THE END OF THE HAPPY LIFE

And for the following reason we say that pleasure is the beginning and the end of the happy life: because we recognize pleasure as the first good and connate with us and to this we have recourse as to a canon, judging every good by the reaction. And for the reason that pleasure is the first good and of one nature with us we do not choose every pleasure but at one time or another forgo many pleasures when a distress that will outweigh them follows in consequence of these pleasures; and many pains we believe to be preferable to pleasures when a pleasure that will outweigh them ensues for us after enduring those pains for a long time.

Therefore every pleasure is good because it is of one nature with us but every pleasure is not to be chosen; by the same reasoning every pain is an evil but every pain is not such as to be avoided at all times.

EXPEDIENCY: THE CALCULUS OF ADVANTAGE

The right procedure, however, is to weigh them against one another and to scrutinize the advantages and disadvantages; for we treat the good under certain

circumstances as an evil and conversely the evil as a good.

SELF-SUFFICIENCY OR CONTENTMENT WITH LITTLE

And self-sufficiency we believe to be a great good, not that we may live on little under all circumstances but that we may be content with little when we do not have plenty, being genuinely convinced that they enjoy luxury most who feel the least need of it; that every natural appetite is easily gratified but the unnatural appetite difficult to gratify; and that plain foods bring a pleasure equal to that of a luxurious diet when all the pain originating in need has been removed; and that bread and water bring the most utter pleasure when one in need of them brings them to his lips.

Thus habituation to simple and inexpensive diets not only contributes to perfect health but also renders a man unshrinking in face of the inevitable emergencies of life; and it disposes us better toward the times of abundance that ensue after intervals of scarcity and renders us fearless in the face of Fortune. When therefore we say that pleasure is the end we do not mean the pleasures of profligates and those that consist in high living, as certain people think, either not understanding us and holding to different views or willfully misrepresenting us; but we mean freedom from pain in the body and turmoil in the soul. For it is not protracted drinking bouts and revels nor yet sexual pleasures with boys and women nor rare dishes of fish and the rest – all the delicacies that the luxurious table bears – that beget the happy life but rather sober calculation, which searches out the reasons for every choice and avoidance and expels the false opinions, the source of most of the turmoil that seizes upon the souls of men.

THE PRACTICAL REASON

Of all these virtues the source is the practical reason, the greatest good of all – and hence more precious than philosophy itself – teaching us the impossibility of living pleasurable without living according to reason, honor, and justice, and conversely, of living according to reason, honor, and justice without living pleasurable; for the virtues are of one nature with the pleasurable life and conversely, the pleasurable life is inseparable from the virtues.

DESCRIPTION OF THE HAPPY MAN

"Because who do you think is in better case than the man who holds pious beliefs concerning the gods and is invariably fearless of death; and has included in his reckoning the end of life as ordained by Nature; and concerning the utmost of things good discerns this to be easy to enjoy to the full and easy of procurement, while the utmost of things evil is either brief in duration or brief in suffering.

He has abolished the Necessity that is introduced by some thinkers as the mistress of all things, for it were better to subscribe to the myths concerning the gods than to be a slave to the Destiny of the physicists, because the former presumes a hope of mercy through worship but the latter assumes Necessity to be inexorable.

As for Fortune, he does not assume that she is a goddess, as the multitude believes, for nothing is done at random by a god; neither does he think her a fickle cause, for he does not suppose that either good or evil is dealt out to men by her to affect life's happiness; yet he does believe the starting points for great good or evil to originate with her, thinking it better to plan well and fail than to plan badly and succeed, for in the conduct of life it profits more for good judgment to miscarry than for misjudgment to prosper by chance.

THINK ON THESE THINGS

Meditate therefore by day and by night upon these precepts and upon the others that go with these, whether by yourself or in the company of another like yourself, and never will your soul be in turmoil either sleeping or waking but you will be living like a god among men, for in no wise does a man resemble a mortal creature who lives among immortal blessings.

Citation and Use

The text is taken from the following source.

Epicurus, "Letter to Menoeceus," in St. Paul and Epicurus, trans. Norman DeWitt
(University of Minnesota Press, 1954), 187–93,
<https://muse.jhu.edu/book/32409>.

The work is in the public domain.

Roark's Courtroom Speech by Ayn Rand

Introduction

This diatribe in *The Fountainhead* is perhaps the most distilled version of Ayn Rand's Ethical Egoism, which demands that each person pursue their own long-term rational interests alone. Note the two types of people Rand claims exist: the creator and the parasite. In *The Fountainhead*, the architect Howard Roark is on trial for destroying a building of his own design. This is part of a speech in his defense.

Early on, Rand develops a unique riff on humanity's origin myths to carefully construct the moral universe she operates within. Take careful note of both of how her anthropology differs from yours and how her anthropology sets up the rest of her moral theory of selfishness. Rand sees a certain Hobbesian pre-society war of all against all raging in society, but she does not see the government as the Hobbesian Sovereign, but as but as minimalistic State whose only role is to keep people from committing violence against one another and protecting private property.

Text

Thousands of years ago, the first man discovered how to make fire. He was probably burned at the stake he had taught his brothers to light. He was considered an evildoer who had dealt with a demon mankind dreaded. But thereafter men had fire to keep them warm, to cook their food, to light their caves. He had left them a gift they had not conceived and he had lifted darkness off the earth. Centuries later, the first man invented the wheel. He was probably torn on the rack he had taught his brothers to build. He was considered a transgressor who ventured into forbidden territory. But thereafter, men could travel past any horizon. He had left them a gift they had not conceived and he had opened the roads of the world.

That man, the unsubmissive and first, stands in the opening chapter of every legend mankind has recorded about its beginning.

Prometheus was chained to a rock and torn by vultures—because he had stolen the fire of the gods. Adam was condemned to suffer—because he had eaten the fruit of the tree of knowledge. Whatever the legend, somewhere in the shadows of its memory mankind knew that its glory began with one and that that one paid for his courage.

Throughout the centuries there were men who took first steps down new roads armed with nothing but their own vision. Their goals differed, but they all had this in common: that the step was first, the road new, the vision unborrowed, and the response they received—hatred. The great creators—the thinkers, the artists, the scientists, the inventors—stood alone against the men of their time. Every great new thought was opposed. Every great new invention was denounced. The first motor was considered foolish. The airplane was considered impossible. The power loom was considered vicious. Anesthesia was considered sinful. But the men of unborrowed vision went ahead. They fought, they suffered and they paid. But they won.

No creator was prompted by a desire to serve his brothers, for his brothers rejected the gift he offered and that gift destroyed the slothful routine of their lives. His truth was his only motive. His own truth, and his own work to achieve it in his own way. A symphony, a book, an engine, a philosophy, an airplane or a building—that was his goal and his life. Not those who heard, read, operated, believed, flew or inhabited the thing he had created. The creation, not its users. The creation, not the benefits others derived from it. The creation which gave form to his truth. He held his truth above all things and against all men.

His vision, his strength, his courage came from his own spirit. A man's spirit, however, is his self. That entity which is his consciousness. To think, to feel, to judge, to act are functions of the ego.

The creators were not selfless. It is the whole secret of their power—that it was self-sufficient, self-motivated, self-generated. A first cause, a fount of energy, a life force, a Prime Mover. The creator served nothing and no one. He lived for himself.

And only by living for himself was he able to achieve the things which are the glory of mankind. Such is the nature of achievement.

Man cannot survive except through his mind. He comes on earth unarmed. His brain is his only weapon. Animals obtain food by force. Man has no claws, no fangs, no horns, no great strength of muscle. He must plant his food or hunt it. To plant, he needs a process of thought. To hunt, he needs weapons, and to make weapons—a process of thought. From this simplest necessity to the highest religious abstraction, from the wheel to the skyscraper, everything we are and everything we have comes from a single attribute of man—the function of his reasoning mind.

But the mind is an attribute of the individual. There is no such thing as a collective brain. There is no such thing as a collective thought. An agreement reached by a group of men is only a compromise or an average drawn upon many individual thoughts. It is a secondary consequence. The primary act—the process of reason—must be performed by each man alone. We can divide a meal among many men. We cannot digest it in a collective stomach. No man can use his lungs to breathe for another man. No man can use his brain to think for another. All the functions of body and spirit are private.

They cannot be shared or transferred.

We inherit the products of the thought of other men. We inherit the wheel. We make a cart. The cart becomes an automobile. The automobile becomes an airplane. But all through the process what we receive from others is only the end product of their thinking. The moving force is the creative faculty which takes this product as material, uses it and originates the next step. This creative faculty cannot be given or received, shared or borrowed. It belongs to single, individual men. That which it creates is the property of the creator.

Men learn from one another. But all learning is only the exchange of material. No man can give another the capacity to think. Yet that capacity is our only means of survival.

Nothing is given to man on earth. Everything he needs has to be produced. And here man faces his basic alternative: he can survive in only one of two ways—by the independent work of his own mind or as a parasite fed by the minds of others. The creator originates. The parasite borrows. The creator faces nature alone. The parasite faces nature through an intermediary.

The creator's concern is the conquest of nature. The parasite's concern is the conquest of men.

The creator lives for his work. He needs no other men. His primary goal is within himself. The parasite lives second-hand. He needs others. Others become his prime motive.

The basic need of the creator is independence. The reasoning mind cannot work under any form of compulsion. It cannot be curbed, sacrificed or subordinated to any consideration whatsoever. It demands total independence in function and in motive. To a creator, all relations with men are secondary.

The basic need of the second-hander is to secure his ties with men in order to be fed. He places relations first. He declares that man exists in order to serve others. He preaches altruism.

Altruism is the doctrine which demands that man live for others and place others above self.

No man can live for another. He cannot share his spirit just as he cannot share his body. But the second-hander has used altruism as a weapon of exploitation and reversed the base of mankind's moral principles. Men have been taught every precept that destroys the creator. Men have been taught dependence as a virtue.

The man who attempts to live for others is a dependent. He is a parasite in motive and makes parasites of those he serves. The relationship produces nothing but mutual corruption. It is impossible in concept. The nearest approach to it in reality—the man who lives to serve others—is the slave. If physical slavery is repulsive, how much more repulsive is the concept of servility of the spirit? The conquered slave has a vestige of honor. He has the merit of having resisted and of considering his condition evil. But the man who enslaves himself voluntarily in the name of love is the basest of creatures. He degrades the dignity of man and he degrades the conception of love. But this is the essence of altruism.

Men have been taught that the highest virtue is not to achieve, but to give. Yet one cannot give that which has not been created. Creation comes before distribution—or there will be nothing to distribute. The need of the creator comes before the need of any possible beneficiary. Yet we are taught to admire the second-hander who dispenses gifts he has not produced above the man who made the gifts possible. We praise an act of charity. We shrug at an act of achievement.

Men have been taught that their first concern is to relieve the sufferings of others. But suffering is a disease. Should one come upon it, one tries to give relief and assistance. To make that the highest test of virtue is to make suffering the most important part of life. Then man must wish to see others suffer—in order that he may be virtuous. Such is the nature of altruism. The creator is not concerned with disease, but with life. Yet the work of the creators has eliminated one form of disease after another, in man's body and spirit, and brought more relief from suffering than any altruist could ever conceive.

Men have been taught that it is a virtue to agree with others. But the creator is the man who disagrees. Men have been taught that it is a virtue to swim with the current. But the creator is the man who goes against the current. Men have been taught that it is a virtue to stand together. But the creator is the man who stands alone.

Men have been taught that the ego is the synonym of evil, and selflessness the ideal of virtue. But the creator is the egotist in the absolute sense, and the selfless man is the one who does not think, feel, judge or act. These are functions of the self.

Here the basic reversal is most deadly. The issue has been perverted and man has

been left no alternative—and no freedom. As poles of good and evil, he was offered two conceptions: egotism and altruism. Egotism was held to mean the sacrifice of others to self.

Altruism—the sacrifice of self to others. This tied man irrevocably to other men and left him nothing but a choice of pain: his own pain borne for the sake of others or pain inflicted upon others for the sake of self. When it was added that man must find joy in self-immolation, the trap was closed. Man was forced to accept masochism as his ideal—under the threat that sadism was his only alternative. This was the greatest fraud ever perpetrated on mankind.

This was the device by which dependence and suffering were perpetuated as fundamentals of life.

The choice is not self-sacrifice or domination. The choice is independence or dependence. The code of the creator or the code of the second-hander. This is the basic issue. It rests upon the alternative of life or death. The code of the creator is built on the needs of the reasoning mind which allows man to survive. The code of the second-hander is built on the needs of a mind incapable of survival. All that which proceeds from man's independent ego is good. All that which proceeds from man's dependence upon men is evil.

The egotist is the absolute sense is not the man who sacrifices others. He is the man who stands above the need of using others in any manner. He does not function through them. He is not concerned with them in any primary matter. Not in his aim, not in his motive, not in his thinking, not in his desires, not in the source of his energy. He does not exist for any other man—and he asks no other man to exist for him. This is the only form of brotherhood and mutual respect possible between men.

Degrees of ability vary, but the basic principle remains the same: the degree of a man's independence, initiative and personal love for his work determines his talent as a worker and his worth as a man.

Independence is the only gauge of human virtue and value. What a man is and makes of himself; not what he has or hasn't done for others. There is no substitute for personal dignity. There is no standard of personal dignity except independence.

In all proper relationships there is no sacrifice of anyone to anyone. An architect needs clients, but he does not subordinate his work to their wishes. They need him, but they do not order a house just to give him a commission. Men exchange their work by free, mutual consent to mutual advantage when their personal interests agree and they both desire the exchange. If they do not desire it, they are not forced to deal with each other. They seek further. This is the only possible form of relationship between equals. Anything else is a relation of slave to master, or victim to executioner.

No work is ever done collectively, by a majority decision. Every creative job is achieved under the guidance of a single individual thought. An architect requires a great

many men to erect his building. But he does not ask them to vote on his design. They work

together by free agreement and each is free in his proper function. An architect uses steel, glass, concrete, produced by others. But the materials remain just so much steel, glass and concrete until he touches them. What he does with them is his individual product and his individual property. This is the only pattern for proper cooperation among men.

The first right on earth is the right of the ego. Man's first duty is to himself. His moral law is never to place his prime goal within the persons of others. His moral obligation is to do what he wishes, provided his wish does not depend primarily upon other men. This includes the whole sphere of his creative faculty, his thinking, his work. But it does not include the sphere of the gangster, the altruist and the dictator.

A man thinks and works alone. A man cannot rob, exploit or rule—alone. Robbery, exploitation and ruling presuppose victims. They imply dependence. They are the province of the second-hander.

Rulers of men are not egotists. They create nothing. They exist entirely through the persons of others. Their goal is in their subjects, in the activity of enslaving. They are as dependent as the beggar, the social worker and the bandit. The form of dependence does not matter.

But men were taught to regard second-handers—tyrants, emperors, dictators—as exponents of egotism. By this fraud they were made to destroy the ego, themselves and others. The purpose of the fraud was to destroy the creators. Or to harness them. Which is a synonym.

From the beginning of history, the two antagonists have stood face to face: the creator and the second-hander. When the first creator invented the wheel, the first second-hander responded. He invented altruism.

The creator—denied, opposed, persecuted, exploited—went on, moved forward and carried all humanity along on his energy. The second-hander contributed nothing to the process except the impediments. The contest has another name: the individual against the collective.

The 'common good' of a collective—a race, a class, a state—was the claim and justification of every tyranny ever established over men. Every major horror of history was committed in the name of an altruistic motive. Has any act of selfishness ever equaled the carnage perpetrated by disciples of altruism? Does the fault lie in men's hypocrisy or in the nature of the principle? The most dreadful butchers were the most sincere. They believed in the perfect society reached through the guillotine and the firing squad. Nobody questioned their right to murder since they were murdering for an altruistic purpose. It was accepted that man must be sacrificed for other men. Actors change, but the course of the tragedy remains the same. A humanitarian who starts with

declarations of love for mankind and ends with a sea of blood. It goes on and will go on so long as men believe that an action is good if it is unselfish. That permits the altruist to act and forces his victims to bear it. The leaders of collectivist movements ask nothing for themselves. But observe the results.

The only good which men can do to one another and the only statement of their proper relationship is—Hands off!

Now observe the results of a society built on the principle of individualism. This, our country. The noblest country in the history of men. The country of greatest achievement, greatest prosperity, greatest freedom. This country was not based on selfless service, sacrifice, renunciation or any precept of altruism. It was based on a man's right to the pursuit of happiness. His own happiness. Not anyone else's. A private, personal, selfish motive. Look at the results. Look into your own conscience.

It is an ancient conflict. Men have come close to the truth, but it was destroyed each time and one civilization fell after another.

Civilization is the progress toward a society of privacy. The savage's whole existence is public, ruled by the laws of his tribe. Civilization is the process of setting man free from men.

Now, in our age, collectivism, the rule of the second-hander and second-rater, the ancient monster, has broken loose and is running amuck. It has brought men to a level of intellectual indecency never equaled on earth. It has reached a scale of horror without precedent. It has poisoned every mind. It has swallowed most of Europe. It is engulfing our country.

I am an architect. I know what is to come by the principle on which it is built. We are approaching a world in which I cannot permit myself to live.

Now you know why I dynamited Cortlandt.

I designed Cortlandt. I gave it to you. I destroyed it.

I destroyed it because I did not choose to let it exist. It was a double monster. In form and in implication. I had to blast both. The form was mutilated by two second-handers who assumed the right to improve upon that which they had not made and could not equal.

They were permitted to do it by the general implication that the altruistic purpose of the building superseded all rights and that I had no claim to stand against it.

I agreed to design Cortlandt for the purpose of seeing it erected as I designed it and for no other reason. That was the price I set for my work. I was not paid.

I do not blame Peter Keating. He was helpless. He had a contract with his employers. It was ignored. He had a promise that the

structure he offered would be built as designed. The promise was broken. The love of a man for the integrity of his work and his right to preserve it are now considered a vague intangible and an inessential. You have heard the prosecutor say that. Why was the building disfigured? For no reason. Such acts never have any reason, unless it's the vanity of some second-handers who feel they have a right to anyone's property, spiritual or material. Who permitted them to do it? No particular man among the dozens in authority. No one cared to permit it or to stop it. No one was responsible. No one can be held to account. Such is the nature of all collective action.

I did not receive the payment I asked. But the owners of Cortlandt got what they needed from me. They wanted a scheme devised to build a structure as cheaply as possible. They found no one else who could do it to their satisfaction. I could and did. They took the benefit of my work and made me contribute it as a gift. But I am not an altruist. I do not contribute gifts of this nature.

It is said that I have destroyed the home of the destitute. It is forgotten that but for me the destitute could not have had this particular home. Those who were concerned with the poor had to come to me, who have never been concerned, in order to help the poor. It is believed that the poverty of the future tenants gave them the right to my work. That their need constituted a claim on my life. That it was my duty to contribute anything demanded of me. This is the second-hander's credo now swallowing the world.

I came here to say that I do not recognize anyone's right to one minute of my life. Nor to any part of my energy. Nor to any achievement of mine. No matter who makes the claim, how large their number or how great their need.

I wished to come here and say that I am a man who does not exist for others. It had to be said. The world is perishing from an orgy of self-sacrificing.

I wished to come here and say that the integrity of a man's creative work is of greater importance than any charitable endeavor. Those of you who do not understand this are the men who are destroying the world. I wished to come here and state my terms. I do not care to exist on any others.

I recognize no obligations toward men except one: to respect their freedom and to take no part in a slave society. To my country, I wish to give the ten years which I will spend in jail if my country exists no longer. I will spend them in memory and in gratitude for what my country has been. It will be my act of loyalty, my refusal to live or work in what has taken its place.

My act of loyalty to every creator who ever lived and was made to suffer by the force responsible for the Cortlandt I dynamited. To every tortured hour of loneliness, denial, frustration, abuse he was made to spend—and to the battles he won. To every creator whose name is known—and to every creator who lived, struggled and perished

unrecognized before he could achieve. To every creator who was destroyed in body or in spirit. To Henry Cameron. To Steven Mallory. To a man who doesn't want to be named, but who is sitting in this courtroom and knows that I am speaking of him.

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Virtue Ethics

“Book II” from *Nicomachean Ethics* by Aristotle

Introduction

The following selection is from Book II of Aristotle's *Nicomachean Ethics*. In Book I Aristotle argues that the highest human good is eudaimonia (total well-being, or happiness). It is, he says, our only self-sufficient goal and the ultimate goal of all human action. He then argues that human happiness is determined by the proper function of humans, which he defines as "an activity of the soul or a course of action in accordance with reason." Thus, a happy individual is one who lives in accordance with reason, and everyone should develop virtues (character traits or dispositions) that lead to this goal. Because human reason is both practical and intellectual, human virtues come in two kinds, moral and intellectual.

In Book II Aristotle turns to a discussion of the moral virtues. After stressing the importance of childhood training and self-discipline in the development of moral virtues, he proceeds to define the nature of moral virtue. Moral virtue is, he concludes, a "mean" between the vices of deficiency and excess; that is, virtue is a form of moderation, a midpoint between two extremes. Courage, for example, is a midpoint between cowardice and foolhardiness.

The text was taken from the Perseus Digital Library hosted by Tufts University. The reader is encouraged to take into consideration the footnotes and to explore the connections between texts at Perseus.

Text

Chapter 1

[1] Virtue being, as we have seen, of two kinds, intellectual and moral, intellectual virtue is for the most part both produced and increased by instruction, and therefore requires experience and time; whereas moral or ethical virtue is the product of habit (*ethos*), and has indeed derived its name, with a slight variation of form, from that word.⁸²

[2] And therefore it is clear that none of the moral virtues formed is engendered in us by nature, for no natural property can be altered by habit. For instance, it is the nature of a stone to move downwards, and it cannot be trained to move upwards, even though

⁸² It is probable that *ethos*, or 'habit' and *hathos*, 'character' whence 'ethical,' moral are kindred words.

you should try to train it to do so by throwing it up into the air ten thousand times; nor can fire be trained to move downwards, nor can anything else that naturally behaves in one way be trained into a habit of behaving in another way.

[3] The virtues⁸³ therefore are engendered in us neither by nature nor yet in violation of nature; nature gives us the capacity to receive them, and this capacity is brought to maturity by habit.

[4] Moreover, the faculties given us by nature are bestowed on us first in a potential form; we exhibit their actual exercise afterwards. This is clearly so with our senses: we did not acquire the faculty of sight or hearing by repeatedly seeing or repeatedly listening, but the other way about—because we had the senses we began to use them, we did not get them by using them. The virtues on the other hand we acquire by first having actually practiced them, just as we do the arts. We learn an art or craft by doing the things that we shall have to do when we have learnt it⁸⁴: for instance, men become builders by building houses, harpers by playing on the harp. Similarly, we become just by doing just acts, temperate by doing temperate acts, brave by doing brave acts.

[5] This truth is attested by the experience of states: lawgivers make the citizens good by training them in habits of right action—this is the aim of all legislation, and if it fails to do this it is a failure; this is what distinguishes a good form of constitution from a bad one.

[6] Again, the actions from or through which any virtue is produced are the same as those through which it also is destroyed—just as is the case with skill in the arts, for both the good harpers and the bad ones are produced by harping, and similarly with builders and all the other craftsmen: as you will become a good builder from building well, so you will become a bad one from building badly.

[7] Were this not so, there would be no need for teachers of the arts, but everybody would be born a good or bad craftsman as the case might be. The same then is true of the virtues. It is by taking part in transactions with our fellow-men that some of us become just and others unjust; by acting in dangerous situations and forming a habit of fear or of confidence we become courageous or cowardly. And the same holds good of our dispositions with regard to the appetites, and anger: some men become temperate and gentle, others profligate and irascible, by actually comporting themselves in one way or the other in relation to those passions. In a word, our moral dispositions are formed as a result of the corresponding activities.

[8] Hence it is incumbent on us to control the character of our activities, since on the quality of these depends the quality of our dispositions. It is therefore not of small

⁸³ ἀρετή is here as often in this and the following Books employed in the limited sense of 'moral excellence' or 'goodness of character,' i.e. virtue in the ordinary sense of the term.

⁸⁴ Or possibly 'For things that we have to learn to do [in contrast with things that we do by nature], we learn by doing them.'

moment whether we are trained from childhood in one set of habits or another; on the contrary it is of very great, or rather of supreme, importance.

Chapter 2

[1] As then our present study, unlike the other branches of philosophy, has a practical aim (for we are not investigating the nature of virtue for the sake of knowing what it is, but in order that we may become good, without which result our investigation would be of no use), we have consequently to carry our enquiry into the region of conduct, and to ask how we are to act rightly; since our actions, as we have said, determine the quality of our dispositions.

[2] Now the formula 'to act in conformity with right principle' is common ground, and may be assumed as the basis of our discussion. (We shall speak about this formula later,⁸⁵ and consider both the definition of right principle and its relation to the other virtues.)

[3] But let it be granted to begin with that the whole theory of conduct is bound to be an outline only and not an exact system, in accordance with the rule we laid down at the beginning,⁸⁶ that philosophical theories must only be required to correspond to their subject matter; and matters of conduct and expediency have nothing fixed or invariable about them, any more than have matters of health.

[4] And if this is true of the general theory of ethics, still less is exact precision possible in dealing with particular cases of conduct; for these come under no science or professional tradition, but the agents themselves have to consider what is suited to the circumstances on each occasion, just as is the case with the art of medicine or of navigation.

[5] But although the discussion now proceeding is thus necessarily inexact, we must do our best to help it out.

[6] First of all then we have to observe, that moral qualities are so constituted as to be destroyed by excess and by deficiency—as we see is the case with bodily strength and health (for one is forced to explain what is invisible by means of visible illustrations). Strength is destroyed both by excessive and by deficient exercises, and similarly health is destroyed both by too much and by too little food and drink; while they are produced, increased and preserved by suitable quantities.

[7] The same therefore is true of Temperance, Courage, and the other virtues. The man who runs away from everything in fear and never endures anything becomes a coward; the man who fears nothing whatsoever but encounters everything becomes

⁸⁵ i.e., in Bk. 6. For the sense in which 'the right principle' can be said to be the virtue of Prudence see 6.13.5 note.

⁸⁶ See 1.3.1.

rash. Similarly, he that indulges in every pleasure and refrains from none turns out a profligate, and he that shuns all pleasure, as boorish persons do, becomes what may be called insensible. Thus Temperance and Courage are destroyed by excess and deficiency, and preserved by the observance of the mean.

[8] But⁸⁷ not only are the virtues both generated and fostered on the one hand, and destroyed on the other, from and by the same actions, but they will also find their full exercise in the same actions. This is clearly the case with the other more visible qualities, such as bodily strength: for strength is produced by taking much food and undergoing much exertion, while also it is the strong man who will be able to eat most food and endure most exertion.

[9] The same holds good with the virtues. We become temperate by abstaining from pleasures, and at the same time we are best able to abstain from pleasures when we have become temperate. And so with Courage: we become brave by training ourselves to despise and endure terrors, and we shall be best able to endure terrors when we have become brave.

Chapter 3

An index of our dispositions is afforded by the pleasure or pain that accompanies our actions. A man is temperate if he abstains from bodily pleasures and finds this abstinence itself enjoyable, profligate if he feels it irksome; he is brave if he faces danger with pleasure or at all events without pain, cowardly if he does so with pain.

In fact pleasures and pains are the things with which moral virtue is concerned.

For

1. pleasure causes us to do base actions and pain cause us to abstain from doing noble actions.

Hence the importance, as Plato points out, of having been definitely trained from childhood to like and dislike the proper things; this is what good education means.

2. Again, if the virtues have to do with actions and feelings, and every action is attended with pleasure or pain, this too shows that virtue has to do with pleasure and pain.
3. Another indication is the fact that pain is the medium of punishment; for

⁸⁷ We here resume from the end of chap. 1. The preceding paragraphs, repeating from Bk. 1. the caution as to method, and introducing the doctrine of the Mean, which is to be developed below, are parenthetical.

punishment is a sort of medicine, and the nature of medicine to work by means of opposites.⁸⁸

4. Again, as we said before, every formed disposition of the soul realizes its full nature⁸⁹ in relation to and in dealing with that class of objects by which it is its nature to be corrupted or improved. But men are corrupted through pleasures and pains, that is, either by pursuing and avoiding the wrong pleasures and pains, or by pursuing and avoiding them at the wrong time, or in the wrong manner, or in one of the other wrong ways under which errors of conduct can be logically classified.

This is why some thinkers⁹⁰ define the virtues as states of impassivity or tranquillity, though they make a mistake in using these terms absolutely, without adding 'in the right (or wrong) manner' and 'at the right (or wrong) time' and the other qualifications.

We assume therefore that moral virtue is the quality of acting in the best way in relation to pleasures and pains, and that vice is the opposite.

But the following considerations also will give us further light on the same point.

5. There are three things that are the motives of choice and three that are the motives of avoidance; namely,
 - a. the noble,
 - b. the expedient, and the
 - c. pleasant,and their opposites,
 - a. the base,
 - b. the harmful, and
 - c. the painful.

Now in respect of all these the good man is likely to go right and the bad to go wrong, but especially in respect of pleasure; for pleasure is common to man with the lower animals, and also it is a concomitant of all the objects of choice, since both the noble and the expedient appear to us pleasant.

⁸⁸ The contrary maxim to *similia similibus curantur* or homoeopathy. Fever, caused by heat, is cured by cold, hence if the remedy for wickedness is pain, it must have been caused by pleasure.

⁸⁹ i.e., is actively exercised when fully developed, cf. 2.8.

⁹⁰ The reference is probably to Speusippus, although in the extant remains of Greek philosophy apathy, or freedom from passions or emotions, first appears as an ethical ideal of the Stoics.

6. Again, the susceptibility to pleasure has grown up with all of us from the cradle. Hence this feeling is hard to eradicate, being engrained in the fabric of our lives.
7. Again, pleasure and pain are also⁹¹ the standards by which we all, in a greater or less degree, regulate our actions.

On this account therefore pleasure and pain are necessarily our main concern, since to feel pleasure and pain rightly or wrongly has a great effect on conduct.

8. And again, it is harder to fight against pleasure than against anger (hard as that is, as Heraclitus⁹² says); but virtue, like art, is constantly dealing with what is harder, since the harder the task the better is success. For this reason also therefore pleasure and pain are necessarily the main concern both of virtue and of political science, since he who comports himself towards them rightly will be good, and he who does so wrongly, bad.

Chapter 4

[1] We may then take it as established that virtue has to do with pleasures and pains, that the actions which produce it are those which increase it, and also, if differently performed, destroy it, and that the actions from which it was produced are also those in which it is exercised.

A difficulty may however be raised as to what we mean by saying that in order to become just men must do just actions, and in order to become temperate they must do temperate actions. For if they do just and temperate actions, they are just and temperate already, just as, if they spell correctly or play in tune, they are scholars or musicians.

[2] But perhaps this is not the case even with the arts. It is possible to spell a word correctly by chance, or because some one else prompts you; hence you will be a scholar only if you spell correctly in the scholar's way, that is, in virtue of the scholarly knowledge which you yourself possess.

[3] Moreover the case of the arts is not really analogous to that of the virtues. Works of art have their merit in themselves, so that it is enough if they are produced having a certain quality of their own; but acts done in conformity with the virtues are not done justly or temperately if they themselves are of a certain sort, but only if the agent also is

⁹¹ Sc., as well as being the sources of our feelings.

⁹² Heraclitus, Fr. 105 (Bywater) Θυμῷ μάχεσθαι χαλεπόν: ὅ τι γὰρ ἂν χρηίζῃ γίνεσθαι, ψυχῆς ὀνέεται, ‘it is hard to fight with anger [or ‘desire.’ θυμῷ in the Homeric sense, Burnet]. Whatever it wishes to get, it purchases at the cost of life.’

in a certain state of mind when he does them:

- first he must act with knowledge⁹³;
- secondly he must deliberately choose the act, and choose it for its own sake; and
- thirdly the act must spring from a fixed and permanent disposition of character.

For the possession of an art, none of these conditions is included, except the mere qualification of knowledge; but for the possession of the virtues, knowledge is of little or no avail, whereas the other conditions, so far from being of little moment, are all-important, inasmuch as virtue results from the repeated performance of just and temperate actions.

[4] Thus although actions are entitled just and temperate when they are such acts as just and temperate men would do, the agent is just and temperate not when he does these acts merely, but when he does them in the way in which just and temperate men do them.

[5] It is correct therefore to say that a man becomes just by doing just actions and temperate by doing temperate actions; and no one can have the remotest chance of becoming good without doing them.

[6] But the mass of mankind, instead of doing virtuous acts, have recourse to discussing virtue, and fancy that they are pursuing philosophy and that this will make them good men. In so doing they act like invalids who listen carefully to what the doctor says, but entirely neglect to carry out his prescriptions. That sort of philosophy will no more lead to a healthy state of soul than will the mode of treatment produce health of body.

Chapter 5

We have next to consider the formal definition of virtue.

A state of the soul is either

1. an emotion,
2. a capacity, or
3. a disposition;

⁹³ See Bk. 3.1, where this is interpreted as meaning both knowledge of what he is doing (the act must not be unconscious or accidental), and knowledge of moral principle (he must know that the act is a right one).

virtue therefore must be one of these three things.

[2] By the emotions, I mean desire, anger, fear, confidence, envy, joy, friendship, hatred, longing, jealousy, pity; and generally those states of consciousness which are accompanied by pleasure or pain. The capacities are the faculties in virtue of which we can be said to be liable to the emotions, for example, capable of feeling anger or pain⁹⁴ or pity. The dispositions are the formed states of character in virtue of which we are well or ill-disposed in respect of the emotions; for instance, we have a bad disposition in regard to anger if we are disposed to get angry too violently or not violently enough, a good disposition if we habitually feel a moderate amount of anger; and similarly in respect of the other emotions.

[3] Now the virtues and vices are not emotions because we are not pronounced good or bad according to our emotions, but we are according to our virtues and vices; nor are we either praised or blamed for our emotions—a man is not praised for being frightened or angry, nor is he blamed for being angry merely, but for being angry in a certain way—but we are praised or blamed for our virtues and vices.

[4] Again, we are not angry or afraid from choice, but the virtues are certain modes of choice, or at all events involve choice. Moreover, we are said to be ‘moved’ by the emotions, whereas in respect of the virtues and vices we are not said to be ‘moved’ but to be ‘disposed’ in a certain way.

[5] And the same considerations also prove that the virtues and vices are not capacities; since we are not pronounced good or bad, praised or blamed, merely by reason of our capacity for emotion. Again, we possess certain capacities by nature, but we are not born good or bad by nature: of this however we spoke before.

[6] If then the virtues are neither emotions nor capacities, it remains that they are dispositions.

Thus we have stated what virtue is generically.

Chapter 6

[1] But it is not enough merely to define virtue generically as a disposition; we must also say what species of disposition it is.

[2] It must then be premised that all excellence has a twofold effect on the thing to which it belongs: it not only renders the thing itself good, but it also causes it to perform its function well. For example, the effect of excellence in the eye is that the eye is good and functions well; since having good eyes means having good sight. Similarly excellence in a horse makes it a good horse, and also good at galloping, at carrying its rider, and at

⁹⁴ Probably for ‘pain’ we should read ‘fear.’

facing the enemy.

[3] If therefore this is true of all things, excellence or virtue in a man will be the disposition which renders him a good man and also which will cause him to perform his function well.

[4] We have already indicated⁹⁵ what this means; but it will throw more light on the subject if we consider what constitutes the specific nature of virtue.

Now of everything that is continuous⁹⁶ and divisible, it is possible to take the larger part, or the smaller part, or an equal part, and these parts may be larger, smaller, and equal either with respect to the thing itself or relatively to us; the equal part being a mean between excess and deficiency.⁹⁷

[5] By the mean of the thing I denote a point equally distant from either extreme, which is one and the same for everybody; by the mean relative to us, that amount which is neither too much nor too little, and this is not one and the same for everybody.

[6] For example, let 10 be many and 2 few; then one takes the mean with respect to the thing if one takes 6;

[7] since $6 - 2 = 10 - 6$, and this is the mean according to arithmetical proportion.⁹⁸ But we cannot arrive by this method at the mean relative to us. Suppose that 10 lb. of food is a large ration for anybody and 2 lb. a small one: it does not follow that a trainer will prescribe 6 lb., for perhaps even this will be a large ration, or a small one, for the particular athlete who is to receive it; it is a small ration for a Milo,⁹⁹ but a large one for a man just beginning to go in for athletics. And similarly with the amount of running or wrestling exercise to be taken.

⁹⁵ 2.8 f.

⁹⁶ i.e., without distinct parts, and so (if divisible at all), divisible at any point, as opposed to what is διηρημένον, 'discrete,' or made up of distinct parts and only divisible between them.

⁹⁷ Greek comparatives, 'larger', 'smaller', etc., may also mean 'too large', 'too small', etc.; and there is the same ambiguity in the words translated 'excess' and 'deficiency'. Again μέσον, 'middle' or 'mean', is used as a synonym for μέτρον 'moderate' or of the right amount, and ίσον 'equal' can mean 'equitable'.

Hence 'to take an equal part with respect to the thing itself' means to take a part equal to the part left, viz. a half; 'to take an equal part relatively to us,' means to take what is a fair or suitable amount.

The former is a mean as being exactly in the middle between all and none—if the thing in question is represented by a line, this is bisected at a point equidistant from its two ends; the latter is a mean in the sense of being the right amount for the recipient, and also of lying somewhere between any two other amounts that happen to be too much and too little for him.

⁹⁸ We should rather call this an arithmetical progression.

⁹⁹ A famous wrestler

[8] In the same way then an expert in any art avoids excess and deficiency, and seeks and adopts the mean—the mean that is not of the thing but relative to us.

[9] If therefore the way in which every art or science performs its work well is by looking to the mean and applying that as a standard to its productions (hence the common remark about a perfect work of art, that you could not take from it nor add to it—meaning that excess and deficiency destroy perfection, while adherence to the mean preserves it)—if then, as we say, good craftsmen look to the mean as they work, and if virtue, like nature, is more accurate and better than any form of art, it will follow that virtue has the quality of hitting the mean.

[10] I refer to moral virtue,¹⁰⁰ is concerned with emotions and actions, in which one can have excess or deficiency or a due mean. For example, one can be frightened or bold, feel desire or anger or pity, and experience pleasure and pain in general, either too much or too little, and in both cases wrongly;

[11] whereas to feel these feelings at the right time, on the right occasion, towards the right people, for the right purpose and in the right manner, is to feel the best amount of them, which is the mean amount—and the best amount is of course the mark of virtue.

[12] And similarly there can be excess, deficiency, and the due mean in actions. Now feelings and actions are the objects with which virtue is concerned; and in feelings and actions excess and deficiency are errors, while the mean amount is praised, and constitutes success; and to be praised and to be successful are both marks of virtue.

[13] Virtue, therefore is a mean state in the sense that it is able to hit the mean.

[14] Again, error is multiform (for evil is a form of the unlimited, as in the old Pythagorean imagery,¹⁰¹ and good of the limited), whereas success is possible in one way only (which is why it is easy to fail and difficult to succeed—easy to miss the target and difficult to hit it); so this is another reason why excess and deficiency are a mark of vice, and observance of the mean a mark of virtue:

Goodness is simple, badness manifold.¹⁰²

[15] Virtue then is a settled disposition of the mind determining the choice¹⁰³ of actions and emotions, consisting essentially in the observance of the mean relative to us,

¹⁰⁰ The formula of the mean does not apply to the intellectual virtues.

