

## Three Forms of Neo-Aristotelian Ethical Naturalism<sup>1</sup>: A Comparison

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The editors of this fine journal have asked us to compare and contrast briefly three theories of ethics, which might be of particular interest to its readers: Objectivist Ethics (*OE*) associated with Ayn Rand; Footean Ethics (*FE*) associated with Philippa Foot; and Individualistic Perfectionism (*IP*) associated with ourselves. This comparison is to be made in regard to the questions in the following categories—none of which entirely exists apart from the others.

1. *Metaethics*: Is there ethical knowledge? How do we derive an “ought” from an “is”? Why be moral?

2. *Normative Ethics*: What is, if anything, inherently good? What is the relationship between what is inherently good or valuable and what one ought to do? How do we understand practical rationality?

3. *Political Philosophy*: What is the nature of the connection, if any, between the ethical order and the political/legal order? What is it that ethically legitimates the state, or more generally, the political/legal order? What are rights and their justification?

Since this task of comparison must be briefly accomplished, it is confined mainly to the presentation of the respective positions of these theories regarding the above questions and not, at least for the most part,

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<sup>1</sup> “Neo-Aristotelian” here means “modern theorizing which incorporates some central doctrines of Aristotle. . . . Such theorizing should critically assess his claims in light of modern philosophical theory, scientific research, and practical experience, revise or reject them where necessary, and consider their application to . . . contexts not envisioned by him;” see Fred D. Miller, *Nature, Justice and Rights in Aristotle's Politics* (Oxford: Clarendon Press, 1995), p. 336 n. 1.

to a detailed evaluation of them. This task will be fashioned in terms of essentials and with the discussion of only a few issues. It will not attempt to survey or examine all the literature on these theories.

## **Metaethics**

### *Objectivist Ethics*<sup>2</sup>

*OE* holds that there is a connection between ultimate ends and values and facts of reality. “The fact that living entities exist and function necessitates the existence of values and of an ultimate value which for any given living entity is its own life” (367). This is so because life is conditional. The actions of all living entities face the constant alternative of existence or non-existence, and it is only through meeting the needs and interests their lives require that living entities can remain in existence.

Life is the final value or end in terms of which all other ends are gauged. “*Life* is the only phenomenon that is an end in itself: a value gained and kept by a constant process of action” (367). The life of a living entity serves no other end or value, and all other ends or values of a living entity serve the end of its life. It is the nature of a living entity that determines what will or will not serve its life. Life comes in many different forms, and these forms differ and are numerous.

A value or end is the object of action, a goal, “that which one acts to gain and/or keep” (365), and those values, ends, or goals that further an entity’s life are good for it and those that hinder it are evil for it. There can be good or bad values, ends, or goals.

What is good or bad refers to the relationship between some aspect of reality and the life of a living entity. Apart from this relationship, there is no such thing as good or evil existing in the world. But by the same token, what is good or bad is not simply a matter of opinion. Rather, as already stated, what is good or bad is based on the relationship between those features of reality and an entity’s life. When it comes to human beings and moral values, *OE* holds:

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<sup