¹⁰¹ Cf. 1.6.7.

¹⁰² The verse from an unknown source would come in better just before or just after the last parenthesis.

¹⁰³ Προαίρεσις, ‘choice’ or ‘purpose’, is discussed in Bk. 3.2, where see note.

this being determined by principle, that is,¹⁰⁴ as the prudent man would determine it.

[16] And it is a mean state between two vices, one of excess and one of defect. Furthermore, it is a mean state in that whereas the vices either fall short of or exceed what is right in feelings and in actions, virtue ascertains and adopts the mean.

[17] Hence while in respect of its substance and the definition that states what it really is in essence virtue is the observance of the mean, in point of excellence and rightness it is an extreme.¹⁰⁵

[18] Not every action or emotion however admits of the observance of a due mean. Indeed the very names of some directly imply evil, for instance malice,¹⁰⁶ shamelessness, envy, and, of actions, adultery, theft, murder. All these and similar actions and feelings are blamed as being bad in themselves; it is not the excess or deficiency of them that we blame. It is impossible therefore ever to go right in regard to them—one must always be wrong; nor does right or wrong in their case depend on the circumstances, for instance, whether one commits adultery with the right woman, at the right time, and in the right manner; the mere commission of any of them is wrong.

[19] One might as well suppose there could be a due mean and excess and deficiency in acts of injustice or cowardice or profligacy, which would imply that one could have a medium amount of excess and of deficiency, an excessive amount of excess and a deficient amount of deficiency.

[20] But just as there can be no excess or deficiency in temperance and justice because the mean is in a sense an extreme,¹⁰⁷ so there can be no observance of the mean nor excess nor deficiency in the corresponding vicious acts mentioned above, but however they are committed, they are wrong; since, to put it in general terms, there is no such thing as observing a mean in excess or deficiency, nor as exceeding or falling short in the observance of a mean.

Chapter 7.

We must not however rest content with stating this general definition, but must show that it applies to the particular virtues. In practical philosophy, although universal principles have a wider application,¹⁰⁸ those covering a particular part of the field

¹⁰⁴ variant reading gives 'determined by principle, or whatever we like to call that by which the prudent man would determine it' (vide Taylor, Aristotle, p. 77)

¹⁰⁵ Cf. 3.4.8.

¹⁰⁶ See 7.15. The word means 'delight at another's misfortune', Schadenfreude.

¹⁰⁷ See 6.17 above.

¹⁰⁸ Or 'have a wider acceptance.'

possess a higher degree of truth; because conduct deals with particular facts, and our theories are bound to accord with these.

Let us then take the particular virtues from the diagram.¹⁰⁹

[2] The observance of the mean in fear and confidence is Courage. The man that exceeds in fearlessness not designated by any special name (and this the case with many of the virtues and vices); he that exceeds in confidence is Rash; he that exceeds in fear and is deficient in confidence is Cowardly.

[3] In respect of pleasures and pains—not all of them, and to a less degree in respect of pains¹¹⁰—the observance of the mean is Temperance, the excess Profligacy. Men deficient in the enjoyment of pleasures scarcely occur, and hence this character also has not been assigned a name, but we may call it Insensible.

[4] In regard to giving and getting money, the observance of the mean is Liberality; the excess and deficiency are Prodigality and Meanness,¹¹¹ but the prodigal man and the mean man exceed and fall short in opposite ways to one another: the prodigal exceeds in giving and is deficient in getting, whereas the mean man exceeds in getting and is deficient in giving.

[5] For the present then we describe these qualities in outline and summarily, which is enough for the purpose in hand; but they will be more accurately defined later.

[6] There are also other dispositions in relation to money, namely, the mode of observing the mean called Magnificence (the magnificent man being different from the liberal, as the former deals with large amounts and the latter with small ones), the excess called Tastelessness or Vulgarity, and the defect called Paltriness. These are not the same as Liberality and the vices corresponding to it; but the way in which they differ will be discussed later.

[7] In respect of honor and dishonor, the observance of the mean is Greatness of Soul, the excess a sort of Vanity, as it may be called, and the deficiency, Smallness of Soul.

[8] And just as we said that Liberality is related to Magnificence, differing from it in being concerned with small amounts of money, so there is a certain quality related to Greatness of Soul, which is concerned with great honors, while this quality itself is

¹⁰⁹ Here apparently the lecturer displayed a table of virtues (like the one in Aristot. Eud. Eth. 1220b 37), exhibiting each as a mean between two vices of excess and defect in respect of a certain class of action or feeling. This is developed in detail in Bk. 3. 6-end and Bk. 4

¹¹⁰ This parenthesis looks like an interpolation from 3.10.1.

¹¹¹ The Greek word is the negative of that translated Liberality, but 'illiberality' and 'illiberal' we do not usually employ with reference to money.

concerned with small honors; for it is possible to aspire to minor honors in the right way, or more than is right, or less. He who exceeds in these aspirations is called ambitious, he who is deficient, unambitious; but the middle character has no name, and the dispositions of these persons are also unnamed, except that that of the ambitious man is called Ambitiousness. Consequently the extreme characters put in a claim to the middle position, and in fact we ourselves sometimes call the middle person ambitious and sometimes unambitious: we sometimes praise a man for being ambitious, sometimes for being unambitious.

[9] Why we do so shall be discussed later; for the present let us classify the remaining virtues and vices on the lines which we have laid down. [

10] In respect of anger also we have excess, deficiency, and the observance of the mean. These states are virtually without names, but as we call a person of the middle character gentle, let us name the observance of the mean Gentleness, while of the extremes, he that exceeds may be styled irascible and his vice Irascibility, and he that is deficient, spiritless, and the deficiency Spiritlessness.

[11] There are also three other modes of observing a mean which bear some resemblance to each other, and yet are different; all have to do with intercourse in conversation and action, but they differ in that one is concerned with truthfulness of speech and behavior, and the other with pleasantness, in its two divisions of pleasantness in social amusement and pleasantness in the general affairs of life. We must then discuss these qualities also, in order the better to discern that in all things the observance of the mean is to be praised, while the extremes are neither right nor praiseworthy, but reprehensible. Most of these qualities also are unnamed, but in these as in the other cases we must attempt to coin names for them ourselves, for the sake of clearness and so that our meaning may be easily followed.

[12] In respect of truth then, the middle character may be called truthful, and the observance of the mean Truthfulness¹¹²; pretence in the form of exaggeration is boastfulness, and its possessor a boaster; in the form of understatement, Self-depreciation, and its possessor the self-deprecator.

[13] In respect of pleasantness and social amusement, the middle character is witty and the middle disposition Wittiness; the excess is Buffoonery and its possessor a buffoon; the deficient man may be called boorish, and his disposition Boorishness. In respect of general pleasantness in life, the man who is pleasant in the proper manner is friendly, and the observance of the mean is Friendliness; he that exceeds, if from no

¹¹² From Bk. 4.7 it appears that the quality intended is sincerity of speech and conduct in the matter of asserting one's own merits. The observance of the mean in this respect is there said to have no name; and here the form of expression apologizes for using 'Truthfulness' in so limited a sense. The defect in this respect Aristotle expresses by εἰρωνεία, a word specially associated with the affectation of ignorance practiced by Socrates. Neither this nor its other shades of meaning correspond very closely to that of its English derivative irony.

interested motive, is obsequious, if for his own advantage, a flatterer; he that is deficient, and unpleasant in all the affairs of life, may be called quarrelsome and surly.

[14] There are also modes of observing a mean in the sphere of and in relation to the emotions. For¹¹³ in these also one man is spoken of as moderate and another as excessive—for example the bashful man whose modesty takes alarm at everything; while he that is deficient in shame, or abashed at nothing whatsoever, is shameless, and the man of middle character modest. For though Modesty is not a virtue, it is praised, and so is the modest man.

[15] Again, Righteous Indignation is the observance of a mean between Envy and Malice,¹¹⁴ and these qualities are concerned with pain and pleasure felt at the fortunes of one's neighbors. The righteously indignant man is pained by undeserved good fortune; the jealous man exceeds him and is pained by all the good fortune of others;¹¹⁵ while the malicious man so far falls short of being pained that he actually feels pleasure. [16]

These qualities however it will be time to discuss in another place. After them we will treat Justice,¹¹⁶ distinguishing its two kinds—for it has more than one sense—and showing in what way each is a mode of observing the mean. [And we will deal similarly with the logical virtues.¹¹⁷

Chapter 8

There are then three dispositions—two vices, one of excess and one of defect, and one virtue which is the observance of the mean; and each of them is in a certain way opposed to both the others. For the extreme states are the opposite both of the middle state and of each other, and the middle state is the opposite of both extremes;

[2] since just as the equal is greater in comparison with the less and less in comparison with the greater, so the middle states of character are in excess as compared with the defective states and defective as compared with the excessive states, whether in the case of feelings or of actions. For instance, a brave man appears rash in contrast with a coward and cowardly in contrast with a rash man; similarly a temperate man appears

¹¹³ This sentence in the mss. follows the next one.

¹¹⁴ See 6.18 (and note) : there envy and 'rejoicing-in-evil' come in a list of emotions in which a due mean is impossible; and in Aristot. Rh. 1386b 34 they are said to be two sides of the same character. The present attempt to force them into the scheme as opposite extremes is not very successful, and it is noteworthy that this group of qualities is omitted in Bk. 4.

¹¹⁵ It is difficult not to think that some words have been lost here, such as 'and the righteously indignant man is pained by the undeserved misfortune of others.'

¹¹⁶ Bk. 6

¹¹⁷ Grant rightly rejects this sentence, since the intellectual virtues are nowhere else thus designated by Aristotle, nor does he regard them as modes of observing a mean.

profligate in contrast with a man insensible to pleasure and pain, but insensible in contrast with a profligate; and a liberal man seems prodigal in contrast with a mean man, mean in contrast with one who is prodigal.

[3] Hence either extreme character tries to push the middle character towards the other extreme; a coward calls a brave man rash and a rash man calls him a coward, and correspondingly in other cases.

[4] But while all three dispositions are thus opposed to one another, the greatest degree of contrariety exists between the two extremes. For the extremes are farther apart from each other than from the mean, just as great is farther from small and small from great than either from equal.

[5] Again¹¹⁸ some extremes show a certain likeness to the mean—for instance, Rashness resembles Courage, Prodigality Liberality, whereas the extremes display the greatest unlikeness to one another. But it is things farthest apart from each other that logicians define as contraries, so that the farther apart things are the more contrary they are.

[6] And in some cases the defect, in others the excess, is more opposed to the mean; for example Cowardice, which is a vice of deficiency, is more opposed to Courage than is Rashness which is a vice of excess; but Profligacy, or excess of feeling, is more opposed to Temperance than is Insensibility, or lack of feeling.

[7] This results from either of two causes. One of these arises from the thing itself; owing to one extreme being nearer to the mean and resembling it more, we count not this but rather the contrary extreme as the opposite of the mean; for example, because Rashness seems to resemble Courage more than Cowardice does, and to be nearer to it, we reckon Cowardice rather than Rashness as the contrary of Courage; for those extremes which are more remote from the mean are thought to be more contrary to it.

[8] This then is one cause, arising out of the thing itself. The other cause has its origin in us: those things appear more contrary to the mean to which we are ourselves more inclined by nature. For example, we are of ourselves more inclined to pleasure, which is why we are prone to Profligacy [more than to Propriety].¹¹⁹ We therefore rather call those things the contrary of the mean, into which we are more inclined to lapse; and hence Profligacy, the excess, is more particularly the contrary of Temperance

Chapter 9.

[1] Enough has now been said to show that moral virtue is a mean, and in what sense this is so, namely that it is a mean between two vices, one of excess and the other of

¹¹⁸ This sentence should perhaps follow the next one, as it gives a second test of opposition, viz. unlikeness. However, unlikeness and remoteness are blended together in 8.7.

¹¹⁹ These words are probably an interpolation, since the sense requires ‘more than to Insensibility’.

defect; and that it is such a mean because it aims at hitting the middle point in feelings and in actions.

[2] This is why it is a hard task to be good, for it is hard to find the middle point in anything: for instance, not everybody can find the center of a circle, but only someone who knows geometry. So also anybody can become angry—that is easy, and so it is to give and spend money; but to be angry with or give money to the right person, and to the right amount, and at the right time, and for the right purpose, and in the right way—this is not within everybody's power and is not easy; so that to do these things properly is rare, praiseworthy, and noble.

[3] Hence the first rule in aiming at the mean is to avoid that extreme which is the more opposed to the mean, as Calypso advises¹²⁰— “Steer the ship clear of yonder spray and surge.

” For of the two extremes one is a more serious error than the other. [4] Hence, inasmuch as to hit the mean extremely well is difficult,¹²¹ the second best way to sail,¹²² as the saying goes, is to take the least of the evils; and the best way to do this will be the way we enjoin.

The second rule is to notice what are the errors to which we are ourselves most prone (as different men are inclined by nature to different faults)—and we shall discover what these are by observing the pleasure or pain that we experience—;

[5] then we must drag ourselves away in the opposite direction, for by steering wide of our besetting error we shall make a middle course. This is the method adopted by carpenters to straighten warped timber

[6] Thirdly, we must in everything be most of all on our guard against what is pleasant and against pleasure; for when pleasure is on her trial we are not impartial judges. The right course is therefore to feel towards pleasure as the elders of the people felt towards Helen,¹²³ and to apply¹²⁴ their words to her on every occasion; for if we roundly bid her be gone, we shall be less likely to err.

[7] These then, to sum up the matter, are the precautions that will best enable us to hit the mean. But no doubt it is a difficult thing to do, and especially in particular cases: for instance, it is not easy to define in what manner and with what people and on what

¹²⁰ Hom. Od. 12.219: really the words are said by Odysseus, conveying to his steersman Circe's advice, to avoid the whirlpool of Charybdis which will engulf them all, and steer nearer to the monster Scylla who will devour only some of them.

¹²¹ Or ‘to hit the mean is extremely difficult.’

¹²² A proverb, meaning to take to the oars when the wind fails.

¹²³ Hom. Il. 3.156–160.

¹²⁴ Or ‘repeat’.

sort of grounds and how long one ought to be angry; and in fact we sometimes praise men who err on the side of defect in this matter and call them gentle, sometimes those who are quick to anger and style them manly.

[8] However, we do not blame one who diverges a little from the right course, whether on the side of the too much or of the too little, but one who diverges more widely, for his error is noticed. Yet to what degree and how seriously a man must err to be blamed is not easy to define on principle. For in fact no object of perception is easy to define; and such questions of degree depend on particular circumstances, and the decision lies with perception.

[9] Thus much then is clear, that it is the middle disposition in each department of conduct that is to be praised, but that one should lean sometimes to the side of excess and sometimes to that of deficiency, since this is the easiest way of hitting the mean and the right course.

Citation and Use

The text was taken from the English translation on Perseus, which is based upon the following work.

Aristotle, "Nicomachean Ethics, Book 2," in Aristotle in 23 Volumes, trans. H Rackham, vol. 19, 23 vols. (London: Harvard University Press, 1934),
<http://data.perseus.org/citations/urn:cts:greekLit:tlg0086.tlg010.perseus-eng1:2>.

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Selection from *The Doctrine of the Mean* by Kong Fuzi

Introduction

Master Kong (Kong Fuzi – Latinization: Confucius) was a Chinese philosopher-politician who lived from 551 BCE to 479 BCE. His works and resulting schools of thought have had an incalculable impact upon Chinese philosophy and society, stressing social harmony and the golden rule ("not to do to others as you would not wish done to yourself").¹²⁵

This selection is from *Zhongyong*, a Confucian text discusses the concept of duty (the Mean), the 5 relationships in a harmonious society, and contrasts the Superior Man

¹²⁵ Confucius. The Analects of Confucius (from the Chinese Classics). Translated by James Legge, 2002. <http://www.gutenberg.org/ebooks/3330>. Book 12, Chapter 3

with the mean (small) man.¹²⁶ The Mean is similar to virtue in Aristotle's Nicomachean Ethics, the middle point between two extremes or opposites. However, neither the text nor Kong Fuzi (that we have a record of) explicitly outlines a theory of ethics. Instead of theory, the ethical position is presented as advice and instruction.

Text

Instruction for the Path of Duty

What Heaven has conferred is called The Nature; an accordance with this nature is called The Path of duty; the regulation of this path is called Instruction. The path may not be left for an instant. If it could be left, it would not be the path. On this account, the superior man does not wait till he sees things, to be cautious, nor till he hears things, to be apprehensive.

There is nothing more visible than what is secret, and nothing more manifest than what is minute. Therefore the superior man is watchful over himself, when he is alone.

While there are no stirrings of pleasure, anger, sorrow, or joy, the mind may be said to be in the state of Equilibrium. When those feelings have been stirred, and they act in their due degree, there ensues what may be called the state of Harmony.

This Equilibrium is the great root from which grow all the human actings in the world, and this Harmony is the universal path which they all should pursue.

Let the states of equilibrium and harmony exist in perfection, and a happy order will prevail throughout heaven and earth, and all things will be nourished and flourish.

The Course of the Mean

Chung-ni said, "The superior man embodies the course of the Mean; the small man acts contrary to the course of the Mean.

"The superior man's embodying the course of the Mean is because he is a superior man, and so always maintains the Mean. The small man's acting contrary to the course of the Mean is because he is a small man, and has no caution."

The Master said, "Perfect is the virtue which is according to the Mean! Rare have they long been among the people, who could practice it!"

The Master said, "I know how it is that the path of the Mean is not walked in:—the knowing go beyond it, and the stupid do not come up to it. I know how it is that the path of the Mean is not understood:—The men of talents and virtue go beyond it, and the

¹²⁶ In the translated text, "the mean man" is used as the disharmonious person. We have used the language of "small man" to help avoid confusion with "The Mean", which is the path the text advocates people walk in life.

worthless do not come up to it.

"There is no body but eats and drinks. But they are few who can distinguish flavors."

The Master said, "Alas! How is the path of the Mean untrodden!"

The Master said, "There was Shun:—He indeed was greatly wise! Shun loved to question others, and to study their words, though they might be shallow. He concealed what was bad in them and displayed what was good. He took hold of their two extremes, determined the Mean, and employed it in his government of the people. It was by this that he was Shun!"

The Master said "Men all say, 'We are wise'; but being driven forward and taken in a net, a trap, or a pitfall, they know not how to escape. Men all say, 'We are wise'; but happening to choose the course of the Mean, they are not able to keep it for a round month."

The Master said "This was the manner of Hui:—he made choice of the Mean, and whenever he got hold of what was good, he clasped it firmly, as if wearing it on his breast, and did not lose it."

The Master said, "The kingdom, its states, and its families, may be perfectly ruled; dignities and emoluments may be declined; naked weapons may be trampled under the feet; but the course of the Mean cannot be attained to."

Tsze-lu asked about energy.

The Master said, "Do you mean the energy of the South, the energy of the North, or the energy which you should cultivate yourself?

"To show forbearance and gentleness in teaching others; and not to revenge unreasonable conduct:—this is the energy of southern regions, and the good man makes it his study.

"To lie under arms; and meet death without regret:—this is the energy of northern regions, and the forceful make it their study.

"Therefore, the superior man cultivates a friendly harmony, without being weak.—How firm is he in his energy! He stands erect in the middle, without inclining to either side.—How firm is he in his energy! When good principles prevail in the government of his country, he does not change from what he was in retirement. How firm is he in his energy! When bad principles prevail in the country, he maintains his course to death without changing.—How firm is he in his energy!"

The Master said, "To live in obscurity, and yet practice wonders, in order to be mentioned with honor in future ages:—this is what I do not do.

"The good man tries to proceed according to the right path, but when he has gone halfway, he abandons it:—I am not able so to stop.

"The superior man accords with the course of the Mean. Though he may be all unknown, unregarded by the world, he feels no regret.—It is only the sage who is able for this."

The way which the superior man pursues, reaches wide and far, and yet is secret. Common men and women, however ignorant, may intermeddle with the knowledge of it; yet in its utmost reaches, there is that which even the sage does not know. Common men and women, however much below the ordinary standard of character, can carry it into practice; yet in its utmost reaches, there is that which even the sage is not able to carry into practice. Great as heaven and earth are, men still find some things in them with which to be dissatisfied. Thus it is that, were the superior man to speak of his way in all its greatness, nothing in the world would be found able to embrace it, and were he to speak of it in its minuteness, nothing in the world would be found able to split it.

It is said in the Book of Poetry,² "The hawk flies up to heaven; the fishes leap in the deep." This expresses how this way is seen above and below.

The way of the superior man may be found, in its simple elements, in the intercourse of common men and women; but in its utmost reaches, it shines brightly through Heaven and earth.

The Master said "The path is not far from man. When men try to pursue a course, which is far from the common indications of consciousness, this course cannot be considered The Path.

"In the Book of Poetry, it is said, 'In hewing an ax handle, in hewing an ax handle, the pattern is not far off. We grasp one ax handle to hew the other; and yet, if we look askance from the one to the other, we may consider them as apart.' Therefore, the superior man governs men, according to their nature, with what is proper to them, and as soon as they change what is wrong, he stops.

"When one cultivates to the utmost the principles of his nature, and exercises them on the principle of reciprocity, he is not far from the path. What you do not like when done to yourself, do not do to others.

Chün Tzu—The Superior Man

"In the way of the superior man there are four things, to not one of which have I as yet attained.—

1. to serve my father, as I would require my son to serve me: to this I have not attained;
2. to serve my prince as I would require my minister to serve me: to this I have not attained;

3. to serve my elder brother as I would require my younger brother to serve me; to this I have not attained;
4. to set the example in behaving to a friend, as I would require him to behave to me; to this I have not attained.

Earnest in practicing the ordinary virtues, and careful in speaking about them, if, in his practice, he has anything defective, the superior man dares not but exert himself; and if, in his words, he has any excess, he dares not allow himself such license.

Thus his words have respect to his actions, and his actions have respect to his words; is it not just an entire sincerity which marks the superior man?"

The superior man does what is proper to the station in which he is; he does not desire to go beyond this.

In a position of wealth and honor, he does what is proper to a position of wealth and honor. In a poor and low position, he does what is proper to a poor and low position. Situated among barbarous tribes, he does what is proper to a situation among barbarous tribes. In a position of sorrow and difficulty, he does what is proper to a position of sorrow and difficulty. The superior man can find himself in no situation in which he is not himself.

In a high situation, he does not treat with contempt his inferiors. In a low situation, he does not court the favor of his superiors. He rectifies himself, and seeks for nothing from others, so that he has no dissatisfactions. He does not murmur against Heaven, nor grumble against men.

Thus it is that the superior man is quiet and calm, waiting for the appointments of Heaven, while the small man walks in dangerous paths, looking for lucky occurrences.

The Master said, "In archery we have something like the way of the superior man.

When the archer misses the center of the target, he turns round and seeks for the cause of his failure in himself."

The way of the superior man may be compared to what takes place in traveling, when to go to a distance we must first traverse the space that is near, and in ascending a height, when we must begin from the lower ground.

It is said in the Book of Poetry, "Happy union with wife and children is like the music of lutes and harps. When there is concord among brethren, the harmony is delightful and enduring. Thus may you regulate your family, and enjoy the pleasure of your wife and children."

The Master said, "In such a state of things, parents have entire complacence!"

The Master said, "How abundantly do spiritual beings display the powers that belong to them!"

"We look for them, but do not see them; we listen to, but do not hear them; yet they enter into all things, and there is nothing without them."

"They cause all the people in the kingdom to fast and purify themselves, and array themselves in their richest dresses, in order to attend at their sacrifices. Then, like overflowing water, they seem to be over the heads, and on the right and left of their worshipers.

"It is said in the Book of Poetry, 'The approaches of the spirits, you cannot surmise; and can you treat them with indifference?'

"Such is the manifestness of what is minute! Such is the impossibility of repressing the outgoings of sincerity!

The Five Relationships

"The duties of universal obligation are five and the virtues wherewith they are practiced are three. The duties are those

1. between sovereign and minister,
2. between father and son,
3. between husband and wife,
4. between elder brother and younger, and
5. those belonging to the intercourse of friends.

Those five are the duties of universal obligation. Knowledge, magnanimity, and energy, these three, are the virtues universally binding. And the means by which they carry the duties into practice is singleness.

"Some are born with the knowledge of those duties; some know them by study; and some acquire the knowledge after a painful feeling of their ignorance.

But the knowledge being possessed, it comes to the same thing. Some practice them with a natural ease; some from a desire for their advantages; and some by strenuous effort. But the achievement being made, it comes to the same thing."

The Master said, "To be fond of learning is to be near to knowledge. To practice with vigor is to be near to magnanimity. To possess the feeling of shame is to be near to energy.

"He who knows these three things knows how to cultivate his own character. Knowing how to cultivate his own character, he knows how to govern other men. Knowing how to govern other men, he knows how to govern the kingdom with all its states and families.

Citation and Use

The text was taken from the following work.

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Contractualism

What is Justice by John Rawls

Introduction

John Rawls (1921-2002), is the most influential social contract theorist of the twentieth-century. One of his most important contributions was his idea of the “veil of ignorance,” which he thinks would ensure that self-interested legislators in the original position. In his thought experiment, he asks “what principles of social justice would be chosen by parties thoroughly knowledgeable about human affairs in general but wholly deprived of information about the particular person or persons they represent?”¹²⁷ Rawls thinks they would end up choosing a set of arrangements and agreements in which each participant would find it acceptable to be any of the possible socio-political locations in society, finding the sweet spot between maximizing individual liberty and creating the conditions under which everyone could flourish to the best of her drive or ability. Thus Rawls sees Justice as fairness. The only inequalities he imagines such a group of people would tolerate would be those which would benefit the group as a whole.

Text

The Role of Justice

Justice is the first virtue of social institutions, as truth is of systems of thought. A theory however elegant and economical must be rejected or revised if it is untrue; likewise law's and institutions no matter how efficient and well-arranged must be reformed or abolished if they are unjust. Each person possesses an inviolability founded on justice that even the welfare of society as a whole cannot override. For this reason justice denies that the loss of freedom for some is made right by a greater good shared by others. It does not allow that the sacrifices imposed on a few are outweighed by the larger sum of advantages enjoyed by many. Therefore in a just society the liberties of equal citizenship are taken as settled; the rights secured by justice are not subject to political bargaining or to the calculus of social interests. The only thing that permits us to acquiesce in an erroneous theory is the lack of a better one; analogously, an injustice is tolerable only when it is necessary to avoid an even greater injustice. Being first virtues of human activities, truth and justice are uncompromising.

These propositions seem to express our intuitive conviction of the primacy of justice. No doubt they are expressed too strongly. In any event I wish to inquire whether these contentions or others similar to them are sound, and if so how they can be accounted for. To this end it is necessary to work out a theory of justice in the light of which these assertions can be interpreted and assessed. I shall begin by considering the

¹²⁷ Henry Richardson, “Rawls, John,” Internet Encyclopedia of Philosophy, accessed April 15, 2018, <https://web.archive.org/web/20180407104948/http://www.iep.utm.edu/rawls/>.

role of the principles of justice. Let us assume, to fix ideas, that a society is a more or less self-sufficient association of persons who in their relations to one another recognize certain rules of conduct as binding and who for the most part act in accordance with them. Suppose further that these rules specify a system of cooperation designed to advance the good of those taking part in it. Then, although a society is a cooperative venture for mutual advantage, it is typically marked by a conflict as well as by an identity of interests. There is an identity of interests since social cooperation makes possible a better life for all than any would have if each were to live solely by his own efforts. There is a conflict of interests since persons are not indifferent as to how the greater benefits produced by their collaboration are distributed, for in order to pursue their ends they each prefer a larger to a lesser share. A set of principles is required for choosing among the various social arrangements which determine this division of advantages and for underwriting an agreement on the proper distributive shares. These principles are the principles of social justice: they provide a way of assigning rights and duties in the basic institutions of society and they define the appropriate distribution of the benefits and burdens of social cooperation. . . .

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.

The Original Position

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 rights 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.

The Veil of Ignorance

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 favor 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.

The Choice of Principles

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 cooperating on terms to which they would agree if they were free and equal persons whose relations with respect to one another were fair. They 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.

Rationality

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. I shall modify this concept to some extent, ... but one must try to avoid introducing into it any controversial ethical elements. The initial situation must be characterized by stipulations that are widely accepted.

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 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.

The Principles

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 satisfactory 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 if reasonable terms are proposed. The 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 problem of the choice of principles, however, is extremely difficult. I do not expect the answer I shall suggest to be convincing to everyone. It is, therefore, worth noting from the outset that justice as fairness, like other contract views, consists of two parts:

an interpretation of the initial situation and of the problem of choice posed there, and

a set of principles which, it is argued, would be agreed to.

One may accept the first part of the theory (or some variant thereof), but not the other, and conversely. The concept of the initial contractual situation may seem reasonable although the particular principles proposed are rejected. ...

4. The Original Position & Justification

I have said that the original position is the appropriate initial status quo which ensures 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. [...]

Equality

It seems reasonable to suppose that the parties in the original position are equal. That is, all have the same lights 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.

Reflective Equilibrium

There is, however, another side to justifying a particular description of the original position. This 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 judgments 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 judgments 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 judgment 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. Here 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 favored description of this situation we work from both ends. We begin by describing it so that it represents generally shared and preferably 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 judgments, for even the judgments we take provisionally as fixed points are liable to revision. By going back and forth, sometimes altering the conditions of the contractual circumstances, at others withdrawing our judgments 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 which match our considered judgments duly pruned and adjusted. This state of affairs I refer to as reflective equilibrium, it is an equilibrium because at last our principles and judgments coincide; and it is reflective since we know to what principles our judgments 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 judgments. 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. [...]

11. Two Principles of Justice

I shall now state in a provisional form the two principles of justice that I believe would be chosen in the original position. In this section I wish to make only the most general comments, and therefore the first formulation of these principles is tentative. [...]

The first statement of the two principles reads as follows.

Each person is to have an equal right to the most extensive basic liberty compatible with a similar liberty for others.

Social and economic inequalities are to be arranged so that they are both reasonably expected to be to everyone's advantage, and attached to positions and offices open to all.

[...]

Basic Liberties

By way of general comment, these principles primarily apply, as I have said, to the basic structure of society. They are to govern the assignment of rights and duties and to regulate the distribution of social and economic advantages. As their formulation suggests, these principles presuppose that the social structure can be divided into two more or less distinct parts, the first principle applying to the one, the second to the other. They distinguish between those aspects of the social system that define and secure the equal liberties of citizenship and those that specify and establish social and economic inequalities. The basic liberties of citizens are, roughly speaking,

political liberty (the right to vote and to be eligible for public office) together with freedom of speech and assembly;

liberty of conscience and freedom of thought;

freedom of the person along with the right to hold (personal) property; and

freedom from arbitrary arrest and seizure as defined by the concept of the rule of law.

These liberties are all required to be equal by the first principle, since citizens of a just society are to have the same basic rights.

Distribution of Wealth

The second principle applies, in the first approximation, to the distribution of income and wealth and to the design of organizations that make use of differences in

authority and responsibility, or chains of command. While the distribution of wealth and income need not be equal, it must be to everyone's advantage, and at the same time, positions of authority and offices of command must be accessible to all. One applies the second principle by holding positions open, and then, subject to this constraint, arranges social and economic inequalities so that everyone benefits.

These principles are to be arranged in a serial order with the first principle prior to the second. This ordering means that a departure from the institutions of equal liberty required by the first principle cannot be justified by, or compensated for, by greater social and economic advantages. The distribution of wealth and income, and the hierarchies of authority, must be consistent with both the liberties of equal citizenship and equality of opportunity.

It is clear that these principles are rather specific in their content, and their acceptance rests on certain assumptions that I must eventually try to explain and justify. A theory of justice depends upon a theory of society in ways that will become evident as we proceed. For the present, it should be observed that the two principles (and this holds for all formulations) are a special case of a more general conception of justice that can be expressed as follows.

All social values—liberty and opportunity, income and wealth, and the bases of self-respect—are to be distributed equally unless an unequal distribution of any, or all, of these values is to everyone's advantage.

Injustice, then, is simply inequalities that are not to the benefit of all. Of course, this conception is extremely vague and requires interpretation.

As a first step, suppose that the basic structure of society distributes certain primary goods, that is, things that every rational man is presumed to want. These goods normally have a use whatever a person's rational plan of life. For simplicity, assume that the chief primary goods at the disposition of society are rights and liberties, powers and opportunities, income and wealth. . . . These are the social primary goods. Other primary goods such as health and vigor, intelligence and imagination, are natural goods; although their possession is influenced by the basic structure, they are not so directly under its control. Imagine, then, a hypothetical initial arrangement in which all the social primary goods are equally distributed: everyone has similar rights and duties, and income and wealth are evenly shared. This state of affairs provides a benchmark for judging improvements. If certain inequalities of wealth and organizational powers would make everyone better off than in this hypothetical starting situation, then they accord with the general conception. . . .

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Consequentialism

What part of actions governs the actions' morality? Is it the motive, the act itself, or the outcomes of the action? Consequentialists hold that is the *outcomes* of our actions that matter the most – certainly as it pertains to morality.

Each consequentialist approach must answer two questions.

1. What types of outcomes should we maximize (ie what is the good)?
2. For whom are we trying to maximize those outcomes (for whom)?

There are a variety of answers to those two questions which can be combined in various ways to derive the various forms of consequentialism.

An Intro to the Principles of Morals & Legislation by Bentham

Introduction

This is the origin text of modern-day consequentialism. In this text, Bentham makes a powerful argument that we should try to minimize suffering and maximize pleasure in the world. Since we all have the capacity to feel pain and pleasure, we all are counted equally in his approach. In this way, Bentham smashes all hierarchies of race, class, and sex. We are all fundamentally equal when it comes to our capacity for suffering. This revolution in morality led to many social reforms in Great Britain.

Bentham stresses that all forms of pleasure are fundamentally equal. It does not matter what sort of pleasure one is experiencing. He does try to find a way to normalize all pleasures. He does this through what is known as the felicific calculus, sometimes referred to as the hedonic calculus.

Text

Chapter I: Of the Principle of Utility

I. Nature has placed mankind under the governance of two sovereign masters, pain and pleasure. It is for them alone to point out what we ought to do, as well as to determine what we shall do. On the one hand the standard of right and wrong, on the other the chain of causes and effects, are fastened to their throne. They govern us in all we do, in all we say, in all we think: every effort we can make to throw off our subjection, will serve but to demonstrate and confirm it. In words a man may pretend to abjure their empire: but in reality he will remain subject to it all the while. The principle of utility recognizes this subjection, and assumes it for the foundation of that system, the object of which is to rear the fabric of felicity by the hands of reason and of law. Systems which attempt to question it, deal in sounds instead of sense, in caprice instead of reason, in darkness instead of light.

But enough of metaphor and declamation: it is not by such means that moral science is to be improved.

II. The principle of utility is the foundation of the present work: it will be proper therefore at the outset to give an explicit and determinate account of what is meant by it. By the principle of utility is meant that principle which approves or disapproves of every action whatsoever. according to the tendency it appears to have to augment or diminish the happiness of the party whose interest is in question: or, what is the same thing in other words to promote or to oppose that happiness. I say of every action whatsoever, and therefore not only of every action of a private individual, but of every measure of government.

III. By utility is meant that property in any object, whereby it tends to produce benefit, advantage, pleasure, good, or happiness, (all this in the present case comes to the same thing) or (what comes again to the same thing) to prevent the happening of mischief, pain, evil, or unhappiness to the party whose interest is considered: if that party be the community in general, then the happiness of the community: if a particular individual, then the happiness of that individual.

IV. The interest of the community is one of the most general expressions that can occur in the phraseology of morals: no wonder that the meaning of it is often lost. When it has a meaning, it is this. The community is a fictitious body, composed of the individual persons who are considered as constituting as it were its members. The interest of the community then is, what is it?" the sum of the interests of the several members who compose it.

V. It is in vain to talk of the interest of the community, without understanding what is the interest of the individual. A thing is said to promote the interest, or to be for the interest, of an individual, when it tends to add to the sum total of his pleasures: or, what comes to the same thing, to diminish the sum total of his pains.

VI. An action then may be said to be conformable to then principle of utility, or, for shortness sake, to utility, (meaning with respect to the community at large) when the tendency it has to augment the happiness of the community is greater than any it has to diminish it.

VII. A measure of government (which is but a particular kind of action, performed by a particular person or persons) may be said to be conformable to or dictated by the principle of utility, when in like manner the tendency which it has to augment the happiness of the community is greater than any which it has to diminish it.

VIII. When an action, or in particular a measure of government, is supposed by a man to be conformable to the principle of utility, it may be convenient, for the purposes of discourse, to imagine a kind of law or dictate, called a law or dictate of utility: and to speak of the action in question, as being conformable to such law or dictate.

IX. A man may be said to be a partizan of the principle of utility, when the

approbation or disapprobation he annexes to any action, or to any measure, is determined by and proportioned to the tendency which he conceives it to have to augment or to diminish the happiness of the community: or in other words, to its conformity or unconformity to the laws or dictates of utility.

X. Of an action that is conformable to the principle of utility one may always say either that it is one that ought to be done, or at least that it is not one that ought not to be done. One may say also, that it is right it should be done; at least that it is not wrong it should be done: that it is a right action; at least that it is not a wrong action. When thus interpreted, the words ought, and right and wrong and others of that stamp, have a meaning: when otherwise, they have none.

XI. Has the rectitude of this principle been ever formally contested? It should seem that it had, by those who have not known what they have been meaning. Is it susceptible of any direct proof? it should seem not: for that which is used to prove every thing else, cannot itself be proved: a chain of proofs must have their commencement somewhere. To give such proof is as impossible as it is needless.

XII. Not that there is or ever has been that human creature at breathing, however stupid or perverse, who has not on many, perhaps on most occasions of his life, deferred to it. By the natural constitution of the human frame, on most occasions of their lives men in general embrace this principle, without thinking of it: if not for the ordering of their own actions, yet for the trying of their own actions, as well as of those of other men. There have been, at the same time, not many perhaps, even of the most intelligent, who have been disposed to embrace it purely and without reserve. There are even few who have not taken some occasion or other to quarrel with it, either on account of their not understanding always how to apply it, or on account of some prejudice or other which they were afraid to examine into, or could not bear to part with. For such is the stuff that man is made of: in principle and in practice, in a right track and in a wrong one, the rarest of all human qualities is consistency.

XIII. When a man attempts to combat the principle of utility, it is with reasons drawn, without his being aware of it, from that very principle itself. His arguments, if they prove any thing, prove not that the principle is wrong, but that, according to the applications he supposes to be made of it, it is misapplied. Is it possible for a man to move the earth? Yes; but he must first find out another earth to stand upon.

XIV. To disprove the propriety of it by arguments is impossible; but, from the causes that have been mentioned, or from some confused or partial view of it, a man may happen to be disposed not to relish it. Where this is the case, if he thinks the settling of his opinions on such a subject worth the trouble, let him take the following steps, and at length, perhaps, he may come to reconcile himself to it.

1. Let him settle with himself, whether he would wish to discard this principle altogether; if so, let him consider what it is that all his reasonings (in matters of politics especially) can amount to?

2. If he would, let him settle with himself, whether he would judge and act without any principle, or whether there is any other he would judge an act by?

3. If there be, let him examine and satisfy himself whether the principle he thinks he has found is really any separate intelligible principle; or whether it be not a mere principle in words, a kind of phrase, which at bottom expresses neither more nor less than the mere averment of his own unfounded sentiments; that is, what in another person he might be apt to call caprice?

4. If he is inclined to think that his own approbation or disapprobation, annexed to the idea of an act, without any regard to its consequences, is a sufficient foundation for him to judge and act upon, let him ask himself whether his sentiment is to be a standard of right and wrong, with respect to every other man, or whether every man's sentiment has the same privilege of being a standard to itself?

5. In the first case, let him ask himself whether his principle is not despotical, and hostile to all the rest of human race?

6. In the second case, whether it is not anarchial, and whether at this rate there are not as many different standards of right and wrong as there are men? and whether even to the same man, the same thing, which is right today, may not (without the least change in its nature) be wrong tomorrow? and whether the same thing is not right and wrong in the same place at the same time? and in either case, whether all argument is not at an end? and whether, when two men have said, "I like this," and "I don't like it," they can (upon such a principle) have any thing more to say?

7. If he should have said to himself, No: for that the sentiment which he proposes as a standard must be grounded on reflection, let him say on what particulars the reflection is to turn? if on particulars having relation to the utility of the act, then let him say whether this is not deserting his own principle, and borrowing assistance from that very one in opposition to which he sets it up: or if not on those particulars, on what other particulars?

8. If he should be for compounding the matter, and adopting his own principle in part, and the principle of utility in part, let him say how far he will adopt it?

9. When he has settled with himself where he will stop, then let him ask himself how he justifies to himself the adopting it so far? and why he will not adopt it any farther?

10. Admitting any other principle than the principle of utility to be a right principle, a principle that it is right for a man to pursue; admitting (what is not true) that the word right can have a meaning without reference to utility, let him say whether there is any such thing as a motive that a man can have to pursue the dictates of it: if there is, let him say what that motive is, and how it is to be distinguished from those which enforce the dictates of utility: if not, then lastly let him say what it is this other principle can be good for?

[...]

Chapter IV: Value of a Lot of Pleasure or Pain, How to be Measured

I. Pleasures then, and the avoidance of pains, are the ends that the legislator has in view; it behoves him therefore to understand their value. Pleasures and pains are the instruments he has to work with: it behoves him therefore to understand their force, which is again, in other words, their value.

II. To a person considered by himself, the value of a pleasure or pain considered by itself, will be greater or less, according to the four following circumstances:

1. Its intensity.
2. Its duration.
3. Its certainty or uncertainty.
4. Its propinquity or remoteness.

III. These are the circumstances which are to be considered in estimating a pleasure or a pain considered each of them by itself. But when the value of any pleasure or pain is considered for the purpose of estimating the tendency of any act by which it is produced, there are two other circumstances to be taken into the account; these are,

5. Its fecundity, or the chance it has of being followed by sensations of the same kind: that is, pleasures, if it be a pleasure: pains, if it be a pain.
6. Its purity, or the chance it has of not being followed by sensations of the opposite kind: that is, pains, if it be a pleasure: pleasures, if it be a pain.

These two last, however, are in strictness scarcely to be deemed properties of the pleasure or the pain itself; they are not, therefore, in strictness to be taken into the account of the value of that pleasure or that pain. They are in strictness to be deemed properties only of the act, or other event, by which such pleasure or pain has been produced; and accordingly are only to be taken into the account of the tendency of such act or such event.

IV. To a number of persons, with reference to each of whom to the value of a pleasure or a pain is considered, it will be greater or less, according to seven circumstances: to wit, the six preceding ones; viz.,

1. Its intensity.
2. Its duration.
3. Its certainty or uncertainty.
4. Its propinquity or remoteness.
5. Its fecundity.
6. Its purity.

And one other; to wit:

7. Its extent; that is, the number of persons to whom it extends; or (in other words) who are affected by it.

V. To take an exact account then of the general tendency of any act, by which the interests of a community are affected, proceed as follows. Begin with any one person of those whose interests seem most immediately to be affected by it: and take an account,

1. Of the value of each distinguishable pleasure which appears to be produced by it in the first instance.
2. Of the value of each pain which appears to be produced by it in the first instance.
3. Of the value of each pleasure which appears to be produced by it after the first. This constitutes the fecundity of the first pleasure and the impurity of the first pain.
4. Of the value of each pain which appears to be produced by it after the first. This constitutes the fecundity of the first pain, and the impurity of the first pleasure.
5. Sum up all the values of all the pleasures on the one side, and those of all the pains on the other. The balance, if it be on the side of pleasure, will give the good tendency of the act upon the whole, with respect to the interests of that individual person; if on the side of pain, the bad tendency of it upon the whole.
6. Take an account of the number of persons whose interests appear to be concerned; and repeat the above process with respect to each. Sum up the numbers expressive of the degrees of good tendency, which the act has, with respect to each individual, in regard to whom the tendency of it is good upon the whole: do this again with respect to each individual, in regard to whom the tendency of it is good upon the whole: do this again with respect to each individual, in regard to whom the tendency of it is bad upon the whole. Take the balance which if on the side of pleasure, will give the general good tendency of the act, with respect to the total number or community of individuals concerned; if on the side of pain, the general evil tendency, with respect to the same community.

VI. It is not to be expected that this process should be strictly pursued previously to every moral judgment, or to every legislative or judicial operation. It may, however, be always kept in view: and as near as the process actually pursued on these occasions approaches to it, so near will such process approach to the character of an exact one.

VII. The same process is alike applicable to pleasure and pain, in whatever shape they appear: and by whatever denomination they are distinguished: to pleasure, whether it be called good (which is properly the cause or instrument of pleasure) or profit (which is distant pleasure, or the cause or instrument of, distant pleasure,) or convenience, or advantage, benefit, emolument, happiness, and so forth: to pain, whether it be called evil, (which corresponds to good) or mischief, or inconvenience or disadvantage, or loss, or unhappiness, and so forth.

VIII. Nor is this a novel and unwarranted, any more than it is a useless theory. In all this there is nothing but what the practice of mankind, wheresoever they have a clear view of their own interest, is perfectly conformable to. An article of property, an estate in

land, for instance, is valuable, on what account? On account of the pleasures of all kinds which it enables a man to produce, and what comes to the same thing the pains of all kinds which it enables him to avert. But the value of such an article of property is universally understood to rise or fall according to the length or shortness of the time which a man has in it: the certainty or uncertainty of its coming into possession: and the nearness or remoteness of the time at which, if at all, it is to come into possession. As to the intensity of the pleasures which a man may derive from it, this is never thought of, because it depends upon the use which each particular person may come to make of it; which cannot be estimated till the particular pleasures he may come to derive from it, or the particular pains he may come to exclude by means of it, are brought to view. For the same reason, neither does he think of the fecundity or purity of those pleasures. Thus much for pleasure and pain, happiness and unhappiness, in general. We come now to consider the several particular kinds of pain and pleasure.

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Jeremy Bentham, *The Principles of Morals and Legislation* (Prometheus Books, 1781).

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What Utilitarianism Is by John Stewart Mill

Introduction

John Stewart Mill addresses two primary things in this text. First, he considers common objections to Utilitarianism. Secondarily, he introduces a major modification from his version of consequentialism from Bentham's. For Mill, higher-order pleasures are more valuable than base, or animalistic pleasures. What sets us apart from animals is our capacity for high culture, learning, contentment, et cetera. As such, as persons, we should value those pleasures more than animalistic pleasures such as sex, eating, et cetera. He uses a famous chain of preference:

1. satisfied pig < unsatisfied fool
2. satisfied fool < unsatisfied Socrates.

It should be stressed that Mill thinks that we will arrive at this conclusion *democratically*. When given choices between types of pleasures, Mill thinks most people would usually self-select the higher-order pleasures as they lead to long-term contentment (happiness) instead of fleeting pleasure (pleasure).

Text

A PASSING remark is all that needs be given to the ignorant blunder of supposing

that those who stand up for utility as the test of right and wrong, use the term in that restricted and merely colloquial sense in which utility is opposed to pleasure. An apology is due to the philosophical opponents of utilitarianism, for even the momentary appearance of confounding them with any one capable of so absurd a misconception; which is the more extraordinary, inasmuch as the contrary accusation, of referring everything to pleasure, and that too in its grossest form, is another of the common charges against utilitarianism: and, as has been pointedly remarked by an able writer, the same sort of persons, and often the very same persons, denounce the theory "as impracticably dry when the word utility precedes the word pleasure, and as too practicably voluptuous when the word pleasure precedes the word utility."

Those who know anything about the matter are aware that every writer, from Epicurus to Bentham, who maintained the theory of utility, meant by it, not something to be contradistinguished from pleasure, but pleasure itself, together with exemption from pain; and instead of opposing the useful to the agreeable or the ornamental, have always declared that the useful means these, among other things. Yet the common herd, including the herd of writers, not only in newspapers and periodicals, but in books of weight and pretension, are perpetually falling into this shallow mistake. Having caught up the word utilitarian, while knowing nothing whatever about it but its sound, they habitually express by it the rejection, or the neglect, of pleasure in some of its forms; of beauty, of ornament, or of amusement. Nor is the term thus ignorantly misapplied solely in disparagement, but occasionally in compliment; as though it implied superiority to frivolity and the mere pleasures of the moment. And this perverted use is the only one in which the word is popularly known, and the one from which the new generation are acquiring their sole notion of its meaning. Those who introduced the word, but who had for many years discontinued it as a distinctive appellation, may well feel themselves called upon to resume it, if by doing so they can hope to contribute anything towards rescuing it from this utter degradation.¹²⁸

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 ideas 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 groundednamely, 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

¹²⁸ The author of this essay has reason for believing himself to be the first person who brought the word utilitarian into use. He did not invent it, but adopted it from a passing expression in Mr. Galt's Annals of the Parish. After using it as a designation for several years, he and others abandoned it from a growing dislike to anything resembling a badge or watchword of sectarian distinction. But as a name for one single opinion, not a set of opinions- to denote the recognition of utility as a standard, not any particular way of applying it- the term supplies a want in the language, and offers, in many cases, a convenient mode of avoiding tiresome circumlocution

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.

Higher and Lower Pleasures

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. If this supposition were true, the charge could not be gainsaid, but would then be no longer an imputation; for if the sources of pleasure were precisely the same to human beings and to swine, the rule of life which is good enough for the one would be good enough for the other. 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 conceptions 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. I 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 permanency, safety, uncostliness, etc., of the former that is, in their circumstantial 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 other 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 outweighing 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. Few human creatures would consent to be changed into any of the lower animals, for a promise of the fullest allowance of a beast's pleasures; no intelligent human being would consent to be a fool, no instructed person would be an ignoramus, no person of feeling and conscience would be selfish and base, even though they should be persuaded that the fool, the dunce, or the rascal is better satisfied with his lot than they are with theirs. They would not resign what they possess more than he for the most complete satisfaction of all the desires which they have in common with him. If they ever fancy they would, it is only in cases of unhappiness so extreme, that to escape from it they would exchange their lot for almost any other, however undesirable in their own eyes.

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. We may give what explanation we please of this unwillingness; we may attribute it to pride, a name which is given indiscriminately to some of the most and to some of the least estimable feelings of which mankind are capable: we may refer it to the love of liberty and personal independence, an appeal to which was with the Stoicks one of the most effective means for the inculcation of it; to the love of power, or to the love of excitement, both of which do really enter into and contribute to it: but its most appropriate appellation is a sense of dignity, which all human beings possess in one form or other, and in some, though by no means in exact proportion to their higher faculties, and which is so essential a part of the happiness of those in whom it is strong, that nothing which conflicts with it could be, otherwise than momentarily, an object of desire to them.

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 imperfections, 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 a different opinion, it is because they only know their own side of the question. The other party to the comparison knows both sides.

It may be objected, that many who are capable of the higher pleasures, occasionally, under the influence of temptation, postpone them to the lower. But this is quite compatible with a full appreciation of the intrinsic superiority of the higher. Men often, from infirmity of character, make their election for the nearer good, though they know it to be the less valuable; and this no less when the choice is between two bodily pleasures, than when it is between bodily and mental. They pursue sensual indulgences to the injury of health, though perfectly aware that health is the greater good.

It may be further objected, that many who begin with youthful enthusiasm for everything noble, as they advance in years sink into indolence and selfishness. But I do not believe that those who undergo this very common change, voluntarily choose the lower description of pleasures in preference to the higher. I believe that before they devote themselves exclusively to the one, they have already become incapable of the other. Capacity for the nobler feelings is in most natures a very tender plant, easily killed, not only by hostile influences, but by mere want of sustenance; and in the majority of young persons it speedily dies away if the occupations to which their position in life has devoted them, and the society into which it has thrown them, are not favorable to keeping that higher capacity in exercise.

Men lose their high aspirations as they lose their intellectual tastes, because they have not time or opportunity for indulging them; and they addict themselves to inferior pleasures, not because they deliberately prefer them, but because they are either the only ones to which they have access, or the only ones which they are any longer capable of enjoying. It may be questioned whether any one who has remained equally susceptible to both classes of pleasures, ever knowingly and calmly preferred the lower; though many, in all ages, have broken down in an ineffectual attempt to combine both.

From this verdict of the only 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 judgment 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 judgment 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 homogeneous, 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 judgment of the experienced? When, therefore, those feelings and judgment declare the pleasures derived from the higher faculties to be preferable in kind, apart from the 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.

I have dwelt on this point, as being a necessary part of a perfectly just conception of Utility or Happiness, considered as the directive rule of human conduct. But it is by no

means an indispensable condition to the acceptance of the utilitarian standard; for that standard is not the agent's own greatest happiness, but the greatest amount of happiness altogether; and if it may possibly be doubted whether a noble character is always the happier for its nobleness, there can be no doubt that it makes other people happier, and that the world in general is immensely a gainer by it. Utilitarianism, therefore, could only attain its end by the general cultivation of nobleness of character, even if each individual were only benefited by the nobleness of others, and his own, so far as happiness is concerned, were a sheer deduction from the benefit. But the bare enunciation of such an absurdity as this last, renders refutation superfluous.

Happiness as an Aim

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; the test of quality, and the rule for measuring it against quantity, being the preference felt by those who in their opportunities of experience, to which must be added their habits of self-consciousness and self-observation, are best furnished with the means of comparison. This, being, according to the utilitarian opinion, the end of human action, is necessarily also the standard of morality; which may accordingly be defined, 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, but, so far as the nature of things admits, to the whole sentient creation.

Against this doctrine, however, arises another class of objectors, who say that happiness, in any form, cannot be the rational purpose of human life and action; because, in the first place, it is unattainable: and they contemptuously ask, what right hast thou to be happy? a question which Mr. Carlyle clenches by the addition, What right, a short time ago, hadst thou even to be? Next, they say, that men can do without happiness; that all noble human beings have felt this, and could not have become noble but by learning the lesson of Entsgen, or renunciation; which lesson, thoroughly learnt and submitted to, they affirm to be the beginning and necessary condition of all virtue.

The first of these objections would go to the root of the matter were it well founded; for if no happiness is to be had at all by human beings, the attainment of it cannot be the end of morality, or of any rational conduct. Though, even in that case, something might still be said for the utilitarian theory; since utility includes not solely the pursuit of happiness, but the prevention or mitigation of unhappiness; and if the former aim be chimerical, there will be all the greater scope and more imperative need for the latter, so long at least as mankind think fit to live, and do not take refuge in the simultaneous act of suicide recommended under certain conditions by Novalis. When, however, it is thus positively asserted to be impossible that human life should be happy, the assertion, if not something like a verbal quibble, is at least an exaggeration. If by happiness be meant a continuity of highly pleasurable excitement, it is evident enough that this is impossible.

A state of exalted pleasure lasts only moments, or in some cases, and with some intermissions, hours or days, and is the occasional brilliant flash of enjoyment, not its permanent and steady flame. Of this the philosophers who have taught that happiness is the end of life were as fully aware as those who taunt them. The happiness which they meant was not a life of rapture; but moments of such, in an existence made up of few and transitory pains, many and various pleasures, with a decided predominance of the active over the passive, and having as the foundation of the whole, not to expect more from life than it is capable of bestowing. A life thus composed, to those who have been fortunate enough to obtain it, has always appeared worthy of the name of happiness. And such an existence is even now the lot of many, during some considerable portion of their lives. The present wretched education, and wretched social arrangements, are the only real hindrance to its being attainable by almost all.

The objectors perhaps may doubt whether human beings, if taught to consider happiness as the end of life, would be satisfied with such a moderate share of it. But great numbers of mankind have been satisfied with much less. The main constituents of a satisfied life appear to be two, either of which by itself is often found sufficient for the purpose: tranquillity, and excitement. With much tranquillity, many find that they can be content with very little pleasure: with much excitement, many can reconcile themselves to a considerable quantity of pain.

There is assuredly no inherent impossibility in enabling even the mass of mankind to unite both; since the two are so far from being incompatible that they are in natural alliance, the prolongation of either being a preparation for, and exciting a wish for, the other. It is only those in whom indolence amounts to a vice, that do not desire excitement after an interval of repose: it is only those in whom the need of excitement is a disease, that feel the tranquillity which follows excitement dull and insipid, instead of pleasurable in direct proportion to the excitement which preceded it.

When people who are tolerably fortunate in their outward lot do not find in life sufficient enjoyment to make it valuable to them, the cause generally is, caring for nobody but themselves. To those who have neither public nor private affections, the excitements of life are much curtailed, and in any case dwindle in value as the time approaches when all selfish interests must be terminated by death: while those who leave after them objects of personal affection, and especially those who have also cultivated a fellow-feeling with the collective interests of mankind, retain as lively an interest in life on the eve of death as in the vigour of youth and health.

Next to selfishness, the principal cause which makes life unsatisfactory is want of mental cultivation. A cultivated mind I do not mean that of a philosopher, but any mind to which the fountains of knowledge have been opened, and which has been taught, in any tolerable degree, to exercise its faculties finds sources of inexhaustible interest in all that surrounds it; in the objects of nature, the achievements of art, the imaginations of poetry, the incidents of history, the ways of mankind, past and present, and their prospects in the future. It is possible, indeed, to become indifferent to all this, and that too without having exhausted a thousandth part of it; but only when one has had from the beginning no moral or human interest in these things, and has sought in them only

the gratification of curiosity.

Now there is absolutely no reason in the nature of things why an amount of mental culture sufficient to give an intelligent interest in these objects of contemplation, should not be the inheritance of every one born in a civilised country. As little is there an inherent necessity that any human being should be a selfish egotist, devoid of every feeling or care but those which centre in his own miserable individuality. Something far superior to this is sufficiently common even now, to give ample earnest of what the human species may be made. Genuine private affections and a sincere interest in the public good, are possible, though in unequal degrees, to every rightly brought up human being. In a world in which there is so much to interest, so much to enjoy, and so much also to correct and improve, every one who has this moderate amount of moral and intellectual requisites is capable of an existence which may be called enviable; and unless such a person, through bad laws, or subjection to the will of others, is denied the liberty to use the sources of happiness within his reach, he will not fail to find this enviable existence, if he escape the positive evils of life, the great sources of physical and mental sufferings such as indigence, disease, and the unkindness, worthlessness, or premature loss of objects of affection.

The main stress of the problem lies, therefore, in the contest with these calamities, from which it is a rare good fortune entirely to escape; which, as things now are, cannot be obviated, and often cannot be in any material degree mitigated. Yet no one whose opinion deserves a moment's consideration can doubt that most of the great positive evils of the world are in themselves removable, and will, if human affairs continue to improve, be in the end reduced within narrow limits. Poverty, in any sense implying suffering, may be completely extinguished by the wisdom of society, combined with the good sense and providence of individuals. Even that most intractable of enemies, disease, may be indefinitely reduced in dimensions by good physical and moral education, and proper control of noxious influences; while the progress of science holds out a promise for the future of still more direct conquests over this detestable foe.

And every advance in that direction relieves us from some, not only of the chances which cut short our own lives, but, what concerns us still more, which deprive us of those in whom our happiness is wrapt up. As for vicissitudes of fortune, and other disappointments connected with worldly circumstances, these are principally the effect either of gross imprudence, of ill-regulated desires, or of bad or imperfect social institutions.

All the grand sources, in short, of human suffering are in a great degree, many of them almost entirely, conquerable by human care and effort; and though their removal is grievously slow though a long succession of generations will perish in the breach before the conquest is completed, and this world becomes all that, if will and knowledge were not wanting, it might easily be made yet every mind sufficiently intelligent and generous to bear a part, however small and un conspicuous, in the endeavour, will draw a noble enjoyment from the contest itself, which he would not for any bribe in the form of selfish indulgence consent to be without.

And this leads to the true estimation of what is said by the objectors concerning the possibility, and the obligation, of learning to do without happiness. Unquestionably it is possible to do without happiness; it is done involuntarily by nineteen-twentieths of mankind, even in those parts of our present world which are least deep in barbarism; and it often has to be done voluntarily by the hero or the martyr, for the sake of something which he prizes more than his individual happiness.

But this something, what is it, unless the happiness of others or some of the requisites of happiness? It is noble to be capable of resigning entirely one's own portion of happiness, or chances of it: but, after all, this self-sacrifice must be for some end; it is not its own end; and if we are told that its end is not happiness, but virtue, which is better than happiness, I ask, would the sacrifice be made if the hero or martyr did not believe that it would earn for others immunity from similar sacrifices? Would it be made if he thought that his renunciation of happiness for himself would produce no fruit for any of his fellow creatures, but to make their lot like his, and place them also in the condition of persons who have renounced happiness?

All honour to those who can abnegate for themselves the personal enjoyment of life, when by such renunciation they contribute worthily to increase the amount of happiness in the world; but he who does it, or professes to do it, for any other purpose, is no more deserving of admiration than the ascetic mounted on his pillar. He may be an inspiriting proof of what men can do, but assuredly not an example of what they should.

Self Sacrifice

Though it is only in a very imperfect state of the world's arrangements that any one can best serve the happiness of others by the absolute sacrifice of his own, yet so long as the world is in that imperfect state, I fully acknowledge that the readiness to make such a sacrifice is the highest virtue which can be found in man. I will add, that in this condition the world, paradoxical as the assertion may be, the conscious ability to do without happiness gives the best prospect of realising, such happiness as is attainable.

For nothing except that consciousness can raise a person above the chances of life, by making him feel that, let fate and fortune do their worst, they have not power to subdue him: which, once felt, frees him from excess of anxiety concerning the evils of life, and enables him, like many a Stoic in the worst times of the Roman Empire, to cultivate in tranquillity the sources of satisfaction accessible to him, without concerning himself about the uncertainty of their duration, any more than about their inevitable end.

Meanwhile, let utilitarians never cease to claim the morality of self devotion as a possession which belongs by as good a right to them, as either to the Stoic or to the Transcendentalist. The utilitarian morality does recognize in human beings the power of sacrificing their own greatest good for the good of others. It only refuses to admit that the sacrifice is itself a good. A sacrifice which does not increase, or tend to increase, the sum total of happiness, it considers as wasted. The only self-renunciation which it applauds, is devotion to the happiness, or to some of the means of happiness, of others;

either of mankind collectively, or of individuals within the limits imposed by the collective interests of mankind.

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; especially between his own happiness and the practice of such modes of conduct, negative and positive, as regard for the universal happiness prescribes; so that not only he may be unable to conceive the possibility of happiness to himself, consistently with conduct opposed to the general good, but also that a direct impulse to promote the general good may be in every individual one of the habitual motives of action, and the sentiments connected therewith may fill a large and prominent place in every human being's sentient existence. If the, impugners of the utilitarian morality represented it to their own minds in this its, true character, I know not what recommendation possessed by any other morality they could possibly affirm to be wanting to it; what more beautiful or more exalted developments of human nature any other ethical system can be supposed to foster, or what springs of action, not accessible to the utilitarian, such systems rely on for giving effect to their mandates.

Setting the Standard too High?

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 action 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 sole motive of all we do shall be a feeling of duty; on the contrary, ninety-nine hundredths of all our actions are done from other motives, and rightly so done, if the rule of duty does not condemn them.

It is the more unjust to utilitarianism that this particular misapprehension should be made a ground of objection to it, inasmuch as utilitarian moralists have gone beyond almost all others in affirming that the motive has nothing to do with the morality of the

action, though much with the worth of the agent. 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; he who betrays the friend that trusts him, is guilty of a crime, even if his object be to serve another friend to whom he is under greater obligations.

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 intended not for the benefit of the world, but for that of individuals, 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 so far as is necessary to assure himself that in benefiting them he is not violating the rights, that is, the legitimate and authorised expectations, of any one 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 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 to 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 no greater than is demanded by every system of morals, for they all enjoin to abstain from whatever is manifestly pernicious to society.

Is Utilitarianism Chilly?

The same considerations dispose of another reproach against the doctrine of utility, founded on a still grosser misconception of the purpose of a standard of morality, and of the very meaning of the words right and wrong. It is often affirmed that utilitarianism renders men cold and unsympathising; that it chills their moral feelings towards individuals; that it makes them regard only the dry and hard consideration of the consequences of actions, not taking into their moral estimate the qualities from which those actions emanate. If the assertion means that they do not allow their judgment respecting the rightness or wrongness of an action to be influenced by their opinion of the qualities of the person who does it, this is a complaint not against utilitarianism, but against having any standard of morality at all; for certainly no known ethical standard decides an action to be good or bad because it is done by a good or a bad man, still less because done by an amiable, a brave, or a benevolent man, or the contrary.

These considerations are relevant, not to the estimation of actions, but of persons; and there is nothing in the utilitarian theory inconsistent with the fact that there are other things which interest us in persons besides the rightness and wrongness of their

actions. The Stoics, indeed, with the paradoxical misuse of language which was part of their system, and by which they strove to raise themselves above all concern about anything but virtue, were fond of saying that he who has that has everything; that he, and only he, is rich, is beautiful, is a king. But no claim of this description is made for the virtuous man by the utilitarian doctrine. Utilitarians are quite aware that there are other desirable possessions and qualities besides virtue, and are perfectly willing to allow to all of them their full worth. They are also aware that a right action does not necessarily indicate a virtuous character, and that actions which are blamable, often proceed from qualities entitled to praise. When this is apparent in any particular case, it modifies their estimation, not certainly of the act, but of the agent. I grant that they are, notwithstanding, of opinion, that in the long run the best proof of a good character is good actions; and resolutely refuse to consider any mental disposition as good, of which the predominant tendency is to produce bad conduct. This makes them unpopular with many people; but it is an unpopularity which they must share with every one who regards the distinction between right and wrong in a serious light; and the reproach is not one which a conscientious utilitarian need be anxious to repel.

If no more be meant by the objection than that many utilitarians look on the morality of actions, as measured by the utilitarian standard, with too exclusive a regard, and do not lay sufficient stress upon the other beauties of character which go towards making a human being lovable or admirable, this may be admitted. Utilitarians who have cultivated their moral feelings, but not their sympathies nor their artistic perceptions, do fall into this mistake; and so do all other moralists under the same conditions. What can be said in excuse for other moralists is equally available for them, namely, that, if there is to be any error, it is better that it should be on that side. As a matter of fact, we may affirm that among utilitarians as among adherents of other systems, there is every imaginable degree of rigidity and of laxity in the application of their standard: some are even puritanically rigorous, while others are as indulgent as can possibly be desired by sinner or by sentimentalist. But on the whole, a doctrine which brings prominently forward the interest that mankind have in the repression and prevention of conduct which violates the moral law, is likely to be inferior to no other in turning the sanctions of opinion against such violations. It is true, the question, What does violate the moral law? is one on which those who recognize different standards of morality are likely now and then to differ. But difference of opinion on moral questions was not first introduced into the world by utilitarianism, while that doctrine does supply, if not always an easy, at all events a tangible and intelligible mode of deciding such differences.

It may not be superfluous to notice a few more of the common misapprehensions of utilitarian ethics, even those which are so obvious and gross that it might appear impossible for any person of candour and intelligence to fall into them; since persons, even of considerable mental endowments, often give themselves so little trouble to understand the bearings of any opinion against which they entertain a prejudice, and men are in general so little conscious of this voluntary ignorance as a defect, that the vulgarest misunderstandings of ethical doctrines are continually met with in the deliberate writings of persons of the greatest pretensions both to high principle and to philosophy.

Utilitarianism as 'Godless'

We not uncommonly hear the doctrine of utility inveighed against as a godless doctrine. If it be necessary to say anything at all against so mere an assumption, we may say that the question depends upon what idea we have formed of the moral character of the Deity. If it be a true belief that God desires, above all things, the happiness of his creatures, and that this was his purpose in their creation, utility is not only not a godless doctrine, but more profoundly religious than any other. If it be meant that utilitarianism does not recognize the revealed will of God as the supreme law of morals, I answer, that a utilitarian who believes in the perfect goodness and wisdom of God, necessarily believes that whatever God has thought fit to reveal on the subject of morals, must fulfil the requirements of utility in a supreme degree. But others besides utilitarians have been of opinion that the Christian revelation was intended, and is fitted, to inform the hearts and minds of mankind with a spirit which should enable them to find for themselves what is right, and incline them to do it when found, rather than to tell them, except in a very general way, what it is; and that we need a doctrine of ethics, carefully followed out, to interpret to us the will God. Whether this opinion is correct or not, it is superfluous here to discuss; since whatever aid religion, either natural or revealed, can afford to ethical investigation, is as open to the utilitarian moralist as to any other. He can use it as the testimony of God to the usefulness or hurtfulness of any given course of action, by as good a right as others can use it for the indication of a transcendental law, having no connection with usefulness or with happiness.

Expediency

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 interests 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 trustworthiness 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 civilisation, 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 to 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 recognised, 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 region within which one or the other preponderates.

Time to Calculate?

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. This is exactly as if any one were to say that it is impossible to guide our conduct by Christianity, because there is not time, on every occasion on which anything has to be done, to read through the Old and New Testaments. 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. People talk as if the commencement of this course of experience had hitherto been put off, and as if, at the moment when some man feels tempted to meddle with the property or life of another, he had to begin considering for the first time whether murder and theft are injurious to human happiness. Even then I do not think that he would find the question very puzzling; but, at all events, the matter is now done to his hand.

It is truly a whimsical supposition that, if mankind were agreed in considering utility to be the test of morality, they would remain without any agreement as to what is useful, and would take no measures for having their notions on the subject taught to the young, and enforced by law and opinion. There is no difficulty in proving any ethical standard whatever to work ill, if we suppose universal idiocy to be conjoined with it; but on any hypothesis short of that, mankind must by this time have acquired positive beliefs as to the effects of some actions on their happiness; and the beliefs which have thus come down are the rules of morality for the multitude, and for the philosopher until he has succeeded in finding better. That philosophers might easily do this, even now, on many subjects; that 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 endeavor to test each individual action

directly by the first principle, is another. It is a strange notion that the acknowledgment of a first principle is inconsistent with the admission of secondary ones. To inform a traveler 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 another. Men really ought to leave off talking a kind of nonsense on this subject, which they would neither talk nor listen to on other matters of practical concernment. Nobody argues that the art of navigation is not founded on astronomy, because sailors cannot wait to calculate the Nautical Almanack. 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. Whatever we adopt as the fundamental principle of morality, we require subordinate principles to apply it by; the impossibility of doing without them, being common to all systems, can afford no argument against any one in particular; but gravely to argue as if no such secondary principles could be had, and as if mankind had remained till now, and always must remain, without drawing any general conclusions from the experience of human life, is as high a pitch, I think, as absurdity has ever reached in philosophical controversy.

Bad Faith

The remainder of the stock arguments against utilitarianism mostly consist in laying to its charge the common infirmities of human nature, and the general difficulties which embarrass conscientious persons in shaping their course through life. We are told that a utilitarian will be apt to make his own particular case an exception to moral rules, and, when under temptation, will see a utility in the breach of a rule, greater than he will see in its observance. But is utility the only creed which is able to furnish us with excuses for evil doing, and means of cheating our own conscience? They are afforded in abundance by all doctrines which recognize as a fact in morals the existence of conflicting considerations; which all doctrines do, that have been believed by sane persons. It is not the fault of any creed, but of the complicated nature of human affairs, that rules of conduct cannot be so framed as to require no exceptions, and that hardly any kind of action can safely be laid down as either always obligatory or always condemnable. There is no ethical creed which does not temper the rigidity of its laws, by giving a certain latitude, under the moral responsibility of the agent, for accommodation to peculiarities of circumstances; and under every creed, at the opening thus made, self-deception and dishonest casuistry get in. There exists no moral system under which there do not arise unequivocal cases of conflicting obligation. These are the real difficulties, the knotty points both in the theory of ethics, and in the conscientious guidance of personal conduct. They are overcome practically, with greater or with less success, according to the intellect and virtue of the individual; but it can hardly be pretended that any one will be the less qualified for dealing with them, from possessing an ultimate standard to which conflicting rights and duties can be referred. If utility is the ultimate source of moral obligations, utility may be invoked to decide between them when their demands are incompatible. Though the application of the standard may be difficult, it is better

than none at all: while in other systems, the moral laws all claiming independent authority, there is no common umpire entitled to interfere between them; their claims to precedence one over another rest on little better than sophistry, and unless determined, as they generally are, by the unacknowledged influence of considerations of utility, afford a free scope for the action of personal desires and partialities. We must remember that only in these cases of conflict between secondary principles is it requisite that first principles should be appealed to. There is no case of moral obligation in which some secondary principle is not involved; and if only one, there can seldom be any real doubt which one it is, in the mind of any person by whom the principle itself is recognized.

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Deontology

On Moral Principles by Immanuel Kant

Introduction

In this reading, Immanuel Kant sketches out his duty-based theory of ethics. For Kant, having a capacity for reason and a will that is free is what sets humans apart from the animals. Kant rejects all revealed religious rules as there is no means we have to verify those rules. We then are free to make our own moral rules. But before we level charges of subjective relativism, Kant says that we must make *good* moral rules. Good moral rules are universal in scope and treat all person as beings of infinite worth. If all of us are thinking clearly, we should then all come up with the same moral rules for each specific situation. Thus, Kant's moral approach is universal, or realist, in approach.

Text

Groundwork of the Metaphysics of Morals

Everything in nature works according to laws.¹²⁹ Rational beings alone have the faculty of acting according to the conception of laws, that is according to principles, i.e., have a will. Since the deduction of actions from principles requires reason, the will is nothing but practical reason.¹³⁰ If reason infallibly determines the will, then the actions of such a being which are recognized as objectively necessary are subjectively necessary also, i.e., the will is a faculty to choose that only which reason independent of inclination recognizes as practically necessary, i.e., as good. But if reason of itself does not sufficiently determine the will, if the latter is subject also to subjective conditions (particular impulses) which do not always coincide with the objective conditions; in a

¹²⁹ A maxim is the subjective principle of volition. The objective principle (i.e., that which would also serve subjectively as a practical principle to all rational beings if reason had full power over the faculty of desire) is the practical law

¹³⁰ It might be here objected to me that I take refuge behind the word respect in an obscure feeling, instead of giving a distinct solution of the question by a concept of the reason. But although respect is a feeling, it is not a feeling received through influence, but is self-wrought by a rational concept, and, therefore, is specifically distinct from all feelings of the former kind, which may be referred either to inclination or fear.

What I recognize immediately as a law for me, I recognize with respect. This merely signifies the consciousness that my will is subordinate to a law, without the intervention of other influences on my sense. The immediate determination of the will by the law, and the consciousness of this, is called respect, so that this is regarded as an effect of the law on the subject, and not as the cause of it. Respect is properly the conception of a worth which thwarts my self-love. Accordingly it is something which is considered neither as an object of inclination nor of fear, although it has something analogous to both. The object of respect is the law only, and that the law which we impose on ourselves and yet recognize as necessary in itself. As a law, we are subjected to it without consulting self-love; as imposed by us on ourselves, it is a result of our will. In the former aspect it has an analogy to fear, in the latter to inclination. Respect for a person is properly only respect for the law (of honesty, etc.) of which he gives us an example. Since we also look on the improvement of our talents as a duty, we consider that we see in a person of talents, as it were, the example of a law (viz., to become like him in this by exercise), and this constitutes our respect. All so-called moral interest consists simply in respect for the law.

word, if the will does not in itself completely accord with reason (which is actually the case with men), then the actions which objectively are recognized as necessary are subjectively contingent, and the determination of such a will according to objective laws is obligation, that is to say, the relation of the objective laws to a will that is not thoroughly good is conceived as the determination of the will of a rational being by principles of reason, but which the will from its nature does not of necessity follow.

The conception of an objective principle, in so far as it is obligatory for a will, is called a command (of reason), and the formula of the command is called an Imperative.

All imperatives are expressed by the word ought [or shall], and thereby indicate the relation of an objective law of reason to a will, which from its subjective constitution is not necessarily determined by it (an obligation). They say that something would be good to do or to forbear, but they say it to a will which does not always do a thing because it is conceived to be good to do it. That is practically good, however, which determines the will by means of the conceptions of reason, and consequently not from subjective causes, but objectively, that is on principles which are valid for every rational being as such. It is distinguished from the pleasant, as that which influences the will only by means of sensation from merely subjective causes, valid only for the sense of this or that one, and not as a principle of reason, which holds for every one.¹³¹

A perfectly good will would therefore be equally subject to objective laws (viz., laws of good), but could not be conceived as obliged thereby to act lawfully, because of itself from its subjective constitution it can only be determined by the conception of good. Therefore no imperatives hold for the Divine will, or in general for a holy will; ought is here out of place, because the volition is already of itself necessarily in unison with the law.

Therefore imperatives are only formulae to express the relation of objective laws of all volition to the subjective imperfection of the will of this or that rational being, e.g., the human will.

Now all imperatives command either hypothetically or categorically. The former represent the practical necessity of a possible action as means to something else that is willed (or at least which one might possibly will). The categorical imperative would be that which represented an action as necessary of itself without reference to another end.

¹³¹ The dependence of the desires on sensations is called inclination, and this accordingly always indicates a want. The dependence of a contingently determinable will on principles of reason is called an interest. This therefore, is found only in the case of a dependent will which does not always of itself conform to reason; in the Divine will we cannot conceive any interest. But the human will can also take an interest in a thing without therefore acting from interest. The former signifies the practical interest in the action, the latter the pathological in the object of the action. The former indicates only dependence of the will on principles of reason in themselves; the second, dependence on principles of reason for the sake of inclination, reason supplying only the practical rules how the requirement of the inclination may be satisfied. In the first case the action interests me; in the second the object of the action (because it is pleasant to me). We have seen in the first section that in an action done from duty we must look not to the interest in the object, but only to that in the action itself, and in its rational principle (viz., the law).

i.e., as objectively necessary.

Since every practical law represents a possible action as good and, on this account, for a subject who is practically determinable by reason, necessary, all imperatives are formulae determining an action which is necessary according to the principle of a will good in some respects. If now the action is good only as a means to something else, then the imperative is hypothetical; if it is conceived as good in itself and consequently as being necessarily the principle of a will which of itself conforms to reason, then it is categorical.

Thus the imperative declares what action possible by me would be good and presents the practical rule in relation to a will which does not forthwith perform an action simply because it is good, whether because the subject does not always know that it is good, or because, even if it know this, yet its maxims might be opposed to the objective principles of practical reason.

Accordingly the hypothetical imperative only says that the action is good for some purpose, possible or actual. In the first case it is a Problematical, in the second an Assertorial practical principle. The categorical imperative which declares an action to be objectively necessary in itself without reference to any purpose, i.e., without any other end, is valid as an Apodictic (practical) principle.

Whatever is possible only by the power of some rational being may also be conceived as a possible purpose of some will; and therefore the principles of action as regards the means necessary to attain some possible purpose are in fact infinitely numerous. All sciences have a practical part, consisting of problems expressing that some end is possible for us and of imperatives directing how it may be attained. These may, therefore, be called in general imperatives of Skill. Here there is no question whether the end is rational and good, but only what one must do in order to attain it. The precepts for the physician to make his patient thoroughly healthy, and for a poisoner to ensure certain death, are of equal value in this respect, that each serves to effect its purpose perfectly. Since in early youth it cannot be known what ends are likely to occur to us in the course of life, parents seek to have their children taught a great many things, and provide for their skill in the use of means for all sorts of arbitrary ends, of none of which can they determine whether it may not perhaps hereafter be an object to their pupil, but which it is at all events possible that he might aim at; and this anxiety is so great that they commonly neglect to form and correct their judgement on the value of the things which may be chosen as ends.

There is one end, however, which may be assumed to be actually such to all rational beings (so far as imperatives apply to them, viz., as dependent beings), and, therefore, one purpose which they not merely may have, but which we may with certainty assume that they all actually have by a natural necessity, and this is happiness. The hypothetical imperative which expresses the practical necessity of an action as means to the advancement of happiness is Assertorial. We are not to present it as necessary for an uncertain and merely possible purpose, but for a purpose which we may presuppose with certainty and à priori in every man, because it belongs to his being.

Now skill in the choice of means to his own greatest well-being may be called prudence,¹³² in the narrowest sense. And thus the imperative which refers to the choice of means to one's own happiness, i.e., the precept of prudence, is still always hypothetical; the action is not commanded absolutely, but only as means to another purpose.

Finally, there is an imperative which commands a certain conduct immediately, without having as its condition any other purpose to be attained by it. This imperative is Categorical. It concerns not the matter of the action, or its intended result, but its form and the principle of which it is itself a result; and what is essentially good in it consists in the mental disposition, let the consequence be what it may. This imperative may be called that of Morality.

There is a marked distinction also between the volitions on these three sorts of principles in the dissimilarity of the obligation of the will. In order to mark this difference more clearly, I think they would be most suitably named in their order if we said they are either rules of skill, or counsels of prudence, or commands (laws) of morality. For it is law only that involves the conception of an unconditional and objective necessity, which is consequently universally valid; and commands are laws which must be obeyed, that is, must be followed, even in opposition to inclination. Counsels, indeed, involve necessity, but one which can only hold under a contingent subjective condition, viz., they depend on whether this or that man reckons this or that as part of his happiness; the categorical imperative, on the contrary, is not limited by any condition, and as being absolutely, although practically, necessary, may be quite properly called a command. We might also call the first kind of imperatives technical (belonging to art), the second pragmatic¹³³ (to welfare), the third moral (belonging to free conduct generally, that is, to morals).

Now arises the question, how are all these imperatives possible? This question does not seek to know how we can conceive the accomplishment of the action which the imperative ordains, but merely how we can conceive the obligation of the will which the imperative expresses. No special explanation is needed to show how an imperative of skill is possible. Whoever wills the end, wills also (so far as reason decides his conduct) the means in his power which are indispensably necessary thereto. This proposition is, as regards the volition, analytical; for, in willing an object as my effect, there is already thought the causality of myself as an acting cause, that is to say, the use of the means; and the imperative educes from the conception of volition of an end the conception of

¹³² The word prudence is taken in two senses: in the one it may bear the name of knowledge of the world, in the other that of private prudence. The former is a man's ability to influence others so as to use them for his own purposes. The latter is the sagacity to combine all these purposes for his own lasting benefit. This latter is properly that to which the value even of the former is reduced, and when a man is prudent in the former sense, but not in the latter, we might better say of him that he is clever and cunning, but, on the whole, imprudent.

¹³³ It seems to me that the proper signification of the word pragmatic may be most accurately defined in this way. For sanctions are called pragmatic which flow properly not from the law of the states as necessary enactments, but from precaution for the general welfare. A history is composed pragmatically when it teaches prudence, i.e., instructs the world how it can provide for its interests better, or at least as well as, the men of former time.

actions necessary to this end. Synthetical propositions must no doubt be employed in defining the means to a proposed end; but they do not concern the principle, the act of the will, but the object and its realization. Ex. gr., that in order to bisect a line on an unerring principle I must draw from its extremities two intersecting arcs; this no doubt is taught by mathematics only in synthetical propositions; but if I know that it is only by this process that the intended operation can be performed, then to say that, if I fully will the operation, I also will the action required for it, is an analytical proposition; for it is one and the same thing to conceive something as an effect which I can produce in a certain way, and to conceive myself as acting in this way.

If it were only equally easy to give a definite conception of happiness, the imperatives of prudence would correspond exactly with those of skill, and would likewise be analytical. For in this case as in that, it could be said: "Whoever wills the end, wills also (according to the dictate of reason necessarily) the indispensable means thereto which are in his power." But, unfortunately, the notion of happiness is so indefinite that although every man wishes to at. it, yet he never can say definitely and consistently what it is that he really wishes and wills.

The reason of this is that all the elements which belong to the notion of happiness are altogether empirical, i.e., they must be borrowed from experience, and nevertheless the idea of happiness requires an absolute whole, a maximum of welfare in my present and all future circumstances. Now it is impossible that the most clear-sighted and at the same time most powerful being (supposed finite) should frame to himself a definite conception of what he really wills in this. Does he will riches, how much anxiety, envy, and snares might he not thereby draw upon his shoulders? Does he will knowledge and discernment, perhaps it might prove to be only an eye so much the sharper to show him so much the more fearfully the evils that are now concealed from him, and that cannot be avoided, or to impose more wants on his desires, which already give him concern enough. Would he have long life? who guarantees to him that it would not be a long misery? would he at least have health? how often has uneasiness of the body restrained from excesses into which perfect health would have allowed one to fall? and so on. In short, he is unable, on any principle, to determine with certainty what would make him truly happy; because to do so he would need to be omniscient. We cannot therefore act on any definite principles to secure happiness, but only on empirical counsels, ex. gr. of regimen, frugality, courtesy, reserve, etc., which experience teaches do, on the average, most promote well-being. Hence it follows that the imperatives of prudence do not, strictly speaking, command at all, that is, they cannot present actions objectively as practically necessary; that they are rather to be regarded as counsels (*consilia*) than precepts (*praecepta*) of reason, that the problem to determine certainly and universally what action would promote the happiness of a rational being is completely insoluble, and consequently no imperative respecting it is possible which should, in the strict sense, command to do what makes happy; because happiness is not an ideal of reason but of imagination, resting solely on empirical grounds, and it is vain to expect that these should define an action by which one could attain the totality of a series of consequences which is really endless. This imperative of prudence would however be an analytical proposition if we assume that the means to happiness could be certainly assigned; for it is distinguished from the imperative of skill only by this, that in the latter

the end is merely possible, in the former it is given; as however both only ordain the means to that which we suppose to be willed as an end, it follows that the imperative which ordains the willing of the means to him who wills the end is in both cases analytical. Thus there is no difficulty in regard to the possibility of an imperative of this kind either.

On the other hand, the question how the imperative of morality is possible, is undoubtedly one, the only one, demanding a solution, as this is not at all hypothetical, and the objective necessity which it presents cannot rest on any hypothesis, as is the case with the hypothetical imperatives. Only here we must never leave out of consideration that we cannot make out by any example, in other words empirically, whether there is such an imperative at all, but it is rather to be feared that all those which seem to be categorical may yet be at bottom hypothetical. For instance, when the precept is: "Thou shalt not promise deceitfully"; and it is assumed that the necessity of this is not a mere counsel to avoid some other evil, so that it should mean: "Thou shalt not make a lying promise, lest if it become known thou shouldst destroy thy credit," but that an action of this kind must be regarded as evil in itself, so that the imperative of the prohibition is categorical; then we cannot show with certainty in any example that the will was determined merely by the law, without any other spring of action, although it may appear to be so. For it is always possible that fear of disgrace, perhaps also obscure dread of other dangers, may have a secret influence on the will. Who can prove by experience the non-existence of a cause when all that experience tells us is that we do not perceive it? But in such a case the so-called moral imperative, which as such appears to be categorical and unconditional, would in reality be only a pragmatic precept, drawing our attention to our own interests and merely teaching us to take these into consideration.

We shall therefore have to investigate à priori the possibility of a categorical imperative, as we have not in this case the advantage of its reality being given in experience, so that [the elucidation of] its possibility should be requisite only for its explanation, not for its establishment. In the meantime it may be discerned beforehand that the categorical imperative alone has the purport of a practical Law: all the rest may indeed be called principles of the will but not laws, since whatever is only necessary for the attainment of some arbitrary purpose may be considered as in itself contingent, and we can at any time be free from the precept if we give up the purpose; on the contrary, the unconditional command leaves the will no liberty to choose the opposite; consequently it alone carries with it that necessity which we require in a law.

Secondly, in the case of this categorical imperative or law of morality, the difficulty (of discerning its possibility) is a very profound one. It is an à priori synthetical practical proposition;¹³⁴ and as there is so much difficulty in discerning the possibility of

¹³⁴ I connect the act with the will without presupposing any condition resulting from any inclination, but à priori, and therefore necessarily (though only objectively, i.e., assuming the idea of a reason possessing full power over all subjective motives). This is accordingly a practical proposition which does not deduce the willing of an action by mere analysis from another already presupposed (for we have not such a perfect will), but connects it immediately with the conception of the will of a rational being, as something not contained in it.

speculative propositions of this kind, it may readily be supposed that the difficulty will be no less with the practical.

In this problem we will first inquire whether the mere conception of a categorical imperative may not perhaps supply us also with the formula of it, containing the proposition which alone can be a categorical imperative; for even if we know the tenor of such an absolute command, yet how it is possible will require further special and laborious study, which we postpone to the last section.

When I conceive a hypothetical imperative, in general I do not know beforehand what it will contain until I am given the condition. But when I conceive a categorical imperative, I know at once what it contains. For as the imperative contains besides the law only the necessity that the maxims¹³⁵ shall conform to this law, while the law contains no conditions restricting it, there remains nothing but the general statement that the maxim of the action should conform to a universal law, and it is this conformity alone that the imperative properly represents as necessary.

There is therefore but one categorical imperative, namely, this: Act only on that maxim whereby thou canst at the same time will that it should become a universal law.

Now if all imperatives of duty can be deduced from this one imperative as from their principle, then, although it should remain undecided what is called duty is not merely a vain notion, yet at least we shall be able to show what we understand by it and what this notion means.

Since the universality of the law according to which effects are produced constitutes what is properly called nature in the most general sense (as to form), that is the existence of things so far as it is determined by general laws, the imperative of duty may be expressed thus: Act as if the maxim of thy action were to become by thy will a Universal Law of Nature.

We will now enumerate a few duties, adopting the usual division of them into duties to ourselves and ourselves and to others, and into perfect and imperfect duties.¹³⁶

A man reduced to despair by a series of misfortunes feels wearied of life, but is still so far in possession of his reason that he can ask himself whether it would not be

¹³⁵ A Maxim is a subjective principle of action, and must be distinguished from the objective principle, namely, practical law. The former contains the practical rule set by reason according to the conditions of the subject (often its ignorance or its inclinations), so that it is the principle on which the subject acts; but the law is the objective principle valid for every rational being, and is the principle on which it ought to act, that is, an imperative.

¹³⁶ It must be noted here that I reserve the division of duties for a future metaphysic of morals; so that I give it here only as an arbitrary one (in order to arrange my examples). For the rest, I understand by a perfect duty one that admits no exception in favour of inclination and then I have not merely external but also internal perfect duties. This is contrary to the use of the word adopted in the schools; but I do not intend to justify there, as it is all one for my purpose whether it is admitted or not.

contrary to his duty to himself to take his own life. Now he inquires whether the maxim of his action could become a universal law of nature. His maxim is: "From self-love I adopt it as a principle to shorten my life when its longer duration is likely to bring more evil than satisfaction." It is asked then simply whether this principle founded on self-love can become a universal law of nature. Now we see at once that a system of nature of which it should be a law to destroy life by means of the very feeling whose special nature it is to impel to the improvement of life would contradict itself and, therefore, could not exist as a system of nature; hence that maxim cannot possibly exist as a universal law of nature and, consequently, would be wholly inconsistent with the supreme principle of all duty.

Another finds himself forced by necessity to borrow money. He knows that he will not be able to repay it, but sees also that nothing will be lent to him unless he promises stoutly to repay it in a definite time. He desires to make this promise, but he has still so much conscience as to ask himself: "Is it not unlawful and inconsistent with duty to get out of a difficulty in this way?" Suppose however that he resolves to do so: then the maxim of his action would be expressed thus: "When I think myself in want of money, I will borrow money and promise to repay it, although I know that I never can do so." Now this principle of self-love or of one's own advantage may perhaps be consistent with my whole future welfare; but the question now is, "Is it right?" I change then the suggestion of self-love into a universal law, and state the question thus: "How would it be if my maxim were a universal law?" Then I see at once that it could never hold as a universal law of nature, but would necessarily contradict itself. For supposing it to be a universal law that everyone when he thinks himself in a difficulty should be able to promise whatever he pleases, with the purpose of not keeping his promise, the promise itself would become impossible, as well as the end that one might have in view in it, since no one would consider that anything was promised to him, but would ridicule all such statements as vain pretences.

A third finds in himself a talent which with the help of some culture might make him a useful man in many respects. But he finds himself in comfortable circumstances and prefers to indulge in pleasure rather than to take pains in enlarging and improving his happy natural capacities. He asks, however, whether his maxim of neglect of his natural gifts, besides agreeing with his inclination to indulgence, agrees also with what is called duty. He sees then that a system of nature could indeed subsist with such a universal law although men (like the South Sea islanders) should let their talents rest and resolve to devote their lives merely to idleness, amusement, and propagation of their species in a word, to enjoyment; but he cannot possibly will that this should be a universal law of nature, or be implanted in us as such by a natural instinct. For, as a rational being, he necessarily wills that his faculties be developed, since they serve him and have been given him, for all sorts of possible purposes.

A fourth, who is in prosperity, while he sees that others have to contend with great wretchedness and that he could help them, thinks: "What concern is it of mine? Let everyone be as happy as Heaven pleases, or as he can make himself; I will take nothing from him nor even envy him, only I do not wish to contribute anything to his welfare or to his assistance in distress!" Now no doubt if such a mode of thinking were a universal

law, the human race might very well subsist and doubtless even better than in a state in which everyone talks of sympathy and goodwill, or even takes care occasionally to put it into practice, but, on the other side, also cheats when he can, betrays the rights of men, or otherwise violates them. But although it is possible that a universal law of nature might exist in accordance with that maxim, it is impossible to will that such a principle should have the universal validity of a law of nature. For a will which resolved this would contradict itself, inasmuch as many cases might occur in which one would have need of the love and sympathy of others, and in which, by such a law of nature, sprung from his own will, he would deprive himself of all hope of the aid he desires.

These are a few of the many actual duties, or at least what we regard as such, which obviously fall into two classes on the one principle that we have laid down. We must be able to will that a maxim of our action should be a universal law. This is the canon of the moral appreciation of the action generally. Some actions are of such a character that their maxim cannot without contradiction be even conceived as a universal law of nature, far from it being possible that we should will that it should be so. In others this intrinsic impossibility is not found, but still it is impossible to will that their maxim should be raised to the universality of a law of nature, since such a will would contradict itself. It is easily seen that the former violate strict or rigorous (inflexible) duty; the latter only laxer (meritorious) duty. Thus it has been completely shown how all duties depend as regards the nature of the obligation (not the object of the action) on the same principle.

If now we attend to ourselves on occasion of any transgression of duty, we shall find that we in fact do not will that our maxim should be a universal law, for that is impossible for us; on the contrary, we will that the opposite should remain a universal law, only we assume the liberty of making an exception in our own favor or (just for this time only) in favor of our inclination. Consequently if we considered all cases from one and the same point of view, namely, that of reason, we should find a contradiction in our own will, namely, that a certain principle should be objectively necessary as a universal law, and yet subjectively should not be universal, but admit of exceptions. As however we at one moment regard our action from the point of view of a will wholly conformed to reason, and then again look at the same action from the point of view of a will affected by inclination, there is not really any contradiction, but an antagonism of inclination to the precept of reason, whereby the universality of the principle (*universalitas*) is changed into a mere generality, so that the practical principle of reason shall meet the maxim half way. Now, although this cannot be justified in our own impartial judgement, yet it proves that we do really recognize the validity of the categorical imperative and (with all respect for it) only allow ourselves a few exceptions, which we think unimportant and forced from us.

We have thus established at least this much, that if duty is a conception which is to have any import and real legislative authority for our actions, it can only be expressed in categorical and not at all in hypothetical imperatives. We have also, which is of great importance, exhibited clearly and definitely for every practical application the content of the categorical imperative, which must contain the principle of all duty if there is such a thing at all. We have not yet, however, advanced so far as to prove à priori that there

actually is such an imperative, that there is a practical law which commands absolutely of itself and without any other impulse, and that the following of this law is duty.

With the view of attaining to this, it is of extreme importance to remember that we must not allow ourselves to think of deducing the reality of this principle from the particular attributes of human nature. For duty is to be a practical, unconditional necessity of action; it must therefore hold for all rational beings (to whom an imperative can apply at all), and for this reason only be also a law for all human wills. On the contrary, whatever is deduced from the particular natural characteristics of humanity, from certain feelings and propensions, nay, even, if possible, from any particular tendency proper to human reason, and which need not necessarily hold for the will of every rational being; this may indeed supply us with a maxim, but not with a law; with a subjective principle on which we may have a propensity and inclination to act, but not with an objective principle on which we should be enjoined to act, even though all our propensions, inclinations, and natural dispositions were opposed to it. In fact, the sublimity and intrinsic dignity of the command in duty are so much the more evident, the less the subjective impulses favor it and the more they oppose it, without being able in the slightest degree to weaken the obligation of the law or to diminish its validity.

Here then we see philosophy brought to a critical position, since it has to be firmly fixed, notwithstanding that it has nothing to support it in heaven or earth. Here it must show its purity as absolute director of its own laws, not the herald of those which are whispered to it by an implanted sense or who knows what tutelary nature. Although these may be better than nothing, yet they can never afford principles dictated by reason, which must have their source wholly à priori and thence their commanding authority, expecting everything from the supremacy of the law and the due respect for it, nothing from inclination, or else condemning the man to self-contempt and inward abhorrence.

Thus every empirical element is not only quite incapable of being an aid to the principle of morality, but is even highly prejudicial to the purity of morals, for the proper and inestimable worth of an absolutely good will consists just in this, that the principle of action is free from all influence of contingent grounds, which alone experience can furnish. We cannot too much or too often repeat our warning against this lax and even mean habit of thought which seeks for its principle amongst empirical motives and laws; for human reason in its weariness is glad to rest on this pillow, and in a dream of sweet illusions (in which, instead of Juno, it embraces a cloud) it substitutes for morality a bastard patched up from limbs of various derivation, which looks like anything one chooses to see in it, only not like virtue to one who has once beheld her in her true form.¹³⁷

¹³⁷ To behold virtue in her proper form is nothing else but to contemplate morality stripped of all admixture of sensible things and of every spurious ornament of reward or self-love. How much she then eclipses everything else that appears charming to the affections, every one may readily perceive with the least exertion of his reason, if it be not wholly spoiled for abstraction.

The question then is this: "Is it a necessary law for all rational beings that they should always judge of their actions by maxims of which they can themselves will that they should serve as universal laws?" If it is so, then it must be connected (altogether à priori) with the very conception of the will of a rational being generally. But in order to discover this connexion we must, however reluctantly, take a step into metaphysic, although into a domain of it which is distinct from speculative philosophy, namely, the metaphysic of morals. In a practical philosophy, where it is not the reasons of what happens that we have to ascertain, but the laws of what ought to happen, even although it never does, i.e., objective practical laws, there it is not necessary to inquire into the reasons why anything pleases or displeases, how the pleasure of mere sensation differs from taste, and whether the latter is distinct from a general satisfaction of reason; on what the feeling of pleasure or pain rests, and how from it desires and inclinations arise, and from these again maxims by the co-operation of reason: for all this belongs to an empirical psychology, which would constitute the second part of physics, if we regard physics as the philosophy of nature, so far as it is based on empirical laws. But here we are concerned with objective practical laws and, consequently, with the relation of the will to itself so far as it is determined by reason alone, in which case whatever has reference to anything empirical is necessarily excluded; since if reason of itself alone determines the conduct (and it is the possibility of this that we are now investigating), it must necessarily do so a priori.

The will is conceived as a faculty of determining oneself to action in accordance with the conception of certain laws. And such a faculty can be found only in rational beings. Now that which serves the will as the objective ground of its self-determination is the end, and, if this is assigned by reason alone, it must hold for all rational beings. On the other hand, that which merely contains the ground of possibility of the action of which the effect is the end, this is called the means. The subjective ground of the desire is the spring, the objective ground of the volition is the motive; hence the distinction between subjective ends which rest on springs, and objective ends which depend on motives valid for every rational being. Practical principles are formal when they abstract from all subjective ends; they are material when they assume these, and therefore particular springs of action. The ends which a rational being proposes to himself at pleasure as effects of his actions (material ends) are all only relative, for it is only their relation to the particular desires of the subject that gives them their worth, which therefore cannot furnish principles universal and necessary for all rational beings and for every volition, that is to say practical laws. Hence all these relative ends can give rise only to hypothetical imperatives. Supposing, however, that there were something whose existence has in itself an absolute worth, something which, being an end in itself, could be a source of definite laws; then in this and this alone would lie the source of a possible categorical imperative, i.e., a practical law.

Now I say: man and generally any rational being exists as an end in himself, not merely as a means to be arbitrarily used by this or that will, but in all his actions, whether they concern himself or other rational beings, must be always regarded at the same time as an end. All objects of the inclinations have only a conditional worth, for if the inclinations and the wants founded on them did not exist, then their object would be without value. But the inclinations, themselves being sources of want, are so far from

having an absolute worth for which they should be desired that on the contrary it must be the universal wish of every rational being to be wholly free from them. Thus the worth of any object which is to be acquired by our action is always conditional. Beings whose existence depends not on our will but on nature's, have nevertheless, if they are irrational beings, only a relative value as means, and are therefore called things; rational beings, on the contrary, are called persons, because their very nature points them out as ends in themselves, that is as something which must not be used merely as means, and so far therefore restricts freedom of action (and is an object of respect). These, therefore, are not merely subjective ends whose existence has a worth for us as an effect of our action, but objective ends, that is, things whose existence is an end in itself; an end moreover for which no other can be substituted, which they should subserve merely as means, for otherwise nothing whatever would possess absolute worth; but if all worth were conditioned and therefore contingent, then there would be no supreme practical principle of reason whatever.

If then there is a supreme practical principle or, in respect of the human will, a categorical imperative, it must be one which, being drawn from the conception of that which is necessarily an end for everyone because it is an end in itself, constitutes an objective principle of will, and can therefore serve as a universal practical law. The foundation of this principle is: rational nature exists as an end in itself. Man necessarily conceives his own existence as being so; so far then this is a subjective principle of human actions. But every other rational being regards its existence similarly, just on the same rational principle that holds for me:¹³⁸ so that it is at the same time an objective principle, from which as a supreme practical law all laws of the will must be capable of being deduced. Accordingly the practical imperative will be as follows: So act as to treat humanity, whether in thine own person or in that of any other, in every case as an end withal, never as means only. We will now inquire whether this can be practically carried out.

To abide by the previous examples:

1. Firstly, under the head of necessary duty to oneself: He who contemplates suicide should ask himself whether his action can be consistent with the idea of humanity as an end in itself. If he destroys himself in order to escape from painful circumstances, he uses a person merely as a mean to maintain a tolerable condition up to the end of life. But a man is not a thing, that is to say, something which can be used merely as means, but must in all his actions be always considered as an end in himself. I cannot, therefore, dispose in any way of a man in my own person so as to mutilate him, to damage or kill him. (It belongs to ethics proper to define this principle more precisely, so as to avoid all misunderstanding, e.g., as to the amputation of the limbs in order to preserve myself, as to exposing my life to danger with a view to preserve it, etc. This question is therefore omitted here.)

¹³⁸ This proposition is here stated as a postulate. The grounds of it will be found in the concluding section.

2. Secondly, as regards necessary duties, or those of strict obligation, towards others: He who is thinking of making a lying promise to others will see at once that he would be using another man merely as a mean, without the latter containing at the same time the end in himself. For he whom I propose by such a promise to use for my own purposes cannot possibly assent to my mode of acting towards him and, therefore, cannot himself contain the end of this action. This violation of the principle of humanity in other men is more obvious if we take in examples of attacks on the freedom and property of others. For then it is clear that he who transgresses the rights of men intends to use the person of others merely as a means, without considering that as rational beings they ought always to be esteemed also as ends, that is, as beings who must be capable of containing in themselves the end of the very same action.¹³⁹
3. Thirdly, as regards contingent (meritorious) duties to oneself: It is not enough that the action does not violate humanity in our own person as an end in itself, it must also harmonize with it. Now there are in humanity capacities of greater perfection, which belong to the end that nature has in view in regard to humanity in ourselves as the subject: to neglect these might perhaps be consistent with the maintenance of humanity as an end in itself, but not with the advancement of this end.
4. Fourthly, as regards meritorious duties towards others: The natural end which all men have is their own happiness. Now humanity might indeed subsist, although no one should contribute anything to the happiness of others, provided he did not intentionally withdraw anything from it; but after all this would only harmonize negatively not positively with humanity as an end in itself, if every one does not also endeavour, as far as in him lies, to forward the ends of others. For the ends of any subject which is an end in himself ought as far as possible to be my ends also, if that conception is to have its full effect with me.

This principle, that humanity and generally every rational nature is an end in itself (which is the supreme limiting condition of every man's freedom of action), is not borrowed from experience, firstly, because it is universal, applying as it does to all rational beings whatever, and experience is not capable of determining anything about them; secondly, because it does not present humanity as an end to men (subjectively), that is as an object which men do of themselves actually adopt as an end; but as an objective end, which must as a law constitute the supreme limiting condition of all our

¹³⁹ Let it not be thought that the common "quod tibi non vis fieri , etc.", could serve here as the rule or principle. For it is only a deduction from the former, though with several limitations; it cannot be a universal law , for it does not contain the principle of duties to oneself, nor of the duties of benevolence to others (for many a one would gladly consent that others should not benefit him, provided only that he might be excused from showing benevolence to them), nor finally that of duties of strict obligation to one another, for on this principle the criminal might argue against the judge who punishes him, and so on.

subjective ends, let them be what we will; it must therefore spring from pure reason. In fact the objective principle of all practical legislation lies (according to the first principle) in the rule and its form of universality which makes it capable of being a law (say, e.g., a law of nature); but the subjective principle is in the end; now by the second principle the subject of all ends is each rational being, inasmuch as it is an end in itself. Hence follows the third practical principle of the will, which is the ultimate condition of its harmony with universal practical reason, viz.: the idea of the will of every rational being as a universally legislative will.

On this principle all maxims are rejected which are inconsistent with the will being itself universal legislator. Thus the will is not subject simply to the law, but so subject that it must be regarded as itself giving the law and, on this ground only, subject to the law (of which it can regard itself as the author).

In the previous imperatives, namely, that based on the conception of the conformity of actions to general laws, as in a physical system of nature, and that based on the universal prerogative of rational beings as ends in themselves these imperatives, just because they were conceived as categorical, excluded from any share in their authority all admixture of any interest as a spring of action; they were, however, only assumed to be categorical, because such an assumption was necessary to explain the conception of duty. But we could not prove independently that there are practical propositions which command categorically, nor can it be proved in this section; one thing, however, could be done, namely, to indicate in the imperative itself, by some determinate expression, that in the case of volition from duty all interest is renounced, which is the specific criterion of categorical as distinguished from hypothetical imperatives. This is done in the present (third) formula of the principle, namely, in the idea of the will of every rational being as a universally legislating will.

For although a will which is subject to laws may be attached to this law by means of an interest, yet a will which is itself a supreme lawgiver so far as it is such cannot possibly depend on any interest, since a will so dependent would itself still need another law restricting the interest of its self-love by the condition that it should be valid as universal law.

Thus the principle that every human will is a will which in all its maxims gives universal laws,¹⁴⁰ provided it be otherwise justified, would be very well adapted to be the categorical imperative, in this respect, namely, that just because of the idea of universal legislation it is not based on interest, and therefore it alone among all possible imperatives can be unconditional. Or still better, converting the proposition, if there is a categorical imperative (i.e., a law for the will of every rational being), it can only command that everything be done from maxims of one's will regarded as a will which could at the same time will that it should itself give universal laws, for in that case only the practical principle and the imperative which it obeys are unconditional, since they

¹⁴⁰ I may be excused from adducing examples to elucidate this principle, as those which have already been used to elucidate the categorical imperative and its formula would all serve for the like purpose here.

cannot be based on any interest.

Citation and Use

The text was taken from the following work.

Immanuel Kant, "On Moral Principles," in *The Originals: Classic Readings in Western Philosophy* (Victoria, BC: BCcampus/TRU, n.d.), 274–87.

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Privilege

The Lowest Difficulty Setting There Is By John Scalzi

Introduction

Science fiction author John Scalzi wrote a post on his personal site about how to talk about privilege without using the word privilege, since the discourse around the term can be so hostile that it prevents people from engaging with the concept, let alone understanding, critiquing, applying and wrestling with it.

Because his initial post received 801 comments in under 24 hours, he wrote a follow-up that got 565 comments within a day, and a final reflection that summed up both his thoughts on the subject as well as his experience with the comments. There were several links within his posts, the archived URLs of which can be found in the notes section at the end.

Text

I've been thinking of a way to explain to straight white men how life works for them, without invoking the dreaded word "privilege," to which they react like vampires being fed a garlic tart at high noon. It's not that the word "privilege" is incorrect, it's that it's not their word. When confronted with "privilege," they fiddle with the word itself, and haul out the dictionaries and find every possible way to talk about the word but not any of the things the word signifies.

So, the challenge: how to get across the ideas bound up in the word "privilege," in a way that your average straight white man will get, without freaking out about it?

Being a white guy who likes women, here's how I would do it:

Dudes. Imagine life here in the US – or indeed, pretty much anywhere in the Western world – is a massive role playing game, like World of Warcraft except appallingly mundane, where most quests involve the acquisition of money, cell phones and donuts, although not always at the same time. Let's call it The Real World. You have installed The Real World on your computer and are about to start playing, but first you go to the settings tab to bind your keys, fiddle with your defaults, and choose the difficulty setting for the game. Got it?

Okay: In the role playing game known as The Real World, "Straight White Male" is the lowest difficulty setting there is.

This means that the default behaviors for almost all the non-player characters in the game are easier on you than they would be otherwise. The default barriers for completions of quests are lower. Your leveling-up thresholds come more quickly. You

automatically gain entry to some parts of the map that others have to work for. The game is easier to play, automatically, and when you need help, by default it's easier to get.

Now, once you've selected the "Straight White Male" difficulty setting, you still have to create a character, and how many points you get to start – and how they are apportioned – will make a difference. Initially the computer will tell you how many points you get and how they are divided up. If you start with 25 points, and your dump stat is wealth, well, then you may be kind of screwed. If you start with 250 points and your dump stat is charisma, well, then you're probably fine. Be aware the computer makes it difficult to start with more than 30 points; people on higher difficulty settings generally start with even fewer than that.

As the game progresses, your goal is to gain points, apportion them wisely, and level up. If you start with fewer points and fewer of them in critical stat categories, or choose poorly regarding the skills you decide to level up on, then the game will still be difficult for you. But because you're playing on the "Straight White Male" setting, gaining points and leveling up will still by default be easier, all other things being equal, than for another player using a higher difficulty setting.

Likewise, it's certainly possible someone playing at a higher difficulty setting is progressing more quickly than you are, because they had more points initially given to them by the computer and/or their highest stats are wealth, intelligence and constitution and/or simply because they play the game better than you do. It doesn't change the fact you are still playing on the lowest difficulty setting.

You can lose playing on the lowest difficulty setting. The lowest difficulty setting is still the easiest setting to win on. The player who plays on the "Gay Minority Female" setting? Hardcore.

And maybe at this point you say, hey, I like a challenge, I want to change my difficulty setting! Well, here's the thing: In The Real World, you don't unlock any rewards or receive any benefit for playing on higher difficulty settings. The game is just harder, and potentially a lot less fun. And you say, okay, but what if I want to replay the game later on a higher difficulty setting, just to see what it's like? Well, here's the other thing about The Real World: You only get to play it once. So why make it more difficult than it has to be? Your goal is to win the game, not make it difficult.

Oh, and one other thing. Remember when I said that you could choose your difficulty setting in The Real World? Well, I lied. In fact, the computer chooses the difficulty setting for you. You don't get a choice; you just get what gets given to you at the start of the game, and then you have to deal with it.

So that's "Straight White Male" for you in The Real World (and also, in the real world): The lowest difficulty setting there is. All things being equal, and even when they are not, if the computer – or life – assigns you the "Straight White Male" difficulty setting, then brother, you've caught a break.

Citation and Use

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Explaining White Privilege to a Broke White Person

by Gina Crossley-Corcoran

Introduction

Often in discussions of privilege, a person can become hostile to the concept because life is sh!ty for them in some way or another, jump starting the “privilege Olympics,” which derails the conversation entirely. People can be privileged in some ways and disadvantaged in others.

In examinations of privilege, the goal is not to win at being oppressed, but rather to identify the structural issues disadvantaging people (which are often whitewashed under the rubric of not working hard enough or some other claim that shifts the focus to the *individual* instead of the *structure of society*).

Text

Years ago, some feminist on the internet told me I was “Privileged.”

“THE FUCK!?!?” I said.

I came from the kind of Poor that people don’t want to believe still exists in this country. Have you ever spent a frigid northern Illinois winter without heat or running water? I have. At twelve years old, were you making ramen noodles in a coffee maker with water you fetched from a public bathroom? I was. Have you ever lived in a camper year-round and used a random relative’s apartment as your mailing address? We did. Did you attend so many different elementary schools that you can only remember a quarter of their names? Welcome to my childhood.



This was a much nicer camper setup than the one we had.

So when that feminist told me I had “white privilege,” I told her that my white skin didn’t do shit to prevent me from experiencing poverty. Then, like any good, educated feminist would, she directed me to Peggy McIntosh’s 1988 now-famous piece, “White Privilege: Unpacking the Invisible Knapsack.”

After one reads McIntosh’s powerful essay, it’s impossible to deny that being born with white skin in America affords people certain unearned privileges in life that people of another skin color simple are not afforded. For example:

- “I can turn on the television or open to the front page of the paper and see people of my race widely represented.”
- “When I am told about our national heritage or about “civilization,” I am shown that people of my color made it what it is.”
- “If a traffic cop pulls me over or if the IRS audits my tax return, I can be sure I haven’t been singled out because of my race.”
- “I can if I wish arrange to be in the company of people of my race most of the time.”

If you read through the rest of the list, you can see how white people and people of color experience the world in two very different ways. BUT LISTEN: This is not said to make white people feel guilty about their privilege. It’s not your fault you were born with white skin and experience these privileges. BUT, whether you realize it or not, you DO benefit from it, and it IS your fault if you don’t maintain awareness of that fact.

I do understand McIntosh’s essay may rub some people the wrong way. There are several points on the list that I felt spoke more to the author’s status as a Middle Class person than a White Person. For example:

- “If I should need to move, I can be pretty sure of renting or purchasing housing in an area, which I can afford and in which I would want to live.”
- “I can be pretty sure that my neighbors in such a location will be neutral or pleasant to me.”
- “I can go shopping alone most of the time, pretty well assured that I will not be followed or harassed.”
- “If I want to, I can be pretty sure of finding a publisher for this piece on white privilege.”

And there are so many more points in the essay where the word “race” could be substituted for the word “class” which would ultimately paint a very different picture. That is why I had such a hard time identifying with this essay for so long. When I first wrote about White Privilege years ago, I demanded to know why this White Woman felt that my experiences were the same as hers when no, my family most certainly could not rent housing “in an area which we could afford and want to live.”

And no, I couldn’t go shopping without fear in our low income neighborhoods.

The idea that any ol' white person can find a publisher for a piece is most certainly a symptom of class privilege. Having come from a family of people who didn't even graduate high school, who knew not a single academic or intellectual person, it would never occur to me to assume that I could be published. It is an absolute freak anomaly that I'm in graduate school considering not one person on either side of my family has a college degree. And it took me until my thirties to ever believe that someone from my stock could achieve such a thing. Poverty colors nearly everything about your perspective on opportunities for advancement in life. Middle class, educated people assume that anyone can achieve their goals if they work hard enough. Folks steeped in poverty rarely see a life past working at the gas station, making the rent on their trailer, and self-medication with cigarettes and prescription drugs until they die of a heart attack. (I've just described one whole side of my family and the life I assumed I'd be living before I lucked out of it.)

I, maybe more than most people, can completely understand why broke white folks get pissed when the word "Privilege" is thrown around. As a child, I was constantly discriminated against because of my poverty and those wounds still run very deep. But luckily my college education introduced me to a more nuanced concept of Privilege; the term Intersectionality. The concept of Intersectionality recognizes that people can be privileged in some ways and definitely not privileged in others. There are many different types of privilege, not just skin color privilege, that impact the way people can move through the world or are discriminated against. These are all things you are born into, not things you earned, that afford you opportunities others may not have. For example:

- **Citizenship** – Simply being born in this country affords you certain privileges non-citizens will never access.
- **Class** – Being born into a financially stable family can help guarantee your health, happiness, safety, education, intelligence, and future opportunities.
- **Sexual Orientation** – By being born straight, every state in this country affords you privileges that non-straight folks have to fight the Supreme Court for.
- **Sex** – By being born male, you can assume that you can walk through a parking garage without worrying you'll be raped and that a defense attorney will then blame it on what you were wearing.
- **Ability** – By being born able bodied, you probably don't have to plan your life around handicap access, braille, or other special needs.
- **Gender** – By being born cisgendered, you aren't worried that the restroom or locker room you use will invoke public outrage.

As you can see, belonging to one or more category of Privilege, especially being a Straight White Middle Class Able-Bodied Male, can be like winning a lottery you didn't even know you were playing. But this is not to imply that any form of privilege is exactly the same as another or that people lacking in one area of privilege understand what it's like to be lacking in other areas. Race discrimination is not equal to Sex Discrimination and so forth.

And listen, recognizing Privilege doesn't mean suffering guilt or shame for your lot in

life. Nobody's saying that Straight White Middle Class Able-Bodied Males are all a bunch of assholes who don't work hard for what they have. Recognizing Privilege simply means being aware that some people have to work much harder just to experience the things you take for granted (if they ever can experience them at all.)

I know now that I AM Privileged in many ways. I am Privileged as a natural born white citizen. I am privileged as a cis-gendered woman. I am privileged as an able-bodied person. I am privileged that my first language is also our national language, and that I was born with an intellect and ambition that pulled me out of the poverty I was otherwise destined for. I was privileged to be able to marry my way "up" by partnering with a Privileged middle-class educated male who fully expected me to earn a college degree.

There are a million ways I experience Privilege, and some that I certainly don't. But thankfully, Intersectionality allows us to examine these varying dimensions and degrees of discrimination while raising awareness of the results of multiple systems of oppression at work.

Tell me, are you a White Person made uncomfortable by the term "White Privilege?"

Does a more nuanced approach help you see your own Privilege more clearly?

Citation and Use

The text was taken from the following work.

Gina Crosley-Corcoran, "Explaining White Privilege to a Broke White Person..." The Feminist Breeder, November 20, 2013,
<https://web.archive.org/web/2017112011917/http://thefeministbreeder.com/explaining-white-privilege-broke-white-person/>.

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Excommunicate Me from the Church of Social Justice by Lee Francis

Introduction

This text is a meditation and reflection on ground-level activism, organizing, and purity discourse. In this short essay, Lee reflects upon purity politics, virtue signaling, tactics, coalition building, among other topics. While Lee is decidedly leftward of what mainstream politics would call "left", his discussion is valuable for anyone looking to build and maintain movements.

Text

There is a particularly aggressive strand of social justice activism weaving in and out

of my Seattle community that has troubled me, silenced my loved ones, and turned away potential allies. I believe in justice. I believe in liberation. I believe it is our duty to obliterate white supremacy,¹⁴¹ anti-blackness, cisheteropatriarchy,¹⁴² capitalism,¹⁴³ and imperialism.¹⁴⁴ And I also believe there should be openness around the tactics we use and ways our commitments are manifested. Beliefs and actions are too often conflated with each other, yet questioning the latter does not renege the former. As a Cultural Studies scholar, I am interested in the ways that culture does the work of power. What then, is the culture of activism, and in what ways are activists restrained by it? To be clear, I'm only one person who doesn't know everything, and I'm open to revisions and learning. But as someone who has spent the last decade recovering from a forced conversion to evangelical Christianity, I'm seeing a disturbing parallel between religion and activism in the presence of dogma:

1. Seeking Purity

There is an underlying current of fear in my activist communities, and it is separate from the daily fear of police brutality, eviction, discrimination, and street harassment. It is the fear of appearing impure. Social death follows when being labeled a "bad" activist or simply "problematic" enough times. I've had countless hushed conversations with friends about this anxiety and how it has led us to refrain from participation in activist events, conversations, and spaces because we feel inadequately radical. I actually don't prefer to call myself an activist, because I don't fit the traditional mold of the public figure marching in the streets and interrupting business as usual. When I was a Christian, all I could think about was being good, showing goodness, and proving to my parents and my spiritual leaders that I was on the right path to God. All the while, I believed I would never be good enough, so I had to strain for the rest of my life toward an impossible destination of perfection.

I feel compelled to do the same things as an activist a decade later. I self-police what I say in activist spaces. I stopped commenting on social media with questions or pushback on leftist opinions for fear of being called out. I am always ready to apologize for anything I do that a community member deems wrong, oppressive, or inappropriate—no questions asked. The amount of energy I spend demonstrating purity in order to stay in the good graces of a fast-moving activist community is enormous. Activists are some of the judgiest people I've ever met, myself included. There's so much

¹⁴¹ This is the notion that whiteness, a historical social construct that pervades our society, controls centers of power at the expense of those encoded as non-white. One can be a beneficiary of white supremacy without being a signatory to it.

¹⁴² This is a term that denotes the preferential treatment and entrenchment of cis gendering (vs. transgendering), heterosexuality (vs. homosexuality), and patriarchy (vs. egalitarianism, also known as feminism).

¹⁴³ Here, Lee is not merely referring to doing business or the presence of markets, but the notion that the lens of capitalism as a way of mythologizing each one of us, each of our relations, and the natural world within which we live.

¹⁴⁴ This is the idea that there is a hierarchy of societies, races, cultures, ethnicities, and that there is a natural right, perhaps an ethical demand, for the powerful societies to dominate and exploit the other societies for profit, power, and prestige.

wrongdoing in the world that we work to expose. And yet, grace and forgiveness is hard to come by in the broader community. At times, I have found myself performing activism more than doing activism. I'm exhausted, and I'm not even doing the real work I am committed to do. The quest for political purity is a treacherous distraction for well-intentioned activists.

2. Reproducing Colonialist Logics

Postcolonialist black Caribbean philosopher Frantz Fanon in his 1961 book *Wretched of the Earth* writes about the volatile relationship between the colonizer and the colonized and the conditions of decolonization. In it, he sharply warns the colonized against reproducing and maintaining the oppressive systems of colonization by replacing those at the top by those previously at the bottom after a successful revolution.

As a QTPOC (queer trans person of color), I have experienced discrimination and rejection due to who I am. I have sought out QTPOC-only spaces to heal, find others like me, and celebrate our differences. Those spaces and relationships have saved me from despair time and time again. And yet, I reject QTPOC supremacy, the idea that QTPOCs or any other marginalized groups deserve to dominate society. The experience of oppression does not grant supremacy, in the same way that being a powerful colonizer does not. Justice will never look like supremacy. I wish for a new societal order that does not revolve around relations of power and domination.

3. Preaching/Punishments

Telling people what to do and how to live out their lives is endemic to religious and to dogmatic activism. It's not that my comrades are the bosses of me, but that dogmatic activism creates an environment that encourages people to tell other people what to do. This is especially prominent on Facebook. Scrolling through my news feed sometimes feels like sliding into a pew to be blasted by a fragmented, frenzied sermon. I know that much of the media posted there means to discipline me to be a better activist and community member. But when dictates aren't followed, a common procedure of punishment ensues. Punishments for saying/doing/believing the wrong thing include shaming, scolding, calling out, isolating, or eviscerating someone's social standing. Discipline and punishment have been used for all of history to control and destroy people. Why is it being used in movements meant to liberate all of us? We all have made serious mistakes and hurt other people, intentionally or not. We get a chance to learn from them when those around us respond with kindness and patience. Where is our humility when examining the mistakes of others? Why do we position ourselves as morally superior to the lowly un-woke? Who of us came into the world fully awake?

4. Sacred Texts

There are also some online publications for dogmatic activism that could be considered sacred texts. For example, the intersectional site *Everyday Feminism* receives millions of views a month. It features more than 40 talented writers who pen essays on a wide range of anti-oppression topics, zeroing in on ones that haven't yet broached larger

activist conversations online. When Everyday Feminism articles are shared among my friends, I feel both grateful that the conversation is sparking and also very belittled. Nearly all of their articles follow a standard structure: an instructive title, a list of problematic or suggested behaviors, and a final statement of hard opinion. The titles, the educational tone, and the prescriptive checklists contribute to the idea that there is only one way to think about and do activism. And it's a swiftly moving target that is always just out of reach. In trying to liberate readers from the legitimately oppressive structures, I worry that sites like Everyday Feminism are replacing them with equally restrictive orthodoxy on the other end of the political spectrum.

Have I extricated myself from a church to find myself confined in another?

At this year's Allied Media Conference, BLM co-founder Alicia Garza gave an explosive speech to a theatre full of brilliant and passionate organizers. She urged us to set aside our distrust and critique of newer activists and accept that they will hurt and disappoint you. Don't shut them out because their politics are outdated or they don't wield the same language. If we are interested in building mass movements to destroy mass oppression, our movements must include people not like us, people with whom we will never fully agree, and people with whom we have conflict. That's a much higher calling than railing at people from a distance and labeling them as wrong. Ultimately, according to Garza, building a movement is about restoring humanity to all of us, even to those of us who have been inhumane. Movements are where people are called to be transformed in service of liberation of themselves and others.

I want to spend less time antagonizing and more time crafting alternative futures where we don't have to fight each other for resources and care. For an introvert like me, that may be shifting my activism towards small scale projects and recognizing personal relationships as locations of mutual transformation. It might mean carefully choosing whether I want to be part of public disruptions or protests, and feeling OK about my decisions. It may mean drawing attention to the ways in which other people in the margins have been living out activism, even if no one has ever called it that. It might mean building long-term relationships with those outside my safe and exclusive community. It means ceasing to "other" people. It means honoring their humanity, in spite of their hurtful political beliefs and violent actions. It means seeing them as individuals, not ideologies or systems. It means acknowledging their agency to act justly. It means inviting them to be with us in love, and pushing through rejection. Otherwise, I'm not sure how I can sustain this work for the rest of my life.

Citation and Use

The text was taken from the following work.

Frances Lee, "Excommunicate Me from the Church of Social Justice," 2017,
<https://www.autostraddle.com/kin-aesthetics-excommunicate-me-from-the-church-of-social-justice-386640/>.

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Personhood

Paulo Friere claimed that the central problem in society is dehumanization. Individually and structurally, societies all over the world conceptualize or treat persons as if they were not persons. In this section, we will look at a few readings that discuss personhood and dehumanization.

I and Thou by Buber

Introduction

In the following selection, taken from Martin Buber's I and Thou, discusses a subjective encounter between oneself and other persons in the world. Buber distinguishes the I-You (I-Thou) encounter from others (I-It, I-He, I-She, et cetera). In the I-You encounter, we experience a divine connection between us and the person we are encountering. We discover an infinite being and worth in ourselves and in the Other. As we encounter the infinite in ourselves in and in others, Buber says we encounter what various peoples have named as God.

Text

The world is twofold for man in accordance with his twofold attitude.

The attitude of man is twofold in accordance with the two basic words he can speak.

The basic words are not single words but word pairs.

One basic word is the word pair *I-You*.

The other basic word is the word pair *I-It*; but this basic word is not changed when He or She takes the place of It.

Thus the I of man is also twofold.

For the I of the basic word I-You is different from that in the basic word I-It.

Basic words do not state something that might exist outside them; by being spoken they establish a mode of existence.

Basic words are spoken with one's being.

When one says You, the I of the word pair I-You is said, too.

When one says It, the I of the word pair I-It is said, too.

The basic word I-You can only be spoken with one's whole being.

The basic word I-It can never be spoken with one's whole being

There is no I as such but only the I of the basic word I-You and the I of the basic word I-It.

When a [person] says I, he means one or the other. The I he means is present when he says I. And when he says You or It, the I of one or the other basic word is also present.

Being I and saying I are the same. Saying I and saying one of the two basic words are the same.

Whoever speaks one of the basic words enters into the word and stands in it.

[...]

Whoever says You does not have something for his object. For wherever there is something there is also another something; *every It borders on other Its*; It is only by virtue of bordering on others. But where You is said there is no something. *You has no borders*. Whoever says You does not have something; he has nothing. But he stands in relation.

[...]

When I confront a human being as my You and speak the basic word I-You to him, then he is no thing among things nor does he consist of things. He is no longer He or She, limited by other Hes or Shes, a dot in the world grid of space and time, nor a condition that can be experienced and described, a loose bundle of named qualities. Neighbor-less and seamless, he is You and fills the firmament. Not as if there were nothing but he; but everything else lives in his light.

Even as a melody is not composed of tones, nor a verse of words, nor a statue of lines—one must pull and tear to turn a unity into a multiplicity—so it is with the human being to whom I say You. I can abstract from him the color of his hair or the color of his speech or the color of his raciousness; I have to do this again and again; but immediately he is no longer You. [...] I do not find the human being to whom I say You in any Sometime and Somewhere. I can place him there and have to do this again and again, but immediately he becomes a He or a She, an It, and no longer remains my You.

[...]

The You encounters me by grace—it cannot be found by seeking. But that I speak the basic word to it is a deed of my whole being, is my essential deed.

The You encounters me. But I enter into a direct relationship to it. Thus the relationship is election and electing, passive and active at once;. An action of the whole being must approach passivity, for it does away with all partial actions and thus with any sense of action, which always depends on limited exertions.

The basic word I-You can be spoken only with one's whole being. The concentration and fusion into a whole being can never be accomplished by me, can never be accomplished without me. I require a You to become; becoming I, I say You.

All actual life is encounter

Extended, the lines of relationships intersect in the eternal You. Every single You is a glimpse of that. Through every single You the basic word addresses *the Eternal You*. The mediatorship of the You of all beings accounts for the fullness of our relationships to them—and for the lack of fulfillment. The innate You is actualized each time without ever being perfected. It attains perfection solely in the immediate relationship to the You that in accordance with its nature cannot become an It.

Men have addressed their eternal You by many names. When they sang of what they had thus named, they still meant You: the first myths were hymns of praise. Then the names entered into the It-language; men felt impelled more and more to think of and to talk about their eternal You as an It. But all names of God remain hallowed—because they have been used not only to speak of God but also to speak to him.

Some would deny any legitimate use of the word God because it has been misused so much. Certainly it is the most burdened of all human words. Precisely for that reason it is the most imperishable and unavoidable. And how much weight has all erroneous talk about God's nature and works (although there never has been nor can be any such talk that is not erroneous) compared with the one truth that all men who have addressed God really meant him? For whoever pronounces the word God and really means You, addresses, no matter what his delusion, the true You of his life that cannot be restricted by any other and to whom he stands in a relationship that includes all others

Citation and Use

The text was taken from the following work.

Martin Buber, I and Thou, trans. Ronald Gregor Smith (Edinburgh: T & T Clark, 1937),
https://archive.org/details/IAndThou_572.

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On the Problem with Personhood by Don Marquis

Introduction

In this text, we consider whether personhood can be adequately defined and whether naming beings persons is useful in determining how to treat those beings. In this selection from Don Marquis' "Why Abortion is Immoral," he discusses how it is difficult to circumscribe via definition the beings we want to be persons without *excluding* beings we want to include in the category *and* that our common definitions of personhood might *include* beings we would otherwise not consider persons. Marquis instead thinks we should ask not whether a given being is or is not a person, but rather we should ask what makes killing wrong.

Regardless of your reasoned position on the *prima facie* moral status of abortion, Marquis' problematization of definitions of personhood by different camps is worthy of consideration and reflection.

Text

[...]

On the Symmetry of Pro-Life and Pro-Choice Claims

A sketch of standard anti - abortion and pro - choice arguments exhibit how those arguments possess certain symmetries that explain why partisans of those positions are so convinced of the correctness of their own positions, why they are not successful in convincing their opponents, and why, to others, this issue seems to be unresolvable. An analysis of the nature of this standoff suggests a strategy for surmounting it.

Consider the way a typical anti - abortionist argues. She will argue or assert that life is present from the moment of conception or that fetuses look like babies or that fetuses possess a characteristic such as a genetic code that is both necessary and sufficient for being human. Anti - abortionists seem to believe that

- 1) the truth of all these claims is obvious, and
- 2) establishing any of these claims is sufficient to show that abortion is morally akin to murder.

A standard pro - choice strategy exhibits similarities. The pro - choicer will argue or assert that fetuses are not persons or that fetuses are not rational agents or that fetuses are not social beings. Pro - choices seem to believe that:

- 1) the truth of any of these claims is obvious, and
- 2) establishing any of these claims is sufficient to show that an abortion is not a

wrongful killing.

In fact, both the pro - choice and the anti - abortion claims do seem to be true, although the “it looks like a baby” claim is more difficult to establish the earlier the pregnancy. We seem to have a standoff. How can it be resolved?

[...]

The anti - abortionist will claim that her position is supported by such generally accepted moral principles as “It is always *prima facie* seriously wrong to take a human life” or “It is always *prima facie* seriously wrong to end the life of a baby.” Since these are generally accepted moral principles, her position is certainly not obviously wrong. The pro - choicer will claim that her position is supported by such plausible moral principles as “Being a person is what gives an individual intrinsic moral worth” or “It is only seriously *prima facie* wrong to take the life of a member of the human community.” Since these are generally accepted moral principles, the pro - choice position is certainly not obviously wrong. Unfortunately, we have again arrived at a standoff.

[...]

On the Attempt to Narrow the Scope of the Application of the Moral Principles and their Problems

Now, how might one deal with this standoff? The standard approach is to try to show how the moral principles of one’s opponent lose their plausibility under analysis. ...

[T]he anti-abortionist will defend a moral principle concerning the wrongness of killing which tends to be broad in scope in order that even fetuses at an early stage of pregnancy will fall under it. **The problem with broad principles is that they often embrace too much.** ... “It is always *prima facie* wrong to take a human life” seems to entail that it is wrong to end the existence of a living human cancer-cell culture, on the grounds that the culture is both living and human. Therefore, it seems that the anti-abortionist’s favored principle is too broad.

On the other hand, the pro-choicer wants to find a moral principle concerning the wrongness of killing which tends to be narrow in scope in order that fetuses will not fall under it. **The problem with narrow principles is that they often do not embrace enough.** Hence, the needed principles such as “It is *prima facie* seriously wrong to kill only persons” or “It is *prima facie* wrong to kill only rational agents” do not explain why it is wrong to kill infants or young children or the severely retarded or even perhaps the severely mentally ill. ...

Attempts by both sides to patch up the difficulties in their positions run into further difficulties.

The anti-abortionist will try to remove the problem in her position by reformulating her principle concerning killing in terms of human beings. Now we end up with: “It is

always *prima facie* seriously wrong to end the life of a human being. "This principle has the advantage of avoiding the problem of the human cancer-cell culture counterexample. But this advantage is purchased at a high price.

For although it is clear that a fetus is both human and alive, it is not at all clear that a fetus is a human being. There is at least something to be said for the view that something becomes a human being only after a process of development, and that therefore first trimester fetuses and perhaps all fetuses are not yet human beings. Hence, the anti-abortionist, by this move, has merely exchanged one problem for another.

The pro-choicer fares no better. She may attempt to find reasons why killing infants, young children, and the severely retarded is wrong which are independent of her major principle that is supposed to explain the wrongness of taking human life, but which will not also make abortion immoral.

This is no easy task. Appeals to social utility will seem satisfactory only to those who resolve not to think of the enormous difficulties with a utilitarian account of the wrongness of killing and the significant social costs of preserving the lives of the unproductive. A pro-choice strategy that extends the definition of "person" to infants or even to young children seems just as arbitrary as an anti-abortion strategy that extends the definition of "human being" to fetuses.

Again, we find symmetries in the two positions and we arrive at a standoff. [...] If "human being" is taken to be a biological category, then the anti-abortionist is left with the problem of explaining why a merely biological category should make a moral difference. Why, it is asked, is it any more reasonable to base a moral conclusion on the number of chromosomes in one's cells than on the color of one's skin? If "human being," on the other hand, is taken to be a moral category, then the claim that a fetus is a human being cannot be taken to be a premise in the anti-abortion argument, for it is precisely what needs to be established. Hence, either the anti-abortionist's main category is a morally irrelevant, merely biological category, or it is of no use to the anti-abortionist in establishing (non-circularly, of course) that abortion is wrong.

[T]he pro-choice position suffers from an analogous problem. The principle "Only persons have the right to life" also suffers from an ambiguity. The term "person" is typically defined in terms of psychological characteristics, although there will certainly be disagreement concerning which characteristics are most important. ...

Re-framing the Question as "What makes killing wrong?" instead of "What beings are persons?"

After all if we merely believe, but do not understand, why killing adult human beings such as ourselves is wrong, how could we conceivably show that abortion is either immoral or permissible? To develop such an account, we can start from the following unproblematic assumption concerning our own case: it is wrong to kill us.

Why is it wrong? Some answers can be easily eliminated. It might be said that what

makes killing us wrong is that a killing brutalizes the one who kills. But the brutalization consists of being inured to the performance of an act that is hideously immoral; hence, the brutalization does not explain the immorality.

It might be said that what makes killing us wrong is the great loss others would experience due to our absence. Although such hubris is understandable, such an explanation does not account for the wrongness of killing hermits, or those whose lives are relatively independent and whose friends find it easy to make new friends.

A more obvious answer is better. What primarily makes killing wrong is neither its effect on the murderer nor its effect on the victim's friends and relatives, but its effect on the victim.

The loss of one's life is one of the greatest losses one can suffer. The loss of one's life deprives one of all the experiences, activities, projects, and enjoyments which would otherwise have constituted one's future. Therefore, killing someone is wrong, primarily because the killing inflicts (one of) the greatest possible losses on the victim.

To describe this as the loss of life can be misleading, however. The change in my biological state does not by itself make killing me wrong. The effect of the loss of my biological life is the loss to me of all those activities, projects, experiences, and enjoyments which would otherwise have constituted my future personal life. These activities, projects, experiences, and enjoyments are either valuable for their own sakes or are means to something else that is valuable for its own sake. Some parts of my future are not valued by me now but will come to be valued by me as I grow older and as my values and capacities change.

When I am killed, I am deprived both of what I now value which would have been part of my future personal life, but also what I would come to value. Therefore, when I die, I am deprived of all the value of my future. Inflicting this loss on me is ultimately what makes killing me wrong.

This being the case, what makes killing any adult human being *prima facie* seriously wrong is the loss of his other future.

How should this rudimentary theory of the wrongness of killing be evaluated? It cannot be faulted for deriving an "ought" from an "is," for it does not. The analysis assumes that killing me (or you, reader) is *prima facie* seriously wrong. The point of the analysis is to establish which natural property ultimately explains the wrongness of the killing, given that it is wrong.

A natural property will ultimately explain the wrongness of killing, only if

- 1) the explanation fits with our intuitions about the matter and
- 2) there is no other natural property that provides the basis for a better explanation of the wrongness of killing.

This analysis rests on the intuition that what makes killing a human or animal wrong is why it does to that human or animal. What makes killing wrong is some natural effect or other of the killing. Some would deny this. For instance, a divine - command theorist in ethics would deny it. Surely this denial is, however, one of those features of divine command theory which renders it so implausible.

The claim that what makes killing wrong is the loss of the victim's future is directly supported by two considerations.

In the first place, this theory explains why we regard killing as one of the worst of crimes. Killing is especially wrong, because it deprives the victim of more than perhaps any other crime. In the second place, people with AIDS or cancer who know they are dying believe, of course, that dying is a very bad thing for them. They believe that the loss of a future to them that they would otherwise have experienced is what makes their premature death a very bad thing for them.

A better theory of the wrongness of killing would require a different natural property associated with killing which better fits with the attitudes of the dying. What could it be? The view that what makes killing wrong is the loss to the victim of the value of the victim's future gains additional support when some of its implications are examined. In the first place, it is incompatible with the view that it is wrong to kill only beings who are biologically human.

It is possible that there exists a different species from another planet whose members have a future like ours. Since having a future like that is what makes killing someone wrong, this theory entails that it would be wrong to kill members of such a species. Hence, this theory is opposed to the claim that only life that is biologically human has great moral worth, a claim which many anti - abortionists have seemed to adopt.

This opposition, which this theory has in common with personhood theories, seems to be a merit of the theory. In the second place, the claim that the loss of one's future is the wrong - making feature of one's being killed entails the possibility that the futures of some actual nonhuman mammals on our own planet are sufficiently like ours and it is seriously wrong to kill them also. Whether some animals do have the same right to life as human beings depends on adding to the account of the wrongness of killing some additional account of just what it is about my future or the futures of other adult human beings which

[...]

Citation and Use

The text was taken from the following work.

Don Marquis, "Why Abortion Is Immoral," *The Journal of Philosophy* 86, no. 4 (April

1989): 183–183, <https://doi.org/10.2307/2026961>.

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Humanization through Liberation by Paulo Freire

Excerpted from Chapter 1 of *Pedagogy of the Oppressed*.

While the problem of humanization has always, from an axiological point of view, been humankind's central problem, it now takes on the character of an inescapable concern.¹ Concern for humanization leads at once to the recognition of dehumanization, not only as an ontological possibility but as an historical reality. And as an individual perceives the extent of dehumanization, he or she may ask if humanization is a viable possibility. Within history, in concrete, objective contexts, both humanization and dehumanization are possibilities for a person as an uncompleted being conscious of their incompleteness.

But while both humanization and dehumanization are real alternatives, only the first is the people's vocation. This vocation is constantly negated, yet it is affirmed by that very negation. It is thwarted by injustice, exploitation, oppression, and the violence of the oppressors; it is affirmed by the yearning of the oppressed for freedom and justice, and by their struggle to recover their lost humanity.

Dehumanization, which marks not only those whose humanity has been stolen, but also (though in a different way) those who have stolen it, is a *distortion* of the vocation of becoming more fully human. This distortion occurs within history; but it is not an historical vocation. Indeed, to admit of dehumanization as an historical vocation would lead either to cynicism or total despair. The struggle for humanization, for the emancipation of labor, for the overcoming of alienation, for the affirmation of men and women as persons would be meaningless. This struggle is possible only because dehumanization, although a concrete historical fact, is *not* a given destiny but the result of an unjust order that engenders violence in the oppressors, which in turn dehumanizes the oppressed.

Because it is a distortion of being more fully human, sooner or later being less human leads the oppressed to struggle against those who made them so. In order for this struggle to have meaning, the oppressed must not, in seeking to regain their humanity (which is a way to create it), become in turn oppressors of the oppressors, but rather restorers of the humanity of both.

This, then, is the great humanistic and historical task of the oppressed: to liberate themselves and their oppressors as well. The oppressors, who oppress, exploit, and rape by virtue of their power, cannot find in this power the strength to liberate either the oppressed or themselves. Only power that springs from the weakness of the oppressed

will be sufficiently strong to free both. Any attempt to “soften” the power of the oppressor in deference to the weakness of the oppressed almost always manifests itself in the form of false generosity; indeed, the attempt never goes beyond this. In order to have the continued opportunity to express their “generosity,” the oppressors must perpetuate injustice as well. An unjust social order is the permanent fount of this “generosity,” which is nourished by death, despair, and poverty. That is why the dispensers of false generosity become desperate at the slightest threat to its source,

True generosity consists precisely in fighting to destroy the causes which nourish false charity. False charity constrains the fearful and subdued, the “rejects of life,” to extend their trembling hands. True generosity lies in striving so that these hands—whether of individuals or entire peoples—need be extended less and less in supplication, so that more and more they become human hands which work and, working, transform the world.

This lesson and this apprenticeship must come, however, from the oppressed themselves and from those who are truly solidary with them. As individuals or as peoples, by fighting for the restoration of their humanity they will be attempting the restoration of true generosity. Who are better prepared than the oppressed to understand the terrible significance of an oppressive society? Who suffer the effects of oppression more than the oppressed? Who can better understand the necessity of liberation? They will not gain this liberation by chance but through the praxis of their quest for it, through their recognition of the necessity to fight for it. And this fight, because of the purpose given it by the oppressed, will actually constitute an act of love opposing the lovelessness which lies at the heart of the oppressors’ violence, lovelessness even when clothed in false generosity.

But almost always, during the initial stage of the struggle, the oppressed, instead of striving for liberation, tend themselves to become oppressors, or “sub-oppressors.” The very structure of their thought has been conditioned by the contradictions of the concrete, existential situation by which they were shaped. Their ideal is to be men; but for them, to be men is to be oppressors. This is their model of humanity. This phenomenon derives from the fact that the oppressed, at a certain moment of their existential experience, adopt an attitude of “adhesion” to the oppressor. Under these circumstances they cannot “consider” him sufficiently clearly to objectivize him—to discover him “outside” themselves. This does not necessarily mean that the oppressed are unaware that they are downtrodden. But their perception of themselves as oppressed is impaired by their submersion in the reality of oppression. At this level, their perception of themselves as opposites of the oppressor does not yet signify engagement in a struggle to overcome the contradiction;² the one pole aspires not to liberation, but to identification with its opposite pole.

In this situation the oppressed do not see the “new man” as the person to be born from the resolution of this contradiction, as oppression gives way to liberation. For them, the new man or woman themselves become oppressors. Their vision of the new man or woman is individualistic; because of their identification with the oppressor, they have no consciousness of themselves as persons or as members of an oppressed class. It is not to

become free that they want agrarian reform, but in order to acquire land and thus become landowners—or, more precisely, bosses over other workers. It is a rare peasant who, once “promoted” to overseer, does not become more of a tyrant towards his former comrades than the owner himself. This is because the context of the peasant’s situation, that is, oppression, remains unchanged. In this example, the overseer, in order to make sure of his job, must be as tough as the owner—and more so. Thus is illustrated our previous assertion that during the initial stage of their struggle the oppressed find in the oppressor their model of “manhood.”

Even revolution, which transforms a concrete situation of oppression by establishing the process of liberation, must confront this phenomenon. Many of the oppressed who directly or indirectly participate in revolution intend—conditioned by the myths of the old order—to make it their private revolution. The shadow of their former oppressor is still cast over them.

The “fear of freedom” which afflicts the oppressed,³ a fear which may equally well lead them to desire the role of oppressor or bind them to the role of oppressed, should be examined. One of the basic elements of the relationship between oppressor and oppressed is *prescription*. Every prescription represents the imposition of one individual’s choice upon another, transforming the consciousness of the person prescribed to into one that conforms with the prescriber’s consciousness. Thus, the behavior of the oppressed is a prescribed behavior, following as it does the guidelines of the oppressor.

The oppressed, having internalized the image of the oppressor and adopted his guidelines, are fearful of freedom. Freedom would require them to eject this image and replace it with autonomy and responsibility. Freedom is acquired by conquest, not by gift. It must be pursued constantly and responsibly. Freedom is not an ideal located outside of man; nor is it an idea which becomes myth. It is rather the indispensable condition for the quest for human completion.

To surmount the situation of oppression, people must first critically recognize its causes, so that through transforming action they can create a new situation, one which makes possible the pursuit of a fuller humanity. But the struggle to be more fully human has already begun in the authentic struggle to transform the situation. Although the situation of oppression is a dehumanized and dehumanizing totality affecting both the oppressors and those whom they oppress, it is the latter who must, from their stifled humanity, wage for both the struggle for a fuller humanity; the oppressor, who is himself dehumanized because he dehumanizes others, is unable to lead this struggle.

However, the oppressed, who have adapted to the structure of domination in which they are immersed, and have become resigned to it, are inhibited from waging the struggle for freedom so long as they feel incapable of running the risks it requires. Moreover, their struggle for freedom threatens not only the oppressor, but also their own oppressed comrades who are fearful of still greater repression. When they discover within themselves the yearning to be free, they perceive that this yearning can be transformed into reality only when the same yearning is aroused in their comrades. But

while dominated by the fear of freedom they refuse to appeal to others, or to listen to the appeals of others, or even to the appeals of their own conscience. They prefer gregariousness to authentic comradeship; they prefer the security of conformity with their state of unfreedom to the creative communion produced by freedom and even the very pursuit of freedom.

The oppressed suffer from the duality which has established itself in their innermost being. They discover that without freedom they cannot exist authentically. Yet, although they desire authentic existence, they fear it. They are at one and the same time themselves and the oppressor whose consciousness they have internalized. The conflict lies in the choice between being wholly themselves or being divided; between ejecting the oppressor within or not ejecting them; between human solidarity or alienation; between following prescriptions or having choices; between being spectators or actors; between acting or having the illusion of acting through the action of the oppressors; between speaking out or being silent, castrated in their power to create and re-create, in their power to transform the world. This is the tragic dilemma of the oppressed which their education must take into account.

This book will present some aspects of what the writer has termed the pedagogy of the oppressed, a pedagogy which must be forged *with*, not *for*, the oppressed (whether individuals or peoples) in the incessant struggle to regain their humanity. This pedagogy makes oppression and its causes objects of reflection by the oppressed, and from that reflection will come their necessary engagement in the struggle for their liberation. And in the struggle this pedagogy will be made and remade.

The central problem is this: How can the oppressed, as divided, unauthentic beings, participate in developing the pedagogy of their liberation? Only as they discover themselves to be "hosts" of the oppressor can they contribute to the midwifery of their liberating pedagogy. As long as they live in the duality in which *to be* is *to be like*, and *to be like* is *to be like the oppressor*, this contribution is impossible. The pedagogy of the oppressed is an instrument for their critical discovery that both they and their oppressors are manifestations of dehumanization.

Liberation is thus a childbirth, and a painful one. The man or woman who emerges is a new person, viable only as the oppressor-oppressed contradiction is superseded by the humanization of all people. Or to put it another way, the solution of this contradiction is born in the labor which brings into the world this new being: no longer oppressor nor longer oppressed, but human in the process of achieving freedom.

This solution cannot be achieved in idealistic terms. In order for the oppressed to be able to wage the struggle for their liberation, they must perceive the reality of oppression not as a closed world from which there is no exit, but as a limiting situation which they can transform. This perception is a necessary but not a sufficient condition for liberation; it must become the motivating force for liberating action. Nor does the discovery by the oppressed that they exist in dialectical relationship to the oppressor, as his antithesis—that without them the oppressor could not exist⁴—in itself constitute liberation. The oppressed can overcome the contradiction in which they are caught only

when this perception enlists them in the struggle to free themselves.

The same is true with respect to the individual oppressor as a person. Discovering himself to be an oppressor may cause considerable anguish, but it does not necessarily lead to solidarity with the oppressed. Rationalizing his guilt through paternalistic treatment of the oppressed, all the while holding them fast in a position of dependence, will not do. Solidarity requires that one enter into the situation of those with whom one is solidary; it is a radical posture. If what characterizes the oppressed is their subordination to the consciousness of the master, as Hegel affirms,⁵ true solidarity with the oppressed means fighting at their side to transform the objective reality which has made them these "beings for another." The oppressor is solidary with the oppressed only when he stops regarding the oppressed as an abstract category and sees them as persons who have been unjustly dealt with, deprived of their voice, cheated in the sale of their labor—when he stops making pious, sentimental, and individualistic gestures and risks an act of love. True solidarity is found only in the plenitude of this act of love, in its existentiality, in its praxis. To affirm that men and women are persons and as persons should be free, and yet to do nothing tangible to make this affirmation a reality, is a farce.

Since it is a concrete situation that the oppressor-oppressed contradiction is established, the resolution of this contradiction must be *objectively* verifiable. Hence, the radical requirement—both for the individual who discovers himself or herself to be an oppressor and for the oppressed—that the concrete situation which begets oppression must be transformed.

To present this radical demand for the objective transformation of reality, to combat subjectivist immobility which would divert the recognition of oppression into patient waiting for oppression to disappear by itself, is not to dismiss the role of subjectivity in the struggle to change structures. On the contrary, one cannot conceive of objectivity without subjectivity. Neither can exist without the other, nor can they be dichotomized. The separation of objectivity from subjectivity, the denial of the latter when analyzing reality or acting upon it, is objectivism. On the other hand, the denial of objectivity in analysis or action, resulting in a subjectivism which leads to solipsistic positions, denies action itself by denying objective reality. Neither objectivism nor subjectivism, nor yet psychologism is propounded here, but rather subjectivity and objectivity in constant dialectical relationship.

To deny the importance of subjectivity in the process of transforming the world and history is naïve and simplistic. It is to admit the impossible: a world without people. This objectivistic position is as ingenuous as that of subjectivism, which postulates people without a world. World and human beings do not exist apart from each other, they exist in constant interaction. Marx does not espouse such a dichotomy, nor does any other critical, realistic thinker. What Marx criticized and scientifically destroyed was not subjectivity, but subjectivism and psychologism. Just as objective social reality exists not by chance, but as the product of human action, so it is not transformed by chance. If humankind produce social reality (which in the "inversion of the praxis" turns back upon them and conditions them), then transforming that reality is an historical task, a task for humanity.

Reality which becomes oppressive results in the contradistinction of men as oppressors and oppressed. The latter, whose task it is to struggle for their liberation together with those who show true solidarity, must acquire a critical awareness of oppression through the praxis of this struggle. One of the gravest obstacles to the achievement of liberation is that oppressive reality absorbs those within it and thereby acts to submerge human beings' consciousness.⁶ Functionally, oppression is domesticating. To no longer be prey to its force, one must emerge from it and turn upon it. This can be done only by means of the praxis: reflection and action upon the world in order to transform it.

Hay que hacer al opresión real todavía mas opresiva añadiendo a aquella la *conciencia* de la opresión haciendo la infamia todavía mas infamante, al pregonarla.⁷

Making “real oppression more oppressive still by adding to it the realization of oppression” corresponds to the dialectical relation between the subjective and the objective. Only in this interdependence is an authentic praxis possible, without which it is impossible to resolve the oppressor-oppressed contradiction. To achieve this goal, the oppressed must confront reality critically, simultaneously objectifying and acting upon that reality. A mere perception of reality not followed by this critical intervention will not lead to a transformation of objective reality—precisely because it is not a true perception. This is the case of a purely subjectivist perception by someone who forsakes objective reality and creates a false substitute.

A different type of false perception occurs when a change in objective reality would threaten the individual or class interests of the perceiver. In the first instance, there is no critical intervention in reality because that reality is fictitious; there is none in the second instance because intervention would contradict the class interests of the perceiver. In the latter case the tendency of the perceiver is to behave “neurotically.” The fact exists; but both the fact and what may result from it may be prejudicial to the person. Thus it becomes necessary, not precisely to deny the fact, but to “see it differently.” This rationalization as a defense mechanism coincides in the end with subjectivism. A fact which is not denied but whose truths are rationalized loses its objective base. It ceases to be concrete and becomes a myth created in defense of the class of the perceiver.

Herein lies one of the reasons for the prohibitions and the difficulties (to be discussed at length in **Chapter 4**) designed to dissuade the people from critical intervention in reality. The oppressor knows full well that this intervention would not be to his interest. What *is* to his interest is for the people to continue in a state of submersion, impotent in the face of oppressive reality. Of relevance here is Lukács' warning to the revolutionary party:

... il doit, pour employer les mots de Marx, expliquer aux masses leur propre action non seulement afin d'assurer la continuité des expériences révolutionnaires du prolétariat, mais aussi d'activer consciemment le développement ultérieur de ces expériences.⁸

In affirming this necessity, Lukács is unquestionably posing the problem of critical intervention. "To explain to the masses their own action" is to clarify and illuminate that action, both regarding its relationship to the objective facts by which it was prompted, and regarding its purposes. The more the people unveil this challenging reality which is to be the object of their transforming action, the more critically they enter that reality. In this way they are "consciously activating the subsequent development of their experiences." There would be no human action if there were no objective reality, no world to be the "not I" of the person and to challenge them; just as there would be no human action if humankind were not a "project," if he or she were not able to transcend himself or herself, if one were not able to perceive reality and understand it in order to transform it.

In dialectical thought, world and action are intimately interdependent. But action is human only when it is not merely an occupation but also a preoccupation, that is, when it is not dichotomized from reflection. Reflection, which is essential to action, is implicit in Lukács' requirement of "explaining to the masses their own action," just as it is implicit in the purpose he attributes to this explanation: that of "consciously activating the subsequent development of experience."

For us, however, the requirement is seen not in terms of explaining to, but rather dialoguing with the people about their actions. In any event, no reality transforms itself,⁹ and the duty which Lukács ascribes to the revolutionary party of "explaining to the masses their own action" coincides with our affirmation of the need for the critical intervention of the people in reality through the praxis. The pedagogy of the oppressed, which is the pedagogy of people engaged in the fight for their own liberation, has its roots here. And those who recognize, or begin to recognize, themselves as oppressed must be among the developers of this pedagogy. No pedagogy which is truly liberating can remain distant from the oppressed by treating them as unfortunates and by presenting for their emulation models from among the oppressors. The oppressed must be their own example in the struggle for their redemption.

The pedagogy of the oppressed, animated by authentic, humanist (not humanitarian) generosity, presents itself as a pedagogy of humankind. Pedagogy which begins with the egoistic interests of the oppressors (an egoism cloaked in the false generosity of paternalism) and makes of the oppressed the objects of its humanitarianism, itself maintains and embodies oppression. It is an instrument of dehumanization. This is why, as we affirmed earlier, the pedagogy of the oppressed cannot be developed or practiced by the oppressors. It would be a contradiction in terms if the oppressors not only defended but actually implemented a liberating education.

But if the implementation of a liberating education requires political power and the oppressed have none, how then is it possible to carry out the pedagogy of the oppressed prior to the revolution? This is a question of the greatest importance, the reply to which is at least tentatively outlined in **Chapter 4**. One aspect of the reply is to be found in the distinction between *systematic education*, which can only be changed by political power, and *educational projects*, which should be carried out *with* the oppressed in the process of organizing them.

The pedagogy of the oppressed, as a humanist and libertarian pedagogy, has two distinct stages. In the first, the oppressed unveil the world of oppression and through the praxis commit themselves to its transformation. In the second stage, in which the reality of oppression has already been transformed, this pedagogy ceases to belong to the oppressed and becomes a pedagogy of all people in the process of permanent liberation. In both stages, it is always through action in depth that the culture of domination is culturally confronted.¹⁰ In the first stage this confrontation occurs through the change in the way the oppressed perceive the world of oppression; in the second stage, through the expulsion of the myths created and developed in the old order, which like specters haunt the new structure emerging from the revolutionary transformation.

The pedagogy of the first stage must deal with the problem of the oppressed consciousness and the oppressor consciousness, the problem of men and women who oppress and men and women who suffer oppression. It must take into account their behavior, their view of the world, and their ethics. A particular problem is the duality of the oppressed: they are contradictory, divided beings, shaped by and existing in a concrete situation of oppression and violence.

Any situation in which “A” objectively exploits “B” or hinders his and her pursuit of self-affirmation as a responsible person is one of oppression. Such a situation in itself constitutes violence, even when sweetened by false generosity, because it interferes with the individual’s ontological and historical vocation to be more fully human. With the establishment of a relationship of oppression, violence has *already* begun. Never in history has violence been initiated by the oppressed. How could they be the initiators, if they themselves are the result of violence? How could they be the sponsors of something whose objective inauguration called forth their existence as oppressed? There would be no oppressed had there been no prior situation of violence to establish their subjugation.

Violence is initiated by those who oppress, who exploit, who fail to recognize others as persons—not by those who are oppressed, exploited, and unrecognized. It is not the unloved who initiate disaffection, but those who cannot love because they love only themselves. It is not the helpless, subject to terror, who initiate terror, but the violent, who with their power create the concrete situation which begets the “rejects of life.” It is not the tyrannized who initiate despotism, but the tyrants. It is not the despised who initiate hatred, but those who despise. It is not those whose humanity is denied them who negate humankind, but those who denied that humanity (thus negating their own as well). Force is used not by those who have become weak under the preponderance of the strong, but by the strong who have emasculated them.

For the oppressors, however, it is always the oppressed (whom they obviously never call “the oppressed” but—depending on whether they are fellow countrymen or not—“those people” or “the blind and envious masses” or “savages” or “natives” or “subversives”) who are disaffected, who are “violent,” “barbaric,” “wicked,” or “ferocious” when they react to the violence of the oppressors.

Yet it is—paradoxical though it may seem—precisely in the response of the oppressed to the violence of their oppressors that a gesture of love may be found.

Consciously or unconsciously, the act of rebellion by the oppressed (an act which is always, or nearly always, as violent as the initial violence of the oppressors) can initiate love. Whereas the violence of the oppressors prevents the oppressed from being fully human, the response of the latter to this violence is grounded in the desire to pursue the right to be human. As the oppressors dehumanize others and violate their rights, they themselves also become dehumanized. As the oppressed, fighting to be human, take away the oppressors' power to dominate and suppress, they restore to the oppressors the humanity they had lost in the exercise of oppression.

It is only the oppressed who, by freeing themselves, can free their oppressors. The latter, as an oppressive class, can free neither others nor themselves. It is therefore essential that the oppressed wage the struggle to resolve the contradiction in which they are caught; and the contradiction will be resolved by the appearance of the new man: neither oppressor nor oppressed, but man in the process of liberation. If the goal of the oppressed is to become fully human, they will not achieve their goal by merely reversing the terms of the contradiction, by simply changing poles.

This may seem simplistic; it is not. Resolution of the oppressor-oppressed contradiction indeed implies the disappearance of the oppressors as a dominant class. However, the restraints imposed by the former oppressed on their oppressors, so that the latter cannot reassume their former position, do not constitute *oppression*. An act is oppressive only when it prevents people from being more fully human. Accordingly, these necessary restraints do not *in themselves* signify that yesterday's oppressed have become today's oppressors. Acts which prevent the restoration of the oppressive regime cannot be compared with those which create and maintain it, cannot be compared with those by which a few men and women deny the majority their right to be human.

However, the moment the new regime hardens into a dominating "bureaucracy"¹¹ the humanist dimension of the struggle is lost and it is no longer possible to speak of liberation. Hence our insistence that the authentic solution of the oppressor-oppressed contradiction does not lie in a mere reversal of position, in moving from one pole to the other. Nor does it lie in the replacement of the former oppressors with new ones who continue to subjugate the oppressed—all in the name of their liberation.

But even when the contradiction is resolved authentically by a new situation established by the liberated laborers, the former oppressors do not feel liberated. On the contrary, they genuinely consider themselves to be oppressed. Conditioned by the experience of oppressing others, any situation other than their former seems to them like oppression. Formerly, they could eat, dress, wear shoes, be educated, travel, and hear Beethoven; while millions did not eat, had no clothes or shoes, neither studied nor traveled, much less listened to Beethoven. Any restriction on this way of life, in the name of the rights of the community, appears to the former oppressors as a profound violation of their individual rights—although they had no respect for the millions who suffered and died of hunger, pain, sorrow, and despair. For the oppressors, "human beings" refers only to themselves; other people are "things." For the oppressors, there exists only one right: their right to live in peace, over against the right, not always even recognized, but simply conceded, of the oppressed to survival. And they make this concession only

because the existence of the oppressed is necessary to their own existence.

This behavior, this way of understanding the world and people (which necessarily makes the oppressors resist the installation of a new regime) is explained by their experience as a dominant class. Once a situation of violence and oppression has been established, it engenders an entire way of life and behavior for those caught up in it—oppressors and oppressed alike. Both are submerged in this situation, and both bear the marks of oppression. Analysis of existential situations of oppression reveals that their inception lay in an act of violence—initiated by those with power. This violence, as a process, is perpetuated from generation to generation of oppressors, who become its heirs and are shaped in its climate. This climate creates in the oppressor a strongly possessive consciousness—possessive of the world and of men and women. Apart from direct, concrete, material possession of the world and of people, the oppressor consciousness could not understand itself—could not even exist. Fromm said of this consciousness that, without such possession, “it would lose contact with the world.” The oppressor consciousness tends to transform everything surrounding it into an object of its domination. The earth, property, production, the creations of people, people themselves, time—everything is reduced to the status of objects at its disposal.

In their unrestrained eagerness to possess, the oppressors develop the conviction that it is possible for them to transform everything into objects of their purchasing power; hence their strictly materialistic concept of existence. Money is the measure of all things, and profit the primary goal. For the oppressors, what is worthwhile is to have more—always more—even at the cost of the oppressed having less or having nothing. For them, *to be is to have* and to be the class of the “haves.”

As beneficiaries of a situation of oppression, the oppressors cannot perceive that if *having* is a condition of *being*, it is a necessary condition for all women and men. This is why their generosity is false. Humanity is a “thing,” and they possess it as an exclusive right, as inherited property. To the oppressor consciousness, the humanization of the “others,” of the people, appears not as the pursuit of full humanity, but as subversion.

The oppressors do not perceive their monopoly on *having more* as a privilege which dehumanizes others and themselves. They cannot see that, in the egoistic pursuit of *having* as a possessing class, they suffocate in their own possessions and no longer *are*; they merely *have*. For them, *having more* is an inalienable right, a right they acquired through their own “effort,” with their “courage to take risks.” If others do not have more, it is because they are incompetent and lazy, and worst of all is their unjustifiable ingratitude towards the “generous gestures” of the dominant class. Precisely because they are “ungrateful” and “envious,” the oppressed are regarded as potential enemies who must be watched.

It could not be otherwise. If the humanization of the oppressed signifies subversion, so also does their freedom; hence the necessity for constant control. And the more the oppressors control the oppressed, the more they change them into apparently inanimate “things.” This tendency of the oppressor consciousness to “in-animate” everything and everyone it encounters, in its eagerness to possess, unquestionably corresponds with a

tendency to sadism.

The pleasure in complete domination over another person (or other animate creature) is the very essence of the sadistic drive. Another way of formulating the same thought is to say that the aim of sadism is to transform a man into a thing, something animate into something inanimate, since by complete and absolute control the living loses one essential quality of life—freedom.¹²

Sadistic love is a perverted love—a love of death, not of life. One of the characteristics of the oppressor consciousness and its necrophilic view of the world is thus sadism. As the oppressor consciousness, in order to dominate, tries to deter the drive to search, the restlessness, and the creative power which characterize life, it kills life. More and more, the oppressors are using science and technology as unquestionably powerful instruments for their purpose: the maintenance of the oppressive order through manipulation and repression.¹³ The oppressed, as objects, as “things,” have no purposes except those their oppressors prescribe for them.

Given the preceding context, another issue of indubitable importance arises: the fact that certain members of the oppressor class join the oppressed in their struggle for liberation, thus moving from one pole of the contradiction to the other. Theirs is a fundamental role, and has been so throughout the history of this struggle. It happens, however, that as they cease to be exploiters or indifferent spectators or simply the heirs of exploitation and move to the side of the exploited, they almost always bring with them the marks of their origin: their prejudices and their deformations, which include a lack of confidence in the people’s ability to think, to want, and to know. Accordingly, these adherents to the people’s cause constantly run the risk of falling into a type of generosity as malefic as that of the oppressors. The generosity of the oppressors is nourished by an unjust order, which must be maintained in order to justify that generosity. Our converts, on the other hand, truly desire to transform the unjust order; but because of their background they believe that they must be the executors of the transformation. They talk about the people, but they do not trust them; and trusting the people is the indispensable precondition for revolutionary change. A real humanist can be identified more by his trust in the people, which engages him in their struggle, than by a thousand actions in their favor without that trust.

Those who authentically commit themselves to the people must re-examine themselves constantly. This conversion is so radical as not to allow of ambiguous behavior. To affirm this commitment but to consider oneself the proprietor of revolutionary wisdom—which must then be given to (or imposed on) the people—is to retain the old ways. The man or woman who proclaims devotion to the cause of liberation yet is unable to enter into *communion* with the people, whom he or she continues to regard as totally ignorant, is grievously self-deceived. The convert who approaches the people but feels alarm at each step they take, each doubt they express, and each suggestion they offer, and attempts to impose his “status,” remains nostalgic towards his origins.

Conversion to the people requires a profound rebirth. Those who undergo it must take on a new form of existence; they can no longer remain as they were. Only through comradeship with the oppressed can the converts understand their characteristic ways of living and behaving, which in diverse moments reflect the structure of domination. One of these characteristics is the previously mentioned existential duality of the oppressed, who are at the same time themselves and the oppressor whose image they have internalized. Accordingly, until they concretely “discover” their oppressor and in turn their own consciousness, they nearly always express fatalistic attitudes towards their situation.

The peasant begins to get courage to overcome his dependence when he realizes that he is dependent. Until then, he goes along with the boss and says “What can I do? I’m only a peasant.”¹⁴

When superficially analyzed, this fatalism is sometimes interpreted as a docility that is a trait of national character. Fatalism in the guise of docility is the fruit of an historical and sociological situation, not an essential characteristic of a people’s behavior. It almost always is related to the power of destiny or fate or fortune—inevitable forces—or to a distorted view of God. Under the sway of magic and myth, the oppressed (especially the peasants, who are almost submerged in nature)¹⁵ see their suffering, the fruit of exploitation, as the will of God—as if God were the creator of this “organized disorder.”

Submerged in reality, the oppressed cannot perceive clearly the “order” which serves the interests of the oppressors whose image they have internalized. Chafing under the restrictions of this order, they often manifest a type of horizontal violence, striking out at their own comrades for the pettiest reasons.

The colonized man will first manifest this aggressiveness which has been deposited in his bones against his own people. This is the period when the niggers beat each other up, and the police and magistrates do not know which way to turn when faced with the astonishing waves of crime in North Africa. . . . While the settler or the policeman has the right the livelong day to strike the native, to insult him and to make him crawl to them, you will see the native reaching for his knife at the slightest hostile or aggressive glance cast on him by another native; for the last resort of the native is to defend his personality vis-à-vis his brother.¹⁶

It is possible that in this behavior they are once more manifesting their duality. Because the oppressor exists within their oppressed comrades, when they attack those comrades they are indirectly attacking the oppressor as well.

On the other hand, at a certain point in their existential experience the oppressed feel an irresistible attraction towards the oppressors and their way of life. Sharing this way of life becomes an overpowering aspiration. In their alienation, the oppressed want at any cost to resemble the oppressors, to imitate them, to follow them. This phenomenon is especially prevalent in the middle-class oppressed, who yearn to be equal to the “eminent” men and women of the upper class. Albert Memmi, in an exceptional analysis of the “colonized mentality,” refers to the contempt he felt towards

the colonizer, mixed with “passionate” attraction towards him.

How could the colonizer look after his workers while periodically gunning down a crowd of colonized? How could the colonized deny himself so cruelly yet make such excessive demands? How could he hate the colonizers and yet admire them so passionately? (I too felt this admiration in spite of myself.)¹⁷

Self-depreciation is another characteristic of the oppressed, which derives from their internalization of the opinion the oppressors hold of them. So often do they hear that they are good for nothing, know nothing and are incapable of learning anything—that they are sick, lazy, and unproductive—that in the end they become convinced of their own unfitness.

The peasant feels inferior to the boss because the boss seems to be the only one who knows things and is able to run things.¹⁸

They call themselves ignorant and say the “professor” is the one who has knowledge and to whom they should listen. The criteria of knowledge imposed upon them are the conventional ones. “Why don’t you,” said a peasant participating in a culture circle,¹⁹ “explain the pictures first? That way it’ll take less time and won’t give us a headache.”

Almost never do they realize that they, too, “know things” they have learned in their relations with the world and with other women and men. Given the circumstances which have produced their duality, it is only natural that they distrust themselves.

Not infrequently, peasants in educational projects begin to discuss a generative theme in a lively manner, then stop suddenly and say to the educator: “Excuse us, we ought to keep quiet and let you talk. You are the one who knows, we don’t know anything.” They often insist that there is no difference between them and the animals; when they do admit a difference, it favors the animals. “They are freer than we are.”

It is striking, however, to observe how this self-depreciation changes with the first changes in the situation of oppression. I heard a peasant leader say in an *asentamiento*²⁰ meeting, “They used to say we were unproductive because we were lazy and drunkards. All lies. Now that we are respected as men, we’re going to show everyone that we were never drunkards or lazy. We were exploited!”

As long as their ambiguity persists, the oppressed are reluctant to resist, and totally lack confidence in themselves. They have a diffuse, magical belief in the invulnerability and power of the oppressor.²¹ The magical force of the landowners power holds particular sway in the rural areas. A sociologist friend of mine tells of a group of armed peasants in a Latin American country who recently took over a latifundium. For tactical reasons, they planned to hold the landowner as a hostage. But not one peasant had the courage to guard him; his very presence was terrifying. It is also possible that the act of opposing the boss provoked guilt feelings. In truth, the boss was “inside” them.

The oppressed must see examples of the vulnerability of the oppressor so that a contrary conviction can begin to grow within them. Until this occurs, they will continue disheartened, fearful, and beaten.²² As long as the oppressed remain unaware of the causes of their condition, they fatalistically “accept” their exploitation. Further, they are apt to react in a passive and alienated manner when confronted with the necessity to struggle for their freedom and self-affirmation. Little by little, however, they tend to try out forms of rebellious action. In working towards liberation, one must neither lose sight of this passivity nor overlook the moment of awakening.

Within their unauthentic view of the world and of themselves, the oppressed feel like “things” owned by the oppressor. For the latter, *to be* is *to have*, almost always at the expense of those who have nothing. For the oppressed, at a certain point in their existential experience, *to be* is not to resemble the oppressor, but *to be under him*, to depend on him. Accordingly, the oppressed are emotionally dependent.

The peasant is a dependent. He can't say what he wants. Before he discovers his dependence, he suffers. He lets off steam at home, where he shouts at his children, beats them, and despairs. He complains about his wife and thinks everything is dreadful. He doesn't let off steam with the boss because he thinks the boss is a superior being. Lots of times, the peasant gives vent to his sorrows by drinking.²³

This total emotional dependence can lead the oppressed to what Fromm calls necrophilic behavior: the destruction of life—their own or that of their oppressed fellows.

It is only when the oppressed find the oppressor out and become involved in the organized struggle for their liberation that they begin to believe in themselves. This discovery cannot be purely intellectual but must involve action; nor can it be limited to mere activism, but must include serious reflection: only then will it be a praxis.

Critical and liberating dialogue, which presupposes action, must be carried on with the oppressed at whatever the stage of their struggle for liberation.²⁴ The content of that dialogue can and should vary in accordance with historical conditions and the level at which the oppressed perceive reality. But to substitute monologue, slogans, and communiqués for dialogue is to attempt to liberate the oppressed with the instruments of domestication. Attempting to liberate the oppressed without their reflective participation in the act of liberation is to treat them as objects which must be saved from a burning building; it is to lead them into the populist pitfall and transform them into masses which can be manipulated.

At all stages of their liberation, the oppressed must see themselves as women and men engaged in the ontological and historical vocation of becoming more fully human. Reflection and action become imperative when one does not erroneously attempt to dichotomize the content of humanity from its historical forms.

The insistence that the oppressed engage in reflection on their concrete situation is

not a call to armchair revolution. On the contrary, reflection—true reflection—leads to action. On the other hand, when the situation calls for action, that action will constitute an authentic praxis only if its consequences become the object of critical reflection. In this sense, the praxis is the new *raison d'être* of the oppressed; and the revolution, which inaugurates the historical moment of this *raison d'être*, is not viable apart from their concomitant conscious involvement. Otherwise, action is pure activism.

To achieve this praxis, however, it is necessary to trust in the oppressed and in their ability to reason. Whoever lacks this trust will fail to initiate (or will abandon) dialogue, reflection, and communication, and will fall into using slogans, communiqués, monologues, and instructions. Superficial conversions to the cause of liberation carry this danger.

Political action on the side of the oppressed must be pedagogical action in the authentic sense of the word, and, therefore, action *with* the oppressed. Those who work for liberation must not take advantage of the emotional dependence of the oppressed—dependence that is the fruit of the concrete situation of domination which surrounds them and which engendered their unauthentic view of the world. Using their dependence to create still greater dependence is an oppressor tactic.

Libertarian action must recognize this dependence as a weak point and must attempt through reflection and action to transform it into independence. However, not even the best-intentioned leadership can bestow independence as a gift. The liberation of the oppressed is a liberation of women and men, not things. Accordingly, while no one liberates himself by his own efforts alone, neither is he liberated by others. Liberation, a human phenomenon, cannot be achieved by semihumans. Any attempt to treat people as semihumans only dehumanizes them. When people are already dehumanized, due to the oppression they suffer, the process of their liberation must not employ the methods of dehumanization.

The correct method for a revolutionary leadership to employ in the task of liberation is, therefore, *not* “libertarian propaganda.” Nor can the leadership merely “implant” in the oppressed a belief in freedom, thus thinking to win their trust. The correct method lies in dialogue. The conviction of the oppressed that they must fight for their liberation is not a gift bestowed by the revolutionary leadership, but the result of their own *conscientização*.

The revolutionary leaders must realize that their own conviction of the necessity for struggle (an indispensable dimension of revolutionary wisdom) was not given to them by anyone else—if it is authentic. This conviction cannot be packaged and sold; it is reached, rather, by means of a totality of reflection and action. Only the leaders' own involvement in reality, within an historical situation, led them to criticize this situation and to wish to change it.

Likewise, the oppressed (who do not commit themselves to the struggle unless they are convinced, and who, if they do not make such a commitment, withhold the indispensable conditions for this struggle) must reach this conviction as Subjects, not as

objects. They also must intervene critically in the situation which surrounds them and whose mark they bear; propaganda cannot achieve this. While the conviction of the necessity for struggle (without which the struggle is unfeasible) is indispensable to the revolutionary leadership (indeed, it was this conviction which constituted that leadership), it is also necessary for the oppressed. It is necessary, that is, unless one intends to carry out the transformation *for* the oppressed rather than *with* them. It is my belief that only the latter form of transformation is valid.²⁵

The object in presenting these considerations is to defend the eminently pedagogical character of the revolution. The revolutionary leaders of every epoch who have affirmed that the oppressed must accept the struggle for their liberation—an obvious point—have also thereby implicitly recognized the pedagogical aspect of this struggle. Many of these leaders, however (perhaps due to natural and understandable biases against pedagogy), have ended up using the “educational” methods employed by the oppressor. They deny pedagogical action in the liberation process, but they use propaganda to convince.

It is essential for the oppressed to realize that when they accept the struggle for humanization they also accept, from that moment, their total responsibility for the struggle. They must realize that they are fighting not merely for freedom from hunger, but for

... freedom to create and to construct, to wonder and to venture. Such freedom requires that the individual be active and responsible, not a slave or a well-fed cog in the machine. . . . It is not enough that men are not slaves; if social conditions further the existence of automatons, the result will not be love of life, but love of death.²⁶

The oppressed, who have been shaped by the death-affirming climate of oppression, must find through their struggle the way to life-affirming humanization, which does not lie *simply* in having more to eat (although it does involve having more to eat and cannot fail to include this aspect). The oppressed have been destroyed precisely because their situation has reduced them to things. In order to regain their humanity they must cease to be things and fight as men and women. This is a radical requirement. They cannot enter the struggle as objects in order *later* to become human beings.

The struggle begins with men’s recognition that they have been destroyed. Propaganda, management, manipulation—all arms of domination—cannot be the instruments of their rehumanization. The only effective instrument is a humanizing pedagogy in which the revolutionary leadership establishes a permanent relationship of dialogue with the oppressed. In a humanizing pedagogy the method ceases to be an instrument by which the teachers (in this instance, the revolutionary leadership) can manipulate the students (in this instance, the oppressed), because it expresses the consciousness of the students themselves.

The method is, in fact, the external form of consciousness manifest in acts, which takes on the fundamental property of consciousness—its

intentionality. The essence of consciousness is being with the world, and this behavior is permanent and unavoidable. Accordingly, consciousness is in essence a ‘way towards something apart from itself, outside itself, which surrounds it and which it apprehends by means of its ideational capacity. Consciousness is thus by definition a method, in the most general sense of the word.²⁷

A revolutionary leadership must accordingly practice *co-intentional* education. Teachers and students (leadership and people), co-intent on reality, are both Subjects, not only in the task of unveiling that reality, and thereby coming to know it critically, but in the task of re-creating that knowledge. As they attain this knowledge of reality through common reflection and action, they discover themselves as its permanent re-creators. In this way, the presence of the oppressed in the struggle for their liberation will be what it should be: not pseudo-participation, but committed involvement.

Notes

1. The current movements of rebellion, especially those of youth, while they necessarily reflect the peculiarities of their respective settings, manifest in their essence this preoccupation with people as beings in the world and with the world—preoccupation with *what* and *how* they are “being.” As they place consumer civilization in judgment, denounce bureaucracies of all types, demand the transformation of the universities (changing the rigid nature of the teacher-student relationship and placing that relationship within the context of reality), propose the transformation of reality itself so that universities can be renewed, attack old orders and established institutions in the attempt to affirm human beings as the Subjects of decision, all these movements reflect the style of our age, which is more anthropological than anthropocentric.
2. As used throughout this book, the term “contradiction” denotes the dialectical conflict between opposing social forces.—Translator’s note
3. This fear of freedom is also to be found in the oppressors though, obviously, in a different form. The oppressed are afraid to embrace freedom; the oppressors are afraid of losing the “freedom” to oppress.
4. See Hegel, *op. cit.*, pp. 236–237.
5. Analyzing the dialectical relationship between the consciousness of the master and the consciousness of the oppressed, Hegel states: “The one is independent, and its essential nature is to be for itself; the other is dependent, and its essence is life or existence for another. The former is the Master, or Lord, the latter the Bondsman.” *Ibid.*, p. 234.
6. “Liberating action necessarily involves a moment of perception and volition. This action both precedes and follows that moment, to which it first acts as a prologue and which it subsequently serves to effect and continue within history. The action of domination, however, does not necessarily imply this dimension; for the structure of domination is maintained by its own mechanical and unconscious functionality.” From an unpublished work by José Luiz Fiori, who has kindly granted permission to quote him.
7. Karl Marx and Friedrich Engels, *La Sagrada Familia y otros Escritos* (Mexico, 1962), p. 6.
Emphasis added.
8. Georg Lukács, *Lénine* (Paris, 1965), p. 62.
9. “The materialist doctrine that men are products of circumstances and upbringing, and that, therefore, changed men are products of other circumstances and changed upbringing, forgets that it is men that change circumstances and that the educator himself needs educating.” Karl Marx and Friedrich Engels, *Selected Works* (New York, 1968), p. 28.

10. This appears to be the fundamental aspect of Mao's Cultural Revolution.
11. This rigidity should not be identified with the restraints that must be imposed on the former oppressors so they cannot restore the oppressive order. Rather, it refers to the revolution which becomes stagnant and turns against the people, using the old repressive, bureaucratic State apparatus (which should have been drastically suppressed, as Marx so often emphasized).
12. Erich Fromm, *The Heart of Man* (New York, 1966), p. 32.
13. Regarding the "dominant forms of social control," see Herbert Marcuse, *One-Dimensional Man* (Boston, 1964) and *Eros and Civilization* (Boston, 1955).
14. Words of a peasant during an interview with the author.
15. See Candido Mendes, *Memento dos vivos—A Esquerda católica no Brasil* (Rio, 1966).
16. Frantz Fanon, *The Wretched of the Earth* (New York, 1968), p. 52.
17. *The Colonizer and the Colonized* (Boston, 1967), p. x.
18. Words of a peasant during an interview with the author.
19. See chapter 3, p. 113 ff.—Translator's note.
20. *Asentamiento* refers to a production unit of the Chilean agrarian reform experiment.—Translator's note.
21. "The peasant has an almost instinctive fear of the boss." Interview with a peasant.
22. See Regis Debray, *Revolution in the Revolution?* (New York, 1967).
23. Interview with a peasant.
24. Not in the open, of course; that would only provoke the fury of the oppressor and lead to still greater repression.
25. These points will be discussed at length in chapter 4.
26. Fromm, *op. cit.*, pp. 52-53.
27. Alvaro Vieira Pinto, from a work in preparation on the philosophy of science. I consider the quoted portion of great importance for the understanding of a problem-posing pedagogy (to be presented in chapter 2), and wish to thank Professor Vieira Pinto for permission to cite his work prior to publication.

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Racism and Reckoning

Cambridge Debate Speech by James Baldwin

Introduction

In a debate with William Buckley at Cambridge University in 1965, James Baldwin gave the following speech. The topic of the debate was "Has the American Dream been Achieved at the Expense of the American Negro?."¹⁴⁵ Baldwin gave a 9-minute opening that received a resounding applause by the crowd.

Text

Good evening,

I find myself, not for the first time, in the position of a kind of Jeremiah. For example, I don't disagree with Mr. Burford that the inequality suffered by the American Negro population of the United States has hindered the American dream. Indeed, it has. I quarrel with some other things he has to say. The other, deeper, element of a certain awkwardness I feel has to do with one's point of view. I have to put it that way – one's sense, one's system of reality. It would seem to me the proposition before the House, and I would put it that way, is the American Dream at the expense of the American Negro, or the American Dream *is* at the expense of the American Negro. Is the question hideously loaded, and then one's response to that question – one's reaction to that question – has to depend on effect and, in effect, where you find yourself in the world, what your sense of reality is, what your system of reality is. That is, it depends on assumptions which we hold so deeply so as to be scarcely aware of them.

Are white South African or Mississippi sharecropper, or Mississippi sheriff, or a Frenchman driven out of Algeria, all have, at bottom, a system of reality which compels them to, for example, in the case of the French exile from Algeria, to offend French reasons from having ruled Algeria. The Mississippi or Alabama sheriff, who really does believe, when he's facing a Negro boy or girl, that this woman, this man, this child must be insane to attack the system to which he owes his entire identity. Of course, to such a person, the proposition which we are trying to discuss here tonight does not exist. And on the other hand, I, have to speak as one of the people who've been most attacked by what we now must here call the Western or European system of reality. What white people in the world, what we call white supremacy – I hate to say it here – comes from Europe. It's how it got to America. Beneath then, whatever one's reaction to this proposition is, has to be the question of whether or not civilizations can be considered.

¹⁴⁵ The Riverbends Channel, *James Baldwin Debates William F. Buckley (1965)*, accessed April 6, 2018, <https://www.youtube.com/watch?v=oFeoS41xe7w&feature=youtu.be>. The Riverbends Channel, *James Baldwin Debates William F. Buckley (1965)*, accessed April 6, 2018, <https://www.youtube.com/watch?v=oFeoS41xe7w&feature=youtu.be>.

as such, equal, or whether one's civilization has the right to overtake and subjugate, and, in fact, to destroy another. Now, what happens when that happens. Leaving aside all the physical facts that one can quote. Leaving aside, rape or murder. Leaving aside the bloody catalog of oppression, which we are in one way too familiar with already, what this does to the subjugated, the most private, the most serious thing this does to the subjugated, is to destroy his sense of reality. It destroys, for example, his father's authority over him. His father can no longer tell him anything, because the past has disappeared, and his father has no power in the world. This means, in the case of an American Negro, born in that glittering republic, and the moment you are born, since you don't know any better, every stick and stone and every face is white.

And since you have not yet seen a mirror, you suppose that you are, too. It comes as a great shock around the age of 5, or 6, or 7, to discover that the flag to which you have pledged allegiance, along with everybody else, has not pledged allegiance to you. It comes as a great shock to discover that Gary Cooper killing off the Indians, when you were rooting for Gary Cooper, that the Indians were you. It comes as a great shock to discover that the country which is your birthplace and to which you owe your life and your identity, has not, in its whole system of reality, evovled any place for you. The disaffection, the demoralization, and the gap between one person and another only on the basis of the color of their skin, begins there and accelerates – accelerates throughout a whole lifetime – to the present when you realize you're thirty and are having a terrible time managing to trust your countrymen. By the time you are thirty, you have been through a certain kind of mill. And the most serious effect of the mill you've been through is, again, not the catalog of disaster, the policemen, the taxi drivers, the waiters, the landlady, the landlord, the banks, the insurance companies, the millions of details, twenty four hours of every day, which spell out to you that you are a worthless human being. It is not that. It's by that time that you've begun to see it happening, in your daughter or your son, or your niece or your nephew.

You are thirty by now and nothing you have done has helped to escape the trap. But what is worse than that, is that nothing you have done, and as far as you can tell, nothing you can do, will save your son or your daughter from meeting the same disaster and not impossibly coming to the same end. Now, we're speaking about expense. I suppose there are several ways to address oneself, to some attempt to find what that word means here. Let me put it this way, that from a very literal point of view, the harbors and the ports, and the railroads of the country—the economy, especially of the Southern states—could not conceivably be what it has become, if they had not had, and do not still have, indeed for so long, for many generations, cheap labor. I am stating very seriously, and this is not an overstatement: *I* picked the cotton, *I* carried it to the market, and *I* built the railroads under someone else's whip for nothing. For nothing.

The Southern oligarchy, which has still today so very much power in Washington, and therefore some power in the world, was created by my labor and my sweat, and the violation of my women and the murder of my children. This, in the land of the free, and the home of the brave. And no one can challenge that statement. It is a matter of historical record.

In another way, this dream, and we'll get to the dream in a moment, is at the expense of the American Negro. You watched this in the Deep South in great relief. But not only in the Deep South. In the Deep South, you are dealing with a sheriff or a landlord, or a landlady or a girl of the Western Union desk, and she doesn't know quite who she's dealing with, by which I mean, that if you're not a part of the town, and if you are a Northern Nigger, it shows in millions of ways. So she simply knows that it's an unknown quantity, and she wants to have nothing to do with it because she won't talk to you, you have to wait for a while to get your telegram. OK, we all know this. We've all been through it and, by the time you get to be a man, it's very easy to deal with. But what is happening in the poor woman, the poor man's mind is this: they've been raised to believe, and by now they helplessly believe, that no matter how terrible their lives may be, and their lives have been quite terrible, and no matter how far they fall, no matter what disaster overtakes them, they have one enormous knowledge in consolation, which is like a heavenly revelation: at least, they are not Black.

Now, I suggest that of all the terrible things that can happen to a human being, that is one of the worst. I suggest that what has happened to white Southerners is in some ways, after all, much worse than what has happened to Negroes there because Sheriff Clark in Selma, Alabama, cannot be considered – you know, no one can be dismissed as a total monster. I'm sure he loves his wife, his children. I'm sure, you know, he likes to get drunk. You know, after all, one's got to assume he is visibly a man like me. But he doesn't know what drives him to use the club, to menace with the gun and to use the cattle prod. Something awful must have happened to a human being to be able to put a cattle prod against a woman's breasts, for example. What happens to the woman is ghastly. What happens to the man who does it is in some ways much, much worse. This is being done, after all, not a hundred years ago, but in 1965, in a country which is blessed with what we call prosperity, a word we won't examine too closely; with a certain kind of social coherence, which calls itself a civilized nation, and which espouses the notion of the freedom of the world. And it is perfectly true from the point of view now simply of an American Negro. Any American Negro watching this, no matter where he is, from the vantage point of Harlem, which is another terrible place, has to say to himself, in spite of what the government says – the government says we can't do anything about it – but if those were white people being murdered in Mississippi work farms, being carried off to jail, if those were white children running up and down the streets, the government would find some way of doing something about it. We have a civil rights bill now where an amendment, the fifteenth amendment, nearly a hundred years ago – I hate to sound again like an Old Testament prophet – but if the amendment was not honored then, I would have any reason to believe in the civil rights bill will be honored now. And after all one's been there, since before, you know, a lot of other people got there. If one has got to prove one's title to the land, isn't four hundred years enough? Four hundred years? At least three wars? The American soil is full of the corpses of my ancestors. Why is my freedom or my citizenship, or my right to live there, how is it conceivably a question now? And I suggest further, and in the same way, the moral life of Alabama sheriffs and poor Alabama ladies – white ladies – their moral lives have been destroyed by the plague called color, that the American sense of reality has been corrupted by it.

At the risk of sounding excessive, what I always felt, when I finally left the country,

and found myself abroad, in other places, and watched the Americans abroad – and these are my countrymen – and I do care about them, and even if I didn't, there is something between us. We have the same shorthand, I know, if I look at a boy or a girl from Tennessee, where they came from in Tennessee and what that means. No Englishman knows that. No Frenchman, no one in the world knows that, except another Black man who comes from the same place. One watches these lonely people denying the only kin they have. We talk about integration in America as though it was some great new conundrum. The problem in America is that we've been integrated for a very long time. Put me next to any African and you will see what I mean. My grandmother was not a rapist. What we are not facing is the result of what we've done. What one brings the American people to do for all our sakes is simply to accept our history. I was there not only as a slave, but also as a concubine. One knows the power, after all, which can be used against another person if you've got absolute power over that person.

It seemed to me when I watched Americans in Europe what they didn't know about Europeans was what they didn't know about me. They weren't trying, for example, to be nasty to the French girl, or rude to the French waiter. They didn't know they hurt their feelings. They didn't have any sense this particular woman, this particular man, though they spoke another language and had different manners and ways, was a human being. And they walked over them, the same kind of bland ignorance, condescension, charming and cheerful with which they've always pat me on the head and called me Shine and were upset when I was upset. What is relevant about this is that whereas forty years ago when I was born, the question of having to deal with what is unspoken by the subjugated, what is never said to the master, of ever having to deal with this reality was a very remote possibility. It was in no one's mind. When I was growing up, I was taught in American history books, that Africa had no history, and neither did I. That I was a savage about whom the less said, the better, who had been saved by Europe and brought to America. And, of course, I believed it. I didn't have much choice. Those were the only books there were. Everyone else seemed to agree.

If you walk out of Harlem, ride out of Harlem, downtown, the world agrees what you see is much bigger, cleaner, whiter, richer, safer than where you are. They collect the garbage. People obviously can pay their life insurance. Their children look happy, safe. You're not. And you go back home, and it would seem that, of course, that it's an act of God that this is true! That you belong where white people have put you.

It is only since the Second World War that there's been a counter-image in the world. And that image did not come about through any legislation or part of any American government, but through the fact that Africa was suddenly on the stage of the world, and Africans had to be dealt with in a way they'd never been dealt with before. This gave an American Negro for the first time a sense of himself beyond the savage or a clown. It has created and will create a great many conundrums. One of the great things that the white world does not know, but I think I do know, is that Black people are just like everybody else. One has used the myth of Negro and the myth of color to pretend and to assume that you were dealing with, essentially, with something exotic, bizarre, and practically, according to human laws, unknown. Alas, it is not true. We're also mercenaries, dictators, murderers, liars. We are human too.

What is crucial here is that unless we can manage to accept, establish some kind of dialog between those people whom I pretend have paid for the American dream and those other people who have not achieved it, we will be in terrible trouble. I want to say, at the end, the last, is that is that is what concerns me most. We are sitting in this room, and we are all, at least I'd like to think we are, relatively civilized, and we can talk to each other at least on certain levels so that we could walk out of here assuming that the measure of our enlightenment, or at least, our politeness, has some effect on the world. It may not.

I remember, for example, when the ex Attorney General, Mr. Robert Kennedy, said that it was conceivable that in forty years, in America, we might have a Negro president. That sounded like a very emancipated statement, I suppose, to white people. They were not in Harlem when this statement was first heard. And they're not here, and possibly will never hear the laughter and the bitterness, and the scorn with which this statement was greeted. From the point of view of the man in the Harlem barber shop, Bobby Kennedy only got here yesterday, and he's already on his way to the presidency. We've been here for four hundred years and now he tells us that maybe in forty years, if you're good, we may let you become president.

What is dangerous here is the turning away from – the turning away from – anything any white American says. The reason for the political hesitation, in spite of the Johnson landslide is that one has been betrayed by American politicians for so long. And I am a grown man and perhaps I can be reasoned with. I certainly hope I can be. But I don't know, and neither does Martin Luther King, none of us know how to deal with those other people whom the white world has so long ignored, who don't believe anything the white world says and don't entirely believe anything I or Martin is saying. And one can't blame them. You watch what has happened to them in less than twenty years.

It seems to me that the City of New York, for example – this is my last point – It's had Negroes in it for a very long time. If the city of New York were able, as it has indeed been able, in the last fifteen years to reconstruct itself, tear down buildings and raise great new ones, downtown and for money, and has done nothing whatever except build housing projects in the ghetto for the Negroes. And of course, Negroes hate it. Presently the property does indeed deteriorate because the children cannot bear it. They want to get out of the ghetto. If the American pretensions were based on more solid, a more honest assessment of life and of themselves, it would not mean for Negroes when someone says "Urban Renewal" that Negroes can simply be thrown out into the streets. This is just what it does mean now. This is not an act of God. We're dealing with a society made and ruled by men. Had the American Negro had not been present in America, I am convinced the history of the American labor movement would be much more edifying than it is. It is a terrible thing for an entire people to surrender to the notion that one-ninth of its population is beneath them. And until that moment, until the moment comes when we, the Americans, we, the American people, are able to accept the fact, that I have to accept, for example, that my ancestors are both white and Black. That on that continent we are trying to forge a new identity for which we need each other and that I am not a ward of America. I am not an object of missionary charity. I am one of the

people who built the country—until this moment there is scarcely any hope for the American dream, because the people who are denied participation in it, by their very presence, will wreck it. And if that happens it is a very grave moment for the West.

Thank you.

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“Overview” from *The Racial Contract* by Charles Mills

Introduction

In Political Philosophy and Ethics, there is a notion of contractualism, the idea that bands of people create implicit¹⁴⁶ and explicit¹⁴⁷ contracts that govern behavior between parties. Part of contractualism claims that these contracts inform or set what is good in the society.¹⁴⁸ Another aspect of contractualism asks “What is the nature of just contracts?”.

This reading does something in between. Charles Mills unearths what he calls The Racial Contract, a contract that created and maintained racial and colonial relations. He further claims that the contract is exploitative in nature and that even though most whites today are not *signatories* of the contract, they are *beneficiaries* of it whether they want to be or not.

Mills patterns his discussion after Carole Pateman’s *The Sexual Contract*, which outlines how patriarchy has created an implicit and explicit contract that subverts the interests of particular men over women (and other men). Mills claims that these two exploitative contracts enable, or underwrite, the Classical Liberal Social Contract. That is to say, without the exploitation of people of color and women (forced labor, looting of lands, et cetera), the Liberal Project would not have been able to get off the ground and

¹⁴⁶ Think of cultural norms here – all of those informal arrangements that shape our lives.

¹⁴⁷ Think of laws, company policies, all of the actual contracts that are made in a given society.

¹⁴⁸ And is in this way somewhat akin to cultural relativism.

have the amazing success it has had.

The selection below is comprised of snippets from the first chapter of *The Racial Contract*. Bolding and emphasis are added by the editor to highlight historical legal arrangements or other areas of importance.

Text

I will start with an overview of the Racial Contract, highlighting its differences from, as well as its similarities to, the classical and contemporary social contract. The Racial Contract is political, moral, and epistemological; the Racial Contract is real; and economically, in determining who gets what, the Racial Contract is an exploitation contract.

The Racial Contract is political, moral, and epistemological.

The “social contract” is actually several contracts in one. Contemporary contractarians usually distinguish, to begin with, between the political contract and the moral contract, before going on to make (subsidiary) distinctions within both. I contend, however, that the orthodox social contract also tacitly presupposes an “epistemological” contract, and that for the Racial Contract it is crucial to make this explicit.

The political contract is an account of the origins of government and our political obligations to it. The subsidiary distinction sometimes made in the political contract is between the contract to establish society (thereby taking “natural,” presocial individuals out of the state of nature and reconstructing and constituting them as members of a collective body) and the contract to establish the state (thereby transferring outright or delegating in a relationship of trust the rights and powers we have in the state of nature to a sovereign governing entity).¹ The moral contract, on the other hand, is the foundation of the moral code established for the society, by which the citizens are supposed to regulate their behavior. The subsidiary distinction here is between two interpretations (to be discussed) of the relationship between the moral contract and state-of-nature morality. In modern versions of the contract, most notably Rawls’s of course, the political contract largely vanishes, modern anthropology having long superseded the naive social origin histories of the classic contractarians. The focus is then almost exclusively on the moral contract. This is not conceived of as an actual historical event that took place on leaving the state of nature. Rather, the state of nature survives only in the attenuated form of what Rawls calls the “original position,” and the “contract” is a purely hypothetical exercise (a thought experiment) in establishing what a just “basic structure” would be, with a schedule of rights, duties, and liberties that shapes citizens’ moral psychology, conceptions of the right, notions of self-respect, etc.²

Now the Racial Contract—and the “Racial Contract” as a theory, that is, the distanced, critical examination of the Racial Contract—follows the classical model in being both sociopolitical and moral. It explains how society was created or crucially transformed, how the individuals in that society were reconstituted, how the state was established, and how a particular moral code and a certain moral psychology were brought into

existence. (As I have emphasized, the “Racial Contract” seeks to account for the way things are and how they came to be that way—the descriptive—as well as the way they should be—the normative—since indeed one of its complaints about white political philosophy is precisely its otherworldliness, its ignoring of basic political realities.) But the Racial Contract, as we will see, is also epistemological, prescribing norms for cognition to which its signatories must adhere. A preliminary characterization would run something like this:

The Racial Contract is that set of formal or informal agreements or meta-agreements (higher-level contracts about contracts, which set the limits of the contracts’ validity) between the members of one subset of humans, henceforth designated by (shifting) “racial” (phenotypical/genealogical/cultural) criteria C₁, C₂, C₃ . . . as “white,” and coextensive (making due allowance for gender differentiation) with the class of full persons, to categorize the remaining subset of humans as “nonwhite” and of a different and inferior moral status, subpersons, so that they have a subordinate civil standing in the white or white-ruled polities the whites either already inhabit or establish or in transactions as aliens with these polities, and the moral and juridical rules normally regulating the behavior of whites in their dealings with one another either do not apply at all in dealings with nonwhites or apply only in a qualified form (depending in part on changing historical circumstances and what particular variety of nonwhite is involved), but in any case the general purpose of the Contract is always the differential privileging of the whites as a group with respect to the nonwhites as a group, the exploitation of their bodies, land, and resources, and the denial of equal socioeconomic opportunities to them. All whites are beneficiaries of the Contract, though some whites are not signatories to it.³

It will be obvious, therefore, that the Racial Contract is not a contract to which the nonwhite subset of humans can be a genuinely consenting party (though, depending again on the circumstances, it may sometimes be politic to pretend that this is the case). Rather, it is a contract between those categorized as white over the nonwhites, who are thus the objects rather than the subjects of the agreement.

The logic of the classic social contract, political, moral, and epistemological, then undergoes a corresponding refraction, with shifts, accordingly, in the key terms and principles.

Politically, the contract to establish society and the government, thereby transforming abstract raceless “men” from denizens of the state of nature into social creatures who are politically obligated to a neutral state, becomes the founding of a racial polity, whether white settler states (where preexisting populations already are or can be made sparse) or what are sometimes called “sojourner colonies,” the establishment of a white presence and colonial rule over existing societies (which are somewhat more populous, or whose inhabitants are more resistant to being made sparse). In addition, the colonizing mother country is also changed by its relation to these new polities, so that its own citizens are altered.

In the social contract, the crucial human metamorphosis is from “natural” man to

“civil/political” man, from the resident of the state of nature to the citizen of the created society. This change can be more or less extreme, depending on the theorist involved. For Rousseau it is a dramatic transformation, by which animallike creatures of appetite and instinct become citizens bound by justice and self-prescribed laws. For Hobbes it is a somewhat more laid-back affair by which people who look out primarily for themselves learn to constrain their selfinterest for their own good.⁴ But in all cases the original “state of nature” supposedly indicates the condition of all men, and the social metamorphosis affects them all in the same way.

In the Racial Contract, by contrast, the crucial metamorphosis is the preliminary conceptual partitioning and corresponding transformation of human populations into “white” and “nonwhite” men. The role played by the “state of nature” then becomes radically different. In the white settler state, its role is not primarily to demarcate the (temporarily) prepolitical state of “all” men (who are really white men), but rather the permanently prepolitical state or, perhaps better, nonpolitical state (insofar as “pre-” suggests eventual internal movement toward) of nonwhite men. The establishment of society thus implies the denial that a society already existed; the creation of society requires the intervention of white men, who are thereby positioned as already sociopolitical beings. White men who are (definitionally) already part of society encounter nonwhites who are not, who are “savage” residents of a state of nature characterized in terms of wilderness, jungle, wasteland. These the white men bring partially into society as subordinate citizens or exclude on reservations or deny the existence of or exterminate. In the colonial case, admittedly preexisting but (for one reason or another) deficient societies (decadent, stagnant, corrupt) are taken over and run for the “benefit” of the nonwhite natives, who are deemed childlike, incapable of self-rule and handling their own affairs, and thus appropriately wards of the state. Here the natives are usually characterized as “barbarians” rather than “savages,” their state of nature being somewhat farther away (though not, of course, as remote and lost in the past—if it ever existed in the first place—as the Europeans’ state of nature). But in times of crisis the conceptual distance between the two, barbarian and savage, tends to shrink or collapse, for this technical distinction within the nonwhite population is vastly less important than the central distinction between whites and nonwhites.

In both cases, then, though in different ways, the Racial Contract establishes a racial polity, a racial state, and a racial juridical system, where the status of whites and nonwhites is clearly demarcated, whether by law or custom. And the purpose of this state, by contrast with the neutral state of classic contractarianism, is, *inter alia*, specifically to maintain and reproduce this racial order, securing the privileges and advantages of the full white citizens and maintaining the subordination of nonwhites. Correspondingly, the “consent” expected of the white citizens is in part conceptualized as a consent, whether explicit or tacit, to the racial order, to white supremacy, what could be called Whiteness. To the extent that those phenotypically/genealogically/culturally categorized as white fail to live up to the civic and political responsibilities of Whiteness, they are in dereliction of their duties as citizens. From the inception, then, race is in no way an “afterthought,” a “deviation” from ostensibly raceless Western ideals, but rather a central shaping constituent of those ideals.

In the social contract tradition, there are two main possible relations between the moral contract and the political contract.

1. On the first view, the moral contract represents preexisting objectivist morality (theological or secular) and thus constrains the terms of the political contract. This is the view found in Locke and Kant. In other words, there is an objective moral code in the state of nature itself, even if there are no policemen and judges to enforce it. So any society, government, and legal system that are established should be based on that moral code.
2. On the second view, the political contract creates morality as a conventionalist set of rules. So there is no independent objective moral criterion for judging one moral code to be superior to another or for indicting a society's established morality as unjust. On this conception, which is famously attributed to Hobbes, morality is just a set of rules for expediting the rational pursuit and coordination of our own interests without conflict with those other people who are doing the same thing.⁵

The Racial Contract can accommodate both versions, but as it is the former version (the contract as described in Locke and Kant) rather than the latter version (the contract as described in Hobbes) which represents the mainstream of the contract tradition, I focus on that one.⁶ Here, the good polity is taken to rest on a preexisting moral foundation. Obviously, this is a far more attractive conception of a political system than Hobbes's view. The ideal of an objectively just polis to which we should aspire in our political activism goes back in the Western tradition all the way to Plato. In the medieval Christian worldview which continued to influence contractarianism well into the modern period, there is a "natural law" immanent in the structure of the universe which is supposed to direct us morally in striving for this ideal.⁷ (For the later, secular versions of contractarianism, the idea would simply be that people have rights and duties even in the state of nature because of their nature as human beings.) So it is wrong to steal, rape, kill in the state of nature even if there are no human laws written down saying it is wrong. These moral principles must constrain the human laws that are made and the civil rights that are assigned once the polity is established. In part, then, the political contract simply codifies a morality that already exists, writing it down and filling in the details, so we don't have to rely on a divinely implanted moral sense, or conscience, whose perceptions may on occasion be distorted by self-interest. What is right and wrong, just and unjust, in society will largely be determined by what is right and wrong, just and unjust, in the state of nature.

The character of this objective moral foundation is therefore obviously crucial. For the mainstream of the contractarian tradition, it is the freedom and equality of all men in the state of nature. As Locke writes in the Second Treatise, "To understand Political Power right, and derive it from its Original, we must consider what State all Men are naturally in, and that is, a State of perfect Freedom to order their Actions.... A State also of Equality, wherein all the Power and Jurisdiction is reciprocal, no one having more than another."⁸ For Kant, similarly, it is our equal moral personhood.⁹ Contractarianism is (supposedly) committed to moral egalitarianism, the moral equality of all men, the notion that the interests of all men matter equally and all men must have equal rights.

Thus, contractarianism is also committed to a principled and foundational opposition to the traditionalist hierarchical ideology of the old feudal order, the ideology of inherent ascribed status and natural subordination. It is this language of equality which echoes in the American and French Revolutions, the Declaration of Independence, and the Declaration of the Rights of Man. And it is this moral egalitarianism that must be retained in the allocation of rights and liberties in civil society. When in a modern Western society people insist on their rights and freedoms and express their outrage at not being treated equally, it is to these classic ideas that, whether they know it or not, they are appealing.

But as we will see in greater detail later on, the color-coded morality of the Racial Contract restricts the possession of this natural freedom and equality to white men. By virtue of their complete nonrecognition, or at best inadequate, myopic recognition, of the duties of natural law, nonwhites are appropriately relegated to a lower rung on the moral ladder (the Great Chain of Being).¹⁰ They are designated as born unfree and unequal. A partitioned social ontology is therefore created, a universe divided between persons and racial subpersons, Untermenschen, who may variously be black, red, brown, yellow—slaves, aborigines, colonial populations—but who are collectively appropriately known as “subject races.” And these subpersons—niggers, injuns, chinks, wogs, greasers, blackfellows, kaffirs, coolies, abos, dinks, googoos, gooks—are biologically destined never to penetrate the normative rights ceiling established for them below white persons. Henceforth, then, whether openly admitted or not, it is taken for granted that the grand ethical theories propounded in the development of Western moral and political thought are of restricted scope, explicitly or implicitly intended by their proponents to be restricted to persons, whites. The terms of the Racial Contract set the parameters for white morality as a whole, so that competing Lockean and Kantian contractarian theories of natural rights and duties, or later anticontractarian theories such as nineteenth-century utilitarianism, are all limited by its stipulations.

Finally, the Racial Contract requires its own peculiar moral and empirical epistemology, its norms and procedures for determining what counts as moral and factual knowledge of the world. In the standard accounts of contractarianism it is not usual to speak of there being an “epistemological” contract, but there is an epistemology associated with contractarianism, in the form of natural law. This provides us with a moral compass, whether in the traditional version of Locke—the light of reason implanted in us by God so we can discern objective right and wrong—or in the revisionist version of Hobbes—the ability to assess the objectively optimal prudential course of action and what it requires of us for self-interested cooperation with others. So through our natural faculties we come to know reality in both its factual and valuational aspects, the way things objectively are and what is objectively good or bad about them. I suggest we can think of this as an idealized consensus about cognitive norms and, in this respect, an agreement or “contract” of sorts. There is an understanding about what counts as a correct, objective interpretation of the world, and for agreeing to this view, one is (“contractually”) granted full cognitive standing in the polity, the official epistemic community.¹¹

But for the Racial Contract things are necessarily more complicated. The

requirements of “objective” cognition, factual and moral, in a racial polity are in a sense more demanding in that officially sanctioned reality is divergent from actual reality. So here, it could be said, one has an agreement to misinterpret the world. One has to learn to see the world wrongly, but with the assurance that this set of mistaken perceptions will be validated by white epistemic authority, whether religious or secular.

Thus in effect, on matters related to race, the Racial Contract prescribes for its signatories an inverted epistemology, an epistemology of ignorance, a particular pattern of localized and global cognitive dysfunctions (which are psychologically and socially functional), producing the ironic outcome that whites will in general be unable to understand the world they themselves have made. Part of what it means to be constructed as “white” (the metamorphosis of the sociopolitical contract), part of what it requires to achieve Whiteness, successfully to become a white person (one imagines a ceremony with certificates attending the successful rite of passage: “Congratulations, you’re now an official white person!”), is a cognitive model that precludes self-transparency and genuine understanding of social realities. To a significant extent, then, white signatories will live in an invented delusional world, a racial fantasyland, a “consensual hallucination,” to quote William Gibson’s famous characterization of cyberspace, though this particular hallucination is located in real space.¹² There will be white mythologies, invented Orients, invented Africas, invented Americas, with a correspondingly fabricated population, countries that never were, inhabited by people who never were—Calibans and Tontos, Man Fridays and Sambos—but who attain a virtual reality through their existence in travelers’ tales, folk myth, popular and highbrow fiction, colonial reports, scholarly theory, Hollywood cinema, living in the white imagination and determinedly imposed on their alarmed real-life counterparts.¹³ One could say then, as a general rule, that white misunderstanding, misrepresentation, evasion, and self-deception on matters related to race are among the most pervasive mental phenomena of the past few hundred years, a cognitive and moral economy psychically required for conquest, colonization, and enslavement. And these phenomena are in no way accidental, but prescribed by the terms of the Racial Contract, which requires a certain schedule of structured blindnesses and opacities in order to establish and maintain the white polity.

The Racial Contract is a historical actuality.

The social contract in its modern version has long since given up any pretensions to be able to explain the historical origins of society and the state. Whereas the classic contractarians were engaged in a project both descriptive and prescriptive, the modern Rawls-inspired contract is purely a prescriptive thought experiment. And even Pateman’s Sexual Contract, though its focus is the real rather than the ideal, is not meant as a literal account of what men in 4004 B.C. decided to do on the plains of Mesopotamia. Whatever accounts for what Frederick Engels once called “the world historical defeat of the female sex”¹⁴—whether the development of an economic surplus, as he theorized, or the male discovery of the capacity to rape and the female disadvantage of being the childbearing half of the species, as radical feminists have argued—it is clearly lost in antiquity.

By contrast, ironically, the Racial Contract, never so far as I know explored as such, has the best claim to being an actual historical fact. Far from being lost in the mists of the ages, it is clearly historically locatable in the series of events marking the creation of the modern world by European colonialism and the voyages of “discovery” now increasingly and more appropriately called expeditions of conquest. The Columbian quincentenary a few years ago, with its accompanying debates, polemics, controversies, counterdemonstrations, and outpourings of revisionist literature, confronted many whites with the uncomfortable fact, hardly discussed in mainstream moral and political theory, that we live in a world which has been foundationally shaped for the past five hundred years by the realities of European domination and the gradual consolidation of global white supremacy. Thus not only is the Racial Contract “real,” but—whereas the social contract is characteristically taken to be establishing the legitimacy of the nation-state, and codifying morality and law within its boundaries—the Racial Contract is global, involving a tectonic shift of the ethicojuridical basis of the planet as a whole, the division of the world, as Jean-Paul Sartre put it long ago, between “men” and “natives.”¹⁵

Europeans thereby emerge as “the lords of human kind,” the “lords of all the world,” with the increasing power to determine the standing of the non-Europeans who are their subjects.¹⁶ Although no single act literally corresponds to the drawing up and signing of a contract, there is a series of acts—papal bulls and other theological pronouncements; European discussions about colonialism, “discovery,” and international law; pacts, treaties, and legal decisions; academic and popular debates about the humanity of nonwhites; the establishment of formalized legal structures of differential treatment; and the routinization of informal illegal or quasi-legal practices effectively sanctioned by the complicity of silence and government failure to intervene and punish perpetrators—which collectively can be seen, not just metaphorically but close to literally, as its conceptual, juridical, and normative equivalent.

Anthony Pagden suggests that a division of the European empires into their main temporal periods should recognize “two distinct, but interdependent histories”: the colonization of the Americas, 1492 to the 1830s, and the occupation of Asia, Africa, and the Pacific, 1730s to the period after World War II.¹⁷ In the first period, it was, to begin with, the nature and moral status of the Native Americans that primarily had to be determined, and then that of the imported African slaves whose labor was required to build this “New World.” In the second period, culminating in formal European colonial rule over most of the world by the early twentieth century, it was the character of colonial peoples that became crucial. But in all cases “race” is the common conceptual denominator that gradually came to signify the respective global statuses of superiority and inferiority, privilege and subordination. There is an opposition of us against them with multiple overlapping dimensions: Europeans versus non-Europeans (geography), civilized versus wild/savage/barbarians (culture), Christians versus heathens (religion). But they all eventually coalesced into the basic opposition of white versus nonwhite.

A Lumbee Indian legal scholar, Robert Williams, has traced the evolution of the Western legal position on the rights of native peoples from its medieval antecedents to the beginnings of the modern period, showing how it is consistently based on the assumption of “the rightness and necessity of subjugating and assimilating other peoples

to [the European] worldview.”¹⁸ Initially the intellectual framework was a theological one, with normative inclusion and exclusion manifesting itself as the demarcation between Christians and heathens. The pope’s powers over the **Societas Christiana**, the universal Christian commonwealth, were seen as “extending not only over all Christians within the universal commonwealth, but over unregenerated heathens and infidels as well,” and this policy would subsequently underwrite not merely the Crusades against Islam but the later voyages to the Americas. Sometimes papal pronouncements did grant rights and rationality to nonbelievers. As a result of dealing with the Mongols in the thirteenth century, for example, Pope Innocent IV conceded that infidels and heathens possessed the natural law right to elect their own secular leaders,” and Pope Paul III’s famous **Sublimis Deus** (1537) stated that Native Americans were rational beings, not to be treated as “dumb brutes created for our service” but “as truly men . . . capable of understanding the Catholic faith.”¹⁹ But as Williams points out, the latter qualification was always crucial. A Eurocentrically normed conception of rationality made it coextensive with acceptance of the Christian message, so that rejection was proof of bestial irrationality.

Even more remarkably, in the case of Native Americans this acceptance was to be signaled by their agreement to the **Requerimiento**, a long statement read aloud to them in, of course, a language they did not understand, failing which assent a just war could lawfully be waged against them.²⁰ One author writes:

The requerimiento is the prototypical example of text justifying conquest. Informing the Indians that their lands were entrusted by Christ to the pope and thence to the kings of Spain, the document offers freedom from slavery for those Indians who accept Spanish rule. Even though it was entirely incomprehensible to a non-Spanish speaker, reading the document provided sufficient justification for dispossession of land and immediate enslavement of the indigenous people. [Bartolomé de] Las Casas’s famous comment on the requerimiento was that one does not know “whether to laugh or cry at the absurdity of it.” . . . While appearing to respect “rights” the requerimiento, in fact, takes them away.²¹

In effect, then, the Catholic Church’s declarations either formally legitimated conquest or could be easily circumvented where a weak *prima facie* moral barrier was erected.

The growth of the Enlightenment and the rise of secularism did not challenge this strategic dichotomization (Christian/infidel) so much as translate it into other forms. Philip Curtin refers to the characteristic “exceptionalism in European thought about the non-West,” “a conception of the world largely based on self-identification—and identification of ‘the other people.’”²² Similarly, Pierre van den Berghe describes the “Enlightenment dichotomization” of the normative theories of the period.²³ “Race” gradually became the formal marker of this differentiated status, replacing the religious divide (whose disadvantage, after all, was that it could always be overcome through conversion). Thus a category crystallized over time in European thought to represent entities who are humanoid but not fully human (“savages,” “barbarians”) and who are identified as such by being members of the general set of nonwhite races. Influenced by the ancient Roman distinction between the civilized within and the barbarians outside

the empire, the distinction between full and question-mark humans, Europeans set up a two-tiered moral code with one set of rules for whites and another for nonwhites.²⁴

Correspondingly, various moral and legal doctrines were propounded which can be seen as specific manifestations and instantiations, appropriately adjusted to circumstances, of the overarching Racial Contract. These were specific subsidiary contracts designed for different modes of exploiting the resources and peoples of the rest of the world for Europe: the expropriation contract, the slavery contract, the colonial contract.

The “**Doctrine of Discovery**,” for example, what Williams identifies as the “paradigmatic tenet informing and determining contemporary European legal discourse respecting relations with Western tribal societies,” was central to the expropriation contract.²⁵ The American Justice Joseph Story glossed it as granting Europeans

an absolute dominion over the whole territories afterwards occupied by them, not in virtue of any conquest of, or cession by, the Indian natives, but as a right acquired by discovery.... The title of the Indians was not treated as a right of property and dominion, but as a mere right of occupancy. As infidels, heathens, and savages, they were not allowed to possess the prerogatives belonging to absolute, sovereign, and independent nations. The territory over which they wandered, and which they used for their temporary and fugitive purposes, was, in respect to Christians, deemed as if it were inhabited only by brute animals.²⁶

Similarly, the slavery contract gave Europeans the right to enslave Native Americans and Africans at a time when slavery was dead or dying out in Europe, based on doctrines of the inherent inferiority of these peoples. A classic statement of the slavery contract is the **1857 Dred Scott v. Sanford** U.S. Supreme Court decision of Chief Justice Roger Taney, which stated that blacks

had for more than a century before been regarded as beings of an inferior order, and altogether unfit to associate with the white race, either in social or political relations; and so far inferior, that they had no rights which the white man was bound to respect; and that the negro might justly and lawfully be reduced to slavery for his benefit.... This opinion was at that time fixed and universal in the civilized portion of the white race. It was regarded as an axiom in morals as well as in politics, which no one thought of disputing, or supposed to be open to dispute.²⁷

Finally, there is the colonial contract, which legitimated European rule over the nations in Asia, Africa, and the Pacific. Consider, for instance, this wonderful example, almost literally “contractarian” in character, from the French imperial theorist Jules Harmand (1845–1921), who devised the notion of association:

Expansion by conquest, however necessary, seems especially unjust and disturbing to the conscience of democracies.... But to transpose democratic institutions into such a setting is aberrant nonsense. The subject people are not and cannot become citizens in the democratic

sense of the term.... It is necessary, then, to accept as a principle and point of departure the fact that there is a hierarchy of races and civilizations, and that we belong to the superior race and civilization.... The basic legitimization of conquest over native peoples is the conviction of our superiority, not merely our mechanical, economic, and military superiority, but our moral superiority. Our dignity rests on that quality, and it underlies our right to direct the rest of humanity.

What is therefore necessary is a “**Contract’ of Association**”:

Without falling into Rousseauian reveries, it is worth noting that association implies a contract, and this idea, though nothing more than an illustration, is more appropriately applied to the coexistence of two profoundly different societies thrown sharply and artificially into contact than it is to the single society formed by natural processes which Rousseau envisaged. This is how the terms of this implicit agreement can be conceived. The European conqueror brings order, foresight, and security to a human society which, though ardently aspiring for these fundamental values without which no community can make progress, still lacks the aptitude to achieve them from within itself.... With these mental and material instruments, which it lacked and now receives, it gains the idea and ambition for a better existence, and the means of achieving it. We will obey you, say the subjects, if you begin by proving yourself worthy. We will obey you if you can succeed in convincing us of the superiority of that civilization of which you talk so much.²⁸

Indian laws, slave codes, and colonial native acts formally codified the subordinate status of nonwhites and (ostensibly) regulated their treatment, creating a juridical space for nonEuropeans as a separate category of beings. So even if there was sometimes an attempt to prevent “abuses” (and these codes were honored far more often in the breach than the observance), the point is that “abuse” as a concept presupposes as a norm the legitimacy of the subordination. Slavery and colonialism are not conceived as wrong in their denial of autonomy to persons; what is wrong is the improper administration of these regimes.

It would be a fundamental error, then—a point to which I will return—to see racism as anomalous, a mysterious deviation from European Enlightenment humanism. Rather, it needs to be realized that, in keeping with the Roman precedent, European humanism usually meant that only Europeans were human. European moral and political theory, like European thought in general, developed within the framework of the Racial Contract and, as a rule, took it for granted. As Edward Said points out in *Culture and Imperialism*, we must not see culture as “antiseptically quarantined from its worldly affiliations.” But this occupational blindness has in fact infected most “professional humanists” (and certainly most philosophers), so that “as a result [they are] unable to make the connection between the prolonged and sordid cruelty of practices such as slavery, colonialist and racial oppression, and imperial subjection on the one hand, and the poetry, fiction, philosophy of the society that engages in these practices on the other.”²⁹ By the nineteenth century, conventional white opinion casually assumed the uncontroversial validity of a hierarchy of “higher” and “lower,” “master” and “subject”

races, for whom, it is obvious, different rules must apply.

The modern world was thus expressly created as a racially hierarchical polity, globally dominated by Europeans. A 1969 Foreign Affairs article worth rereading today reminds us that as late as the 1940s the world “was still by and large a Western white-dominated world. The long-established patterns of white power and nonwhite non-power were still the generally accepted order of things. All the accompanying assumptions and mythologies about race and color were still mostly taken for granted.... [W]hite supremacy was a generally assumed and accepted state of affairs in the United States as well as in Europe’s empires.”³⁰ But statements of such frankness are rare or nonexistent in mainstream white opinion today, which generally seeks to rewrite the past so as to deny or minimize the obvious fact of global white domination.

Yet the United States itself, of course, is a white settler state on territory expropriated from its aboriginal inhabitants through a combination of military force, disease, and a “century of dishonor” of broken treaties.³¹ The expropriation involved literal genocide (a word now unfortunately devalued by hyperbolic overuse) of a kind that some recent revisionist historians have argued needs to be seen as comparable to the Third Reich’s.³² Washington, Father of the Nation, was, understandably, known somewhat differently to the Senecas as “Town Destroyer.”³³ In the Declaration of Independence, Jefferson characterized Native Americans as “merciless Indian Savages,” and in the Constitution, blacks, of course, appear only obliquely, through the famous “60 percent solution.” Thus, as Richard Drinnon concludes: “The Framers manifestly established a government under which non-Europeans were not men created equal—in the white polity . . . they were nonpeoples.”³⁴ Though on a smaller scale and not always so ruthlessly (or, in the case of New Zealand, because of more successful indigenous resistance), what are standardly classified as the other white settler states—for example, Canada, Australia, New Zealand, Rhodesia, and South Africa—were all founded on similar policies: the extermination, displacement, and/or herding onto reservations of the aboriginal population.³⁵ Pierre van den Berghe has coined the illuminating phrase “Herrenvolk democracies” to describe these polities, which captures perfectly the dichotomization of the Racial Contract.³⁶ Their subsequent evolution has been somewhat different, but defenders of South Africa’s system of apartheid often argued that U.S. criticism was hypocritical in light of its own history of **jim crow**, especially since de facto segregation remains sufficiently entrenched that even today, forty years after Brown v. Board of Education, two American sociologists can title their study American Apartheid.³⁷ The racist record of preliberation Rhodesia (now Zimbabwe) and South Africa is well known; not so familiar may be the fact that the United States, Canada, and Australia all maintained “white” immigration policies until a few decades ago, and native peoples in all three countries suffer high poverty, infant mortality, and suicide rates.

Elsewhere, in Latin America, Asia, and Africa, large parts of the world were colonized, that is, formally brought under the rule of one or another of the European powers (or, later, the United States): the early Spanish and Portuguese empires in the Americas, the Philippines, and south Asia; the jealous competition from Britain, France, and Holland; the British conquest of India; the French expansion into Algeria and Indochina; the Dutch advance into Indonesia; the Opium Wars against China; the late

nineteenth-century “scramble for Africa”; the U.S. war against Spain, seizure of Cuba, Puerto Rico, and the Philippines, and annexation of Hawaii.³⁸ The pace of change this century has been so dramatic that it is easy to forget that less than a hundred years ago, in 1914, “Europe held a grand total of roughly 85 percent of the earth as colonies, protectorates, dependencies, dominions, and commonwealths. No other associated set of colonies in history was as large, none so totally dominated, none so unequal in power to the Western metropolis.”³⁹ One could say that the Racial Contract creates a transnational white polity, a virtual community of people linked by their citizenship in Europe at home and abroad (Europe proper, the colonial greater Europe, and the “fragments” of Euro-America, Euro-Australia, etc.), and constituted in opposition to their indigenous subjects. In most of Africa and Asia, where colonial rule ended only after World War II, rigid “color bars” maintained the separation between Europeans and indigenes. As European, as white, one knew oneself to be a member of the superior race, one’s skin being one’s passport: “Whatever a white man did must in some grotesque fashion be ‘civilized.’”⁴⁰ So though there were local variations in the Racial Contract, depending on circumstances and the particular mode of exploitation—for example, a bipolar racial system in the (Anglo) United States, as against a subtler color hierarchy in (Iberian) Latin America—it remains the case that the white tribe, as the global representative of civilization and modernity, is generally on top of the social pyramid.⁴¹

We live, then, in a world built on the Racial Contract. That we do is simultaneously quite obvious if you think about it (the dates and details of colonial conquest, the constitutions of these states and their exclusionary juridical mechanisms, the histories of official racist ideologies, the battles against slavery and colonialism, the formal and informal structures of discrimination, are all within recent historical memory and, of course, massively documented in other disciplines) and nonobvious, since most whites don’t think about it or don’t think about it as the outcome of a history of political oppression but rather as just “the way things are.” (“You say we’re all over the world because we conquered the world? Why would you put it that way?”) In the **Treaty of Tordesillas** (1494) which divided the world between Spain and Portugal, the **Valladolid (Spain) Conference** (1550–1551) to decide whether Native Americans were really human, the later debates over African slavery and abolitionism, the Berlin Conference (1884–1885) to partition Africa, the various inter-European pacts, treaties, and informal arrangements on policing their colonies, the post-World War I discussions in Versailles after a war to make the world safe for democracy—we see (or should see) with complete clarity a world being governed by white people. So though there is also internal conflict—disagreements, battles, even world wars—the dominant movers and shapers will be Europeans at home and abroad, with non-Europeans lining up to fight under their respective banners, and the system of white domination itself rarely being challenged. (The exception, of course, is Japan, which escaped colonization, and so for most of the twentieth century has had a shifting and ambivalent relationship with the global white polity.) The legacy of this world is, of course, still with us today, in the economic, political, and cultural domination of the planet by Europeans and their descendants. The fact that this racial structure, clearly political in character, and the struggle against it, equally so, have not for the most part been deemed appropriate subject matter for mainstream Anglo-American political philosophy and the fact that the very concepts hegemonic in the discipline are refractory to an understanding of these realities, reveal at best, a

disturbing provincialism and an ahistoricity profoundly at odds with the radically foundational questioning on which philosophy prides itself and, at worst, a complicity with the terms of the Racial Contract itself.

The Racial Contract is an exploitation contract that creates global European economic domination and national white racial privilege.

The classic social contract, as I have detailed, is primarily moral/political in nature. But it is also economic in the background sense that the point of leaving the state of nature is in part to secure a stable environment for the industrious appropriation of the world. (After all, one famous definition of politics is that it is about who gets what and why.) Thus even in Locke's moralized state of nature, where people generally do obey natural law, he is concerned about the safety of private property, indeed proclaiming that "the great and chief end therefore, of Mens uniting into Commonwealths, and putting themselves under Government, is the Preservation of their Property."⁴² And in Hobbes's famously amoral and unsafe state of nature, we are told that "there is no place for Industry; because the fruit thereof is uncertain; and consequently no Culture of the Earth."⁴³ So part of the point of bringing society into existence, with its laws and enforcers of the law, is to protect what you have accumulated.

What, then, is the nature of the economic system of the new society? The general contract does not itself prescribe a particular model or particular schedule of property rights, requiring only that the "equality" in the prepolitical state be somehow preserved. This provision may be variously interpreted as a self-interested surrender to an absolutist Hobbesian government that itself determines property rights, or a Lockean insistence that private property accumulated in the moralized state of nature be respected by the constitutionalist government. Or more radical political theorists, such as socialists and feminists, might argue that state-of-nature equality actually mandates class or gender economic egalitarianism in society. So, different political interpretations of the initial moral egalitarianism can be advanced, but the general background idea is that the equality of human beings in the state of nature is somehow (whether as equality of opportunity or as equality of outcome) supposed to carry over into the economy of the created sociopolitical order, leading to a system of voluntary human intercourse and exchange in which exploitation is precluded.

By contrast, the economic dimension of the Racial Contract is the most salient, foreground rather than background, since the Racial Contract is calculatedly aimed at economic exploitation. The whole point of establishing a moral hierarchy and juridically partitioning the polity according to race is to secure and legitimate the privileging of those individuals designated as white/persons and the exploitation of those individuals designated as nonwhite/subpersons. There are other benefits accruing from the Racial Contract—far greater political influence, cultural hegemony, the psychic payoff that comes from knowing one is a member of the Herrenvolk (what W. E. B. Du Bois once called "the wages of whiteness")⁴⁴—but the bottom line is material advantage. Globally, the Racial Contract creates Europe as the continent that dominates the world; locally, within Europe and the other continents, it designates Europeans as the privileged race.

The challenge of explaining what has been called “**the European miracle**”—the rise of Europe to global domination—has long exercised both academic and lay opinion.⁴⁵ How is it that a formerly peripheral region on the outskirts of the Asian land mass, at the far edge of the trade routes, remote from the great civilizations of Islam and the East, was able in a century or two to achieve global political and economic dominance? The explanations historically given by Europeans themselves have varied tremendously, from the straightforwardly racist and geographically determinist to the more subtly environmentalist and culturalist. But what they have all had in common, even those influenced by Marxism, is their tendency to depict this development as essentially autochthonous, their tendency to privilege some set of internal variables and correspondingly downplay or ignore altogether the role of colonial conquest and African slavery. Europe made it on its own, it is said, because of the peculiar characteristics of Europe and Europeans.

Thus whereas no reputable historian today would espouse the frankly biologicistic theories of the past, which made Europeans (in both pre- and post-Darwinian accounts) inherently the most advanced race, as contrasted with the backward/less evolved races elsewhere, the thesis of European specialness and exceptionalism is still presupposed. It is still assumed that rationalism and science, innovativeness and inventiveness found their special home here, as against the intellectual stagnation and traditionalism of the rest of the world, so that Europe was therefore destined in advance to occupy the special position in global history it has. James Blaut calls this the theory, or “super-theory” (an umbrella covering many different versions: theological, cultural, biologicistic, geographical, technological, etc.), of “Eurocentric diffusionism,” according to which European progress is seen as “natural” and asymmetrically determinant of the fate of non-Europe.⁴⁶ Similarly, Sandra Harding, in her anthology on the “racial” economy of science, cites “the assumption that Europe functions autonomously from other parts of the world; that Europe is its own origin, final end, and agent; and that Europe and people of European descent in the Americas and elsewhere owe nothing to the rest of the world.”⁴⁷

Unsurprisingly, black and Third World theorists have traditionally dissented from this notion of happy divine or natural European dispensation. They have claimed, quite to the contrary, that there is a crucial causal connection between European advance and the unhappy fate of the rest of the world. One classic example of such scholarship from a half century ago was the Caribbean historian Eric Williams’s *Capitalism and Slavery*, which argued that the profits from African slavery helped to make the industrial revolution possible, so that internalist accounts were fundamentally mistaken.⁴⁸ And in recent years, with decolonization, the rise of the New Left in the United States, and the entry of more alternative voices into the academy, this challenge has deepened and broadened. There are variations in the authors’ positions—for example, Walter Rodney, Samir Amin, André Gunder Frank, Immanuel Wallerstein⁴⁹—but the basic theme is that the exploitation of the empire (the bullion from the great gold and silver mines in Mexico and Peru, the profits from plantation slavery, the fortunes made by the colonial companies, the general social and economic stimulus provided by the opening up of the “New World”) was to a greater or lesser extent crucial in enabling and then consolidating the takeoff of what had previously been an economic backwater. It was far from the case

that Europe was specially destined to assume economic hegemony; there were a number of centers in Asia and Africa of a comparable level of development which could potentially have evolved in the same way. But the European ascent closed off this development path for others because it forcibly inserted them into a colonial network whose exploitative relations and extractive mechanisms prevented autonomous growth.

Overall, then, **colonialism “lies at the heart” of the rise of Europe**.⁵⁰ The economic unit of analysis needs to be Europe as a whole, since it is not always the case that the colonizing nations directly involved always benefited in the long term. Imperial Spain, for example, still feudal in character, suffered massive inflation from its bullion imports. But through trade and financial exchange, others launched on the capitalist path, such as Holland, profited. Internal national rivalries continued, of course, but this common identity based on the transcontinental exploitation of the non-European world would in many cases be politically crucial, generating a sense of Europe as a cosmopolitan entity engaged in a common enterprise, underwritten by race. As Victor Kiernan puts it, “All countries within the European orbit benefited however, as Adam Smith pointed out, from colonial contributions to a common stock of wealth, bitterly as they might wrangle over ownership of one territory or another.... [T]here was a sense in which all Europeans shared in a heightened sense of power engendered by the successes of any of them, as well as in the pool of material wealth . . . that the colonies produced.”⁵¹

Today, correspondingly, though formal decolonization has taken place and in Africa and Asia black, brown, and yellow natives are in office, ruling independent nations, the global economy is essentially dominated by the former colonial powers, their offshoots (Euro-United States, Euro-Canada), and their international financial institutions, lending agencies, and corporations. (As previously observed, the notable exception, whose history confirms rather than challenges the rule, is Japan, which escaped colonization and, after the Meiji Restoration, successfully embarked on its own industrialization.) Thus one could say that the world is essentially dominated by white capital. Global figures on income and property ownership are, of course, broken down nationally rather than racially, but if a transnational racial disaggregation were to be done, it would reveal that whites control a percentage of the world’s wealth grossly disproportionate to their numbers. Since there is no reason to think that the chasm between First and Third Worlds (which largely coincides with this racial division) is going to be bridged—vide the abject failure of various United Nations plans from the “development decade” of the 1960s onward—it seems undeniable that for years to come, the planet will be white dominated. With the collapse of communism and the defeat of Third World attempts to seek alternative paths, the West reigns supreme, as celebrated in a London Financial Times headline: “The fall of the Soviet bloc has left the IMF and G7 to rule the world and create a new imperial age.”⁵² Economic structures have been set in place, causal processes established, whose outcome is to pump wealth from one side of the globe to another, and which will continue to work largely independently of the ill will/good will, racist/antiracist feelings of particular individuals. This globally color-coded distribution of wealth and poverty has been produced by the Racial Contract and in turn reinforces adherence to it in its signatories and beneficiaries.

Moreover, it is not merely that Europe and the former white settler states are

globally dominant but that within them, where there is a significant nonwhite presence (indigenous peoples, descendants of imported slaves, voluntary nonwhite immigration), whites continue to be privileged vis-à-vis nonwhites. The old structures of formal, de jure exclusion have largely been dismantled, the old explicitly biologicistic ideologies largely abandoned⁵³ –the Racial Contract, as will be discussed later, is continually being rewritten—but opportunities for nonwhites, though they have expanded, remain below those for whites. The claim is not, of course, that all whites are better off than all nonwhites, but that, as a statistical generalization, the objective life chances of whites are significantly better.

As an example, consider the United States. A series of books has recently documented the decline of the integrationist hopes raised by the 1960s and the growing intransigence and hostility of whites who think they have “done enough,” despite the fact that the country continues to be massively segregated, median black family incomes have begun falling by comparison to white family incomes after some earlier closing of the gap, the so-called “black underclass” has basically been written off, and reparations for slavery and post-Emancipation discrimination have never been paid, or, indeed, even seriously considered.⁵⁴ Recent work on racial inequality by Melvin Oliver and Thomas Shapiro suggests that wealth is more important than income in determining the likelihood of future racial equalization, since it has a cumulative effect that is passed down through intergenerational transfer, affecting life chances and opportunities for one’s children. Whereas in 1988 black households earned sixty-two cents for every dollar earned by white households, the comparative differential with regard to wealth is much greater and, arguably, provides a more realistically negative picture of the prospects for closing the racial gap: “Whites possess nearly twelve times as much median net worth as blacks, or \$43,800 versus \$ 3,700. In an even starker contrast, perhaps, the average white household controls \$6,999 in net financial assets while the average black household retains no NFA nest egg whatsoever.” Moreover, the analytic focus on wealth rather than income exposes how illusory the much-trumpeted rise of a “black middle class” is: “Middle-class blacks, for example, earn seventy cents for every dollar earned by middle-class whites but they possess only fifteen cents for every dollar of wealth held by middleclass whites.” This huge disparity in white and black wealth is not remotely contingent, accidental, fortuitous; it is the direct outcome of American state policy and the collusion with it of the white citizenry. In effect, “materially, whites and blacks constitute two nations,”⁵⁵ the white nation being constituted by the American Racial Contract in a relationship of structured racial exploitation with the black (and, of course, historically also the red) nation.

A collection of papers from panels organized in the 1980s by the National Economic Association, the professional organization of black economists, provides some insight into the mechanics and the magnitude of such exploitative transfers and denials of opportunity to accumulate material and human capital. It takes as its title *The Wealth of Races*—an ironic tribute to Adam Smith’s famous book *The Wealth of Nations*—and analyzes the different varieties of discrimination to which blacks have been subjected: slavery, employment discrimination, wage discrimination, promotion discrimination, white monopoly power discrimination against black capital, racial price discrimination in consumer goods, housing, services, insurance, etc.⁵⁶ Many of these, by their very

nature, are difficult to quantify; moreover, there are costs in anguish and suffering that can never really be compensated. Nonetheless, those that do lend themselves to calculation offer some remarkable figures. (The figures are unfortunately dated; readers should multiply by a factor that takes fifteen years of inflation into account.) If one were to do a calculation of the cumulative benefits (through compound interest) from labor market discrimination over the forty-year period from 1929 to 1969 and adjust for inflation, then in 1983 dollars, the figure would be over \$1.6 trillion.⁵⁷ An estimate for the total of “diverted income” from slavery, 1790 to 1860, compounded and translated into 1983 dollars, would yield the sum of \$2.1 trillion to \$4.7 trillion.⁵⁸ And if one were to try to work out the cumulative value, with compound interest, of unpaid slave labor before 1863, underpayment since 1863, and denial of opportunity to acquire land and natural resources available to white settlers, then the total amount required to compensate blacks “could take more than the entire wealth of the United States.”⁵⁹

So this gives an idea of the centrality of racial exploitation to the U.S. economy and the dimensions of the payoff for its white beneficiaries from one nation’s Racial Contract. But this very centrality, these very dimensions render the topic taboo, virtually undiscussed in the debates on justice of most white political theory. If there is such a backlash against affirmative action, what would the response be to the demand for the interest on the unpaid forty acres and a mule? These issues cannot be raised because they go to the heart of the real nature of the polity and its structuring by the Racial Contract. White moral theory’s debates on justice in the state must therefore inevitably have a somewhat farcical air, since they ignore the central injustice on which the state rests. (No wonder a hypothetical contractarianism that evades the actual circumstances of the polity’s founding is preferred!)

Both globally and within particular nations, then, white people, Europeans and their descendants, continue to benefit from the Racial Contract, which creates a world in their cultural image, political states differentially favoring their interests, an economy structured around the racial exploitation of others, and a moral psychology (not just in whites but sometimes in nonwhites also) skewed consciously or unconsciously toward privileging them, taking the status quo of differential racial entitlement as normatively legitimate, and not to be investigated further.

Notes

1. Otto Gierke termed these respectively the *Gesellschaftsvertrag* and the *Herrschaftsvertrag*. For a discussion, see, for example, Barker, *Introduction*, *Social Contract*; and Lessnoff, *Social Contract*, chap. 3.
2. Rawls, *Theory of Justice*, pt. 1.
3. In speaking generally of “whites,” I am not, of course, denying that there are gender relations of domination and subordination or, for that matter, class relations of domination and subordination within the white population. I am not claiming that race is the only axis of social oppression. But race is what I want to focus on; so in the absence of that chimerical entity, a unifying theory of race, class, and gender oppression, it seems to me that one has

to make generalizations that it would be stylistically cumbersome to qualify at every point. So these should just be taken as read. Nevertheless, I do want to insist that my overall picture is roughly accurate, i.e., that whites do in general benefit from white supremacy (though gender and class differentiation mean, of course, that they do not benefit equally) and that historically white racial solidarity has overridden class and gender solidarity. Women, subordinate classes, and nonwhites may be oppressed in common, but it is not a common oppression: the structuring is so different that it has not led to any common front between them. Neither white women nor white workers have as a group (as against principled individuals) historically made common cause with nonwhites against colonialism, white settlement, slavery, imperialism, jim crow, apartheid. We all have multiple identities, and, to this extent, most of us are both privileged and disadvantaged by different systems of domination. But white racial identity has generally triumphed over all others; it is race that (transgender, transclass) has generally determined the social world and loyalties, the lifeworld, of whites—whether as citizens of the colonizing mother country, settlers, nonslaves, or beneficiaries of the “color bar” and the “color line. There has been no comparable, spontaneously crystallizing transracial “workers” world or transracial “female” world: race is the identity around which whites have usually closed ranks. Nevertheless, as a concession, a semantic signal of this admitted gender privileging within the white population, by which white women’s personhood is originally virtual, dependent on their having the appropriate relation (daughter, sister, wife) to the white male, I will sometimes deliberately use the non-gender-neutral “men.” For some recent literature on these problematic intersections of identity, see, for example, Ruth Frankenberg, *White Women, Race Matters: The Social Construction of Whiteness* (Minneapolis: University of Minnesota Press, 1993); Nupur Chaudhuri and Margaret Strobel, eds., *Western Women and Imperialism : Complicity and Resistance* (Bloomington: Indiana University Press, 1992); David Roediger, *The Wages of Whiteness: Race and the Making of the American Working Class* (London: Verso, 1991).

4. Rousseau, *Social Contract*; Hobbes, *Levia than.*

5. For a discussion of the two versions, see Kymlicka, “The Social Contract Tradition.”

6. Hobbes’s judgment that “INJUSTICE, is no other than the not Performance of Covenant,” *Leviathan*, p. 100, has standardly been taken as a statement of moral conventionalism. Hobbes’s egalitarian social morality is based not on the moral equality of humans, but on the fact of a rough parity of physical power and mental ability in the state of nature (chap. 13). Within this framework, the Racial Contract would then be the natural outcome of a systematic disparity in power—of weaponry rather than individual strength—between expansionist Europe and the rest of the world. This could be said to be neatly summed up in Hilaire Belloc’s famous little ditty: “Whatever happens, we have got / The Maxim Gun, and they have not.” Hilaire Belloc, “The Modern Traveller,” quoted in John Ellis, *The Social History of the Machine Gun* (1975; rpt. Baltimore: Johns Hopkins Paperbacks, 1986), p. 94. Or at an earlier stage, in the conquest of the Americas, the musket and the steel sword.

7. See, for example, A. P. d’Entreves, *Natural Law: An Introduction to Legal Philosophy*, 2d rev. ed. (1951; rpt. London: Hutchinson, 1970).

8. Locke, *Second Treatise of Two Treatises of Government*, p. 269.

9. Kant, *Metaphysics of Morals*, pp. 230–32.

10. See Aithur O. Lovejoy, *The Great Chain of Being: A Study of the History of an Idea* (Cambridge: Harvard University Press, 1948).
11. For the notion of “epistemological communities,” see recent work in feminist theory—for example, Linda Alcoff and Elizabeth Potter, eds., *Feminist Epistemologies* (New York: Routledge, 1993).
12. Thus Ward Churchill, a Native American, speaks sardonically of “fantasies of the master race.” Ward Churchill, *Fantasies of the Master Race: Literature, Cinema, and the Colonization of American Indians*, ed. M. Annette Jaimes (Monroe, Maine: Common Courage Press, 1992); William Gibson, *Neuromancer* (New York: Ace Science Fiction Books, 1984).
13. Robert Young, *White Mythologies: Writing History and the West* (London: Routledge, 1990); Edward W. Said, *Orientalism* (1978; rpt. New York: Vintage Books, 1979); V. Y. Mudimbe, *The Invention of Africa: Gnosis, Philosophy, and the Order of Knowledge* (Bloomington: Indiana University Press, 1988); Enrique Dussel, *The Invention of the Americas: Eclipse of “the Other” and the Myth of Modernity*, trans. Michael D. Barber (1992; rpt. New York: Continuum, 1995); Robert Berkhofer Jr., *The White Man’s Indian: Images of the American Indian from Columbus to the Present* (New York: Knopf, 1978); Gretchen M. Bataille and Charles L. P. Silet, eds., *The Pretend Indians: Images of Native Americans in the Movies* (Ames: Iowa State University Press, 1980); George M. Fredrickson, *The Black Image in the White Mind: The Debate on Afro-American Character and Destiny, 1817–1914* (1971; rpt. Hanover, N.H.: Wesleyan University Press, 1987); Roberto Fernández Retamar, *Caliban and Other Essays*, trans. Edward Baker (Minneapolis: University of Minnesota Press, 1989); Peter Hulme, *Colonial Encounters: Europe and the Native Caribbean, 1492–1797* (1986; rpt. London: Routledge, 1992).
14. Frederick Engels, *The Origin of the Family, Private Property, and the State* (New York: International, 1972), p. 120.
15. Jean-Paul Sartre, Preface to Frantz Fanon, *The Wretched of the Earth*, trans. Constance Farrington (1961; rpt. New York: Grove Weidenfeld, 1991).
16. V. G. Kiernan, *The Lords of Human Kind: Black Man, Yellow Man, and White Man in an Age of Empire* (1969; rpt. New York: Columbia University Press, 1986); Anthony Pagden, *Lords of All the World: Ideologies of Empire in Spain, Britain, and France, c. 1500–c. 1800* (New Haven: Yale University Press, 1995).
17. Pagden, Lord pp. 1–2.
18. Robert A. Williams Jr., “The Algebra of Federal Indian Law: The Hard Trail of Decolonizing and Americanizing the White Man’s Indian Jurisprudence,” *Wisconsin Law Review* 1986 (1986): 229. See also Robert A. Williams Jr., *The American Indian in Western Legal Thought: The Discourses of Conquest* (New York: Oxford University Press, 1990).
19. Williams, “Algebra,” pp. 230–31, 233. See also Lewis Hanke, *Aristotle and the American Indians: A Study in Race Prejudice in the Modern World* (Bloomington: Indiana University Press, 1959), p. 19.
20. Williams, “Algebra”; Hanke, Aristotle.

21. Allen Carey-Webb, "Other-Fashioning: The Discourse of Empire and Nation in Lope de Vega's *El Nuevo mundo descubierto por Cristobal Colon*," in Amerindian Images and the Legacy of Columbus, ed. René Jara and Nicholas Spadaccini, *Hispanic Issues*, 9 (Minneapolis: University of Minnesota Press, 1992), pp. 433–34.
22. Philip D. Curtin, Introduction, to *Imperialism*, ed. Curtin (New York: Walker, 1971), p. xiii.
23. Pierre L. van den Berghe, *Race and Racism: A Comparative Perspective*, 2d ed. (New York: Wiley, 1978).
24. Pagden, *Lords*, chap. 1.
25. Williams, "Algebra," p. 253.
26. Justice Joseph Story, quoted in Williams, "Algebra," p. 256.
27. Dred Scott v. Sanford, 1857, in *Race, Class, and Gender in the United States: An Integrated Study*, ed. Paula S. Rothenberg, 3d ed. (New York: St. Martin's Press, 1995), p. 323.
28. Excerpt from Jules Harmand, *Domination et colonisation* (1910), in Curtin, *Imperialism*, pp. 294–98.
29. Edward W. Said, *Culture and Imperialism* (New York: Knopf, 1993), pp. xiv, xiii.
30. Harold R. Isaacs, "Color in World Affairs," *Foreign Affairs* 47 (1969): 235, 246. See also Benjamin P. Bowser, ed., *Racism and Anti-Racism in World Perspective* (Thousand Oaks, Calif: Sage, 1995).
31. Helen Jackson, *A Century of Dishonor: A Sketch of the United States Government's Dealings with Some of the Indian Tribes* (1881; rpt. New York: Indian Head Books, 1993). In her classic exposé, Jackson concludes (pp. 337–38): "It makes little difference . . . where one opens the record of the history of the Indians; every page and every year has its dark stain. The story of one tribe is the story of all, varied only by differences of time and place.... [T]he United States Government breaks promises now [1880] as deftly as then [1795], and with an added ingenuity from long practice." Jackson herself, it should be noted, saw Native Americans as having a "lesser right," since there was no question about the "fairness of holding that ultimate sovereignty belonged to the civilized discoverer, as against the savage barbarian." To think otherwise would merely be "feeble sentimentalism" (pp. 10–11). But she did at least want this lesser right recognized.
32. See, for example, David E. Stannard, *American Holocaust: Columbus and the Conquest of the New World* (New York: Oxford University Press, 1992).
33. Richard Drinnon, *Facing West: The Metaphysics of IndianHating and Empire-Building* (New York: Meridian, 1980), p. 332.
34. Ibid., p. 102. See also Reginald Horsman, *Race and Manifest Destiny: The Origins of American Racial Anglo-Saxonism* (Cambridge: Harvard University Press, 1981); and Ronald Takaki, *Iron Cages: Race and Culture in 19th-Century America* (1979; rpt. New York: Oxford University Press, 1990).

35. A. Grenfell Price, *White Settlers and Native Peoples: An Historical Study of Racial Contacts between English-Speaking Whites and Aboriginal Peoples in the United States, Canada, Australia, and New Zealand* (1950; rpt. Westport, Conn.: Greenwood Press, 1972); A. Grenfell Price, *The Western Invasions of the Pacific and Its Continents* (Oxford: Clarendon Press, 1963); van den Berghe, *Race*; Louis Hartz, *The Founding of New Societies: Studies in the History of the United States, Latin America, South Africa, Canada, and Australia* (New York: Harcourt, Brace, and World, 1964); F. S. Stevens, ed., *Racism: The Australian Experience*, 3 vols. (New York: Taplinger, 1972); Henry Reynolds, *The Other Side of the Frontier: Aboriginal Resistance to the European Invasion of Australia* (Harmondsworth, Middlesex: Penguin, 1982). Price's books are valuable sources in comparative history, but—though progressive by the standards of the time—they need to be treated with caution, since their figures and attitudes are both now somewhat dated. In *White Settlers*, for example, the Indian population north of the Rio Grande is estimated at fewer than 850,000, whereas estimates today are ten to twenty times higher, and Price speculates that the Indians were "less advanced than their white conquerors" because they had smaller brains (pp. 6–7).
36. Van den Berghe, *Race*, p. 18.
37. C. Vann Woodward, *The Strange Career of Tim Crow*, 3d ed. (1955; rpt. New York: Oxford University Press, 1974); George M. Fredrickson, *White Supremacy: A Comparative Study in American and South African History* (New York: Oxford University Press, 1981); Douglas S. Massey and Nancy A. Denton, *American Apartheid: Segregation and the Making of the Underclass* (Cambridge: Harvard University Press, 1993).
38. See, for example, Kiernan, *Lords*; V. G. Kiernan, *Imperialism and its Contradictions*, ed. Harvey J. Kaye (New York: Routledge, 1995); D. K. Fieldhouse, *The Colonial Empires: A Comparative Survey from the Eighteenth Century* (1966; rpt. London: Macmillan, 1982); Pagden, *Lords*; Chinweizu, *The West and the Rest of Us: White Predators, Black Slavers, and the African Elite* (New York: Vintage Books, 1975); Henri Brunschwig, *French Colonialism, 1871–1914: Myths and Realities*, trans. William Granville Brown (1964; rpt. New York: Praeger, 1966); David Healy, *U. S. Expansionism: The Imperialist Urge in the 1890s* (Madison: University of Wisconsin Press, 1970).
39. Said, *Culture*, p. 8.
40. Kiernan, *Lords*, p. 24.
41. Linda Alcoff outlines an attractive, distinctively Latin American ideal of hybrid racial identity in her "Mestizo Identity," in *American Mixed Race: The Culture of Microdiversity*, ed. Naomi Zack (Lanham, Md.: Rowman and Littlefield, 1995), pp. 257–78. Unfortunately, however, this ideal has yet to be realized. For an exposure of the Latin American myths of "racial democracy" and a race-transcendent mestizaje, and an account of the reality of the ideal of blanqueamiento (whitening) and the continuing subordination of blacks and the darker-skinned throughout the region, see, for example, Minority Rights Group, ed., *No Longer Invisible: Afro-Latin Americans Today* (London: Minority Rights, 1995); and Bowser, *Racism and Anti-Racism*.
42. Locke, *Second Treatise*, pp. 350–51. Since Locke also uses "property" to mean rights, this is not quite as one-dimensional a vision of government as it sounds.

- 43.** Hobbes, *Leviathan*, p. 89.
- 44.** W. E. B. Du Bois, *Black Reconstruction in America, 1860–1880* (1935; rpt. New York: Atheneum, 1992).
- 45.** See Eric Jones, *The European Miracle* (Cambridge: Cambridge University Press, 1981). My discussion here follows J. M. Blaut et al., 1492: The Debate on Colonialism, Eurocentrism, and History (Trenton, N.J.: Africa World Press, 1992); and J. M. Blaut, *The Colonizer's Model of the World: Geographical Diffusionism and Eurocentric History* (New York: Guilford Press, 1993).
- 46.** Blaut, 1492; Blaut, *Colonizer's Model*.
- 47.** Sandra Harding, Introduction, to Harding, ed., *The "Racial" Economy of Science: Toward a Democratic Future* (Bloomington: Indiana University Press, 1993), p. 2.
- 48.** Eric Williams, *Capitalism and Slavery* (1944; rpt. New York: Capricorn Books, 1966).
- 49.** Walter Rodney, *How Europe Underdeveloped Africa* (1972; rpt. Washington, D.C.: Howard University Press, 1974); Samir Amin, *Eurocentrism*, trans. Russell Moore (1988; rpt. New York: Monthly Review Press, 1989); André Gunder Frank, *World Accumulation, 1492–1789* (New York: Monthly Review Press, 1978); Immanuel Wallerstein, *The Modern World System*, 3 vols. (New York: Academic Press, 1974–1988).
- 50.** Blaut, 1492, p. 3.
- 51.** Kiernan, *Imperialism*, pp. 98, 149.
- 52.** Quoted in Noam Chomsky, *Year 501: The Conquest Continues* (Boston: South End Press, 1993), p. 61.
- 53.** But see Richard J. Herrnstein and Charles Murray's bestseller *The Bell Curve: Intelligence and Class Structure in American Life* (New York: Free Press, 1994), as a sign that the older, straightforwardly racist theories may be making a comeback.
- 54.** See, for example: Andrew Hacker, *Two Nations: Black and White, Separate, Hostile, Unequal* (New York: Scribner's, 1992); Derrick Bell, *Faces at the Bottom of the Well: The Permanence of Racism* (New York: BasicBooks, 1992); Massey and Denton, *American Apartheid*; Stephen Steinberg, *Turning Back: The Retreat from Racial Justice in American Thought and Policy* (Boston: Beacon Press, 1995); Donald R. Kinder and Lynn M. Sanders, *Divided by Color: Racial Politics and Democratic Ideals* (Chicago: University of Chicago Press, 1996); Tom Wicker, *Tragic Failure: Racial Integration in America* (New York: William Morrow, 1996).
- 55.** Melvin L. Oliver and Thomas M. Shapiro, *Black Wealth/White Wealth: A New Perspective on Racial Inequality* (New York: Routledge 1995), pp. 86, 7.
- 56.** Richard F. America, ed., *The Wealth of Races: The Present Value of Benefits from Past Injustices* (New York: Greenwood Press, 1990). For another ironic tribute, whose subject is the international distribution of wealth, see Malcolm Caldwell, *The Wealth of Some*

Nations (London: Zed Press, 1977).

57. David H. Swinton, "Racial Inequality and Reparations," in America, Wealth of Races, p. 156.
58. James Marketti, "Estimated Present Value of Income Diverted during Slavery," in America, Wealth of Races, p. 107.
59. Robert S. Browne, "Achieving Parity through Reparations," in America, Wealth of Races, p. 204; Swinton, "Racial Inequality," p. 156.

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- Alcan, Felix. "The Morality of Epicurus and Its Relation to Contemporary Doctrines." In *La Morale d'Epicure et Ses Rapports Avec Les Doctrines Contemporaines*, translated by Mitchell Abidor, 7th Edition. Paris: Kessinger Publishing, LLC. Accessed April 3, 2018. <https://www.marxists.org/archive/guyau/1878/epicurus.htm>.
- Amhurst, Nicholas. *Terrae-Filius, Or, The Secret History of the University of Oxford: In Several Essays: To Which Are Added, Remarks Upon a Late Book, Entitled, University Education, by R. Newton.* R. Francklin, 1726.
- Anand, Dibyesh. "The Violence of Security: Hindu Nationalism and the Politics of Representing 'the Muslim' as a Danger." *The Round Table* 94, no. 379 (April 1, 2005): 203–15. <https://doi.org/10.1080/00358530500099076>.
- Andrew S. Denney, Kent R. Kerley, and Nickolas G. Gross. "Child Sexual Abuse in Protestant Christian Congregations: A Descriptive Analysis of Offense and Offender Characteristics" 9, no. 1 (January 1, 2018): 27–27.
- Annas, Julia. *Intelligent Virtue*. Oxford University Press, 2011.
- Aquinas, Thomas. "Question 94: The Natural Law." In *The Summa Theologiae*, translated by Fathers of the English Dominican Province, Second Edition. Vol. 1. London: Burns Oates and Washbourne, 1920.
- . *Summa Theologica*. Translated by Fathers of the English Dominican Province. Benziger Bros, 1947. <https://dhspriory.org/thomas/summa/>.
- Archie, Lee, and John G Archie. *Reading for Philosophical Inquiry: A Brief Introduction to Philosophical Thinking*. 0.21., 2004.
- Aristotle. "Nicomachean Ethics, Book 2." In *Aristotle in 23 Volumes*, translated by H Rackham, Vol. 19. London: Harvard University Press, 1934.
<http://data.perseus.org/citations/urn:cts:greekLit:tlg0086.tlg010.perseus-eng1:2>.
- Baldwin, James. *Transcript of Baldwin's Opening Speech in the Baldwin / Buckley Cambridge Debate*, 2015.
<https://web.archive.org/web/20171219005828/https://www.rimaregas.com/2015/06/07/transcript-james-baldwin-debates-william-f-buckley-1965-blog42/>.
- Barrett, Mike. "Critical Thinking." In *Reading, Thinking, Writing*. LOGOS Project at MACC, 2017. <https://app.box.com/s/smd3oexhfevqpkjhwx3v7zmydnfw75l>.
- Bentham, J., and E. Dumont. *The Rationale of Reward*. R. Heward, 1830.
<https://books.google.co.uk/books?id=6igN9srLgg8C>.
- Bentham, Jeremy. "An Introduction to the Principles of Morals and Legislation." In *Utilitarianism and Other Essays*, edited by Alan Ryan. Harmondsworth, Middlesex, England ; New York, N.Y., U.S.A: Penguin Classics, 1987.

- . *The Principles of Morals and Legislation*. Prometheus Books, 1781.
- Brandt, Richard B. *Ethical Theory*. Vol. 70. Prentice-Hall, 1959.
- Buber, Martin. *I and Thou*. Translated by Ronald Gregor Smith. Edinburgh: T & T Clark, 1937. https://archive.org/details/IAndThou_572.
- Budhwani, Henna, and Kristine R. Hearld. "Muslim Women's Experiences with Stigma, Abuse, and Depression: Results of a Sample Study Conducted in the United States." *Journal of Women's Health (15409996)* 26, no. 5 (May 2017): 435–41. <https://doi.org/10.1089/jwh.2016.5886>.
- Confucius. "The Doctrine of the Mean By." The Internet Classics Archive. Accessed February 26, 2018. <http://classics.mit.edu/Confucius/doctmean.html>.
- Crosley-Corcoran, Gina. "Explaining White Privilege to a Broke White Person..." The Feminist Breeder, November 20, 2013. <https://web.archive.org/web/201711201917/http://thefeministbreeder.com/explaining-white-privilege-broke-white-person/>.
- Durant, William James. *The Story of Philosophy the Lives and Opinions of the Great Philosophers of the Western World*. Simon & Schuster, 1967.
- Epicurus. "Letter to Menoeceus." In *St. Paul and Epicurus*, translated by Norman DeWitt, 187–93. University of Minnesota Press, 1954. <https://muse.jhu.edu/book/32409>.
- Euripides, and T.A. Buckley. "Bacchae." In *The Tragedies of Euripides*. London: Henry G. Bohn, 1850. <http://data.perseus.org/citations/urn:cts:greekLit:tlg0006.tlg017.perseus-eng1:476-518>.
- "Fears Mount over Scale of Buddhist Sect Sexual Abuse; Followers Allege They Were Coerced into Sex in 1970s and 80s with Elders of UK's Triratna Order." *The Observer (London, England)*, 2017. edsgbe. <http://0-search.ebscohost.com.avalon.searchmobius.org/login.aspx?direct=true&db=eds-be&AN=edsgcl.481755225&site=eds-live>.
- Foot, Philippa. "Morality as a System of Hypothetical Imperatives." *Philosophical Review* 81, no. 3 (1972): 305–16.
- Freire, Paulo. "Chapter 1." In *Pedagogy of the Oppressed: 30th Anniversary Edition*, translated by Myra Bergman Ramos. New York, London, New Delhi, and Sydney: Bloomsbury, n.d.
- Freire, Paulo, and Donaldo Macedo. *Pedagogy of the Oppressed: 50th Anniversary Edition*. 4 edition. Bloomsbury Academic, 2018.
- Gindin, Matthew. "Rohingya in 'Last Stages of Genocide.'" *Tricycle: The Buddhist Review*, April 25, 2018. <https://tricycle.org/trikedaily/rohingya-genocide/>.
- . "Sri Lanka Struggles to Contain Its Violent Buddhist Extremists." *Tricycle: The*

Buddhist Review, March 9, 2018. <https://tricycle.org/trikedaily/sri-lanka-buddhist-violence/>.

Grant, Edward. *The Nature of Natural Philosophy in the Late Middle Ages (Studies in Philosophy and the History of Philosophy, Volume 52)*. CUA Press, 2010.

Hume, David. *A Treatise on Human Nature: Being an Attempt to Introduce the Experimental Method of Reasoning Into Moral Subjects; and Dialogues Concerning Natural Religion*. Longmans, Green and Company, 1874.

Hursthouse, Rosalind. "Normative Virtue Ethics." In *Ethical Theory: An Anthology*, 645–52. Second Edition: John Wiley & Sons, Inc., 2013.

Hyde, Jesse. "The Dark Side Of Jesus People USA, America's Most Influential Christian Movement." BuzzFeed. Accessed April 30, 2018.
<https://www.buzzfeed.com/jessehyde/bringing-down-americas-happiest-christian-cult-842>.

Kant, Immanuel. *Groundwork for the Metaphysic of Morals*. Edited by Jonathan Bennett. Early Modern Texts, 2008.
<https://web.archive.org/web/20171002211626/http://www.earlymoderntexts.com/assets/pdfs/kant1785.pdf>.

—. *Lectures on Ethics*. Methuen & Co., 1930.

—. "On Moral Principles." In *The Originals: Classic Readings in Western Philosophy*, 274–87. Victoria, BC: BCcampus/TRU, n.d.

Keown, Damien. *Buddhist Ethics: A Very Short Introduction*. Oxford: Oxford University Press, 2005.

King, Elizabeth B. Ludwin. "Transitional Justice and The Legacy Of Child Sexual Abuse in The Catholic Church" 81, no. 1 (January 1, 2018): 121–43.

Konstan, David. "Epicurus." In *The Stanford Encyclopedia of Philosophy*, edited by Edward N. Zalta, Fall 2016. Metaphysics Research Lab, Stanford University, 2016.
<https://plato.stanford.edu/archives/fall2016/entries/epicurus/>.

Lederer, Richard. *A Tribute to Teachers: Wit and Wisdom, Information and Inspiration about Those Who Change Our Lives*. Marion Street Press, 2011.

Lee, Frances. "Excommunicate Me from the Church of Social Justice," 2017.
<https://www.autostraddle.com/kin-aesthetics-excommunicate-me-from-the-church-of-social-justice-386640/>.

Marcuse, Herbert. "Positive and Negative Philosophy." In *Reason and Revolution: Hegel and the Rise of Social Theory*, Anniversary edition. New York: Humanity Books, 1999.

Marquis, Don. "Why Abortion Is Immoral." *The Journal of Philosophy* 86, no. 4 (April 1989): 183–183. <https://doi.org/10.2307/2026961>.

Mill, John Stuart. *On Liberty*. New York and Melborne: The Walter Scott Publishing Co., Ltd, 1863.

—. *Utilitarianism*. London: Parker, Son, and Bourn, West Strand, 1863.

Mill, John Stuart, and Jeremy Bentham. *Utilitarianism and Other Essays*. Edited by Alan Ryan. Harmondsworth, Middlesex, England ; New York, N.Y., U.S.A: Penguin Classics, 1987.

Mills, Charles W. "Overview." In *The Racial Contract*. Cornell University Press, 1997.

Nasseeef, Abdullah Omar. "The Muslim Declaration on Nature." In *The Assisi Declarations*, 10–12. Assisi, 1986.
<http://www.arcworld.org/downloads/THE%20ASSISI%20DECLARATIONS.pdf>.

"No Place to Call Home: Abuse in a Christian Community." *Religion News Service*, March 28, 2014. <https://religionnews.com/2014/03/28/place-call-home-abuse-christian-community/>.

Nozick, Robert. *Anarchy, State, and Utopia*. Oxford: Blackwell Publishing, 1974.

NW, 1615 L St, Suite 800 Washington, and DC 20036 USA | Main 202-419-4300 | Fax 202-419-4349 | Media Inquiries. "The Changing Global Religious Landscape." *Pew Research Center's Religion & Public Life Project* (blog), April 5, 2017. <http://www.pewforum.org/2017/04/05/the-changing-global-religious-landscape/>.

Panin, Ivan. *Thoughts*. Grafton, MA: Ivan Panin, 1890.

Plato. "Alcibiades." In *Plato in 12 Volumes*, translated by Harold North Fowler, Vol. 1. London: Harvard University Press, 1966.
<http://data.perseus.org/citations/urn:cts:greekLit:tlg0059.tlg013.perseus-eng1:118b>.

—. "Euthyphro." In *Plato in 12 Volumes*, Vol 1, translated by Howard North Fowler. Harvard University Press, 1966.
<https://web.archive.org/save/http://www.perseus.tufts.edu/hopper/text?doc=Perseus:text:1999.01.0170:text=Euthyph>.

—. "The Apology." In *Plato in 12 Volumes*, translated by Harold North Fowler, Vol. 1. London: Harvard University Press, 1966.
<http://data.perseus.org/citations/urn:cts:greekLit:tlg0059.tlg002.perseus-eng1:20e>.

Rand, Ayn. "Howard Roark's Courtroom Speech." In *The Fountainhead*. Plume, 1943.

Rawls, John. "Justice as Fairness." In *A Theory of Justice*. Cambridge: Harvard University Press, 1971.

Richardson, Henry. "Rawls, John." Internet Encyclopedia of Philosophy. Accessed April 15, 2018.

<https://web.archive.org/web/20180407104948/http://www.iep.utm.edu/rawls/>.

Rickman, Peter. "Having Trouble With Kant? | Issue 86 | Philosophy Now." Magazine. Philosophy Now, July 2017.
https://web.archive.org/web/20170724103219/https://philosophynow.org/issues/86/Having_Trouble_With_Kant.

Said, E.W. *Orientalism*. Penguin Group, 2006.
<https://books.google.com/books?id=66sIHa2VTmoC>.

Sayre-McCord, Geoff. "Metaethics." In *The Stanford Encyclopedia of Philosophy*, edited by Edward N. Zalta, Summer 2014. Metaphysics Research Lab, Stanford University, 2014.
<https://plato.stanford.edu/archives/sum2014/entries/metaethics/>.

Scalzi, John. "Straight White Male: The Lowest Difficulty Setting There Is." Personal Site. Whatever, May 15, 2012.
<https://web.archive.org/web/20180215152452/https://whatever.scalzi.com/2012/05/15/straight-white-male-the-lowest-difficulty-setting-there-is/>.

Schroeder, Mark. "Value Theory." In *The Stanford Encyclopedia of Philosophy*, edited by Edward N. Zalta, Fall 2016. Metaphysics Research Lab, Stanford University, 2016.
<https://plato.stanford.edu/archives/fall2016/entries/value-theory/>.

Scott, Robert, and H.G. Liddell. *An Intermediate Greek-English Lexicon*. Oxford, New York: Oxford University Press, 1945.

Smart, J. J. C., and Bernard Williams. *Utilitarianism, For and Against*. Cambridge: Cambridge University Press, 1973.

The Nineteenth Islamic Conference of Foreign Minister. "Cairo Declaration on Human Rights in Islam." University of Minnesota Human Rights Library, 1990.
<http://hrlibrary.umn.edu/instree/cairodeclaration.html>.

The Riverbends Channel. *James Baldwin Debates William F. Buckley (1965)*. Accessed April 6, 2018.
<https://www.youtube.com/watch?v=oFeoS41xe7w&feature=youtu.be>.

Thomson, Judith Jarvis. "The Trolley Problem." *The Yale Law Journal* 94, no. 6 (1985): 1395–1415. <https://doi.org/10.2307/796133>.

Toolis, Kevin. "The Most Dangerous Man in the World." *the Guardian*, November 6, 1999.
<http://www.theguardian.com/lifeandstyle/1999/nov/06/weekend.kevintoolis>.

Velji, Jamel. "Apocalyptic Religion and Violence." In *The Oxford Handbook of Religion and Violence*, edited by Michael Jerryson, Mark Juergensmeyer, and Margo Kitts, 2013.
<http://oxfordhandbooks.com/view/10.1093/oxfordhb/9780199759996.001.0001/oxfordhb-9780199759996-e-14>.

Wagemakers, Joas. *Salafism*. Interactive Factory, n.d.

<http://religion.oxfordre.com/view/10.1093/acrefore/9780199340378.001.0001/acrefore-9780199340378-e-255>.

Waite Gary K. "From Apocalyptic Crusaders to Anabaptist Terrorists: Anabaptist Radicalism after Miinster, 1535-1544." *Archiv Für Reformationsgeschichte - Archive for Reformation History* 80, no. jg (1989): 173. <https://doi.org/10.14315/arg-1989-jg10>.

Zalcberg, Sara. "The Place of Culture and Religion in Patterns of Disclosure and Reporting Sexual Abuse of Males: A Case Study of Ultra Orthodox Male Victims." *Journal of Child Sexual Abuse* 26, no. 5 (July 2017): 590–607.
<https://doi.org/10.1080/10538712.2017.1316335>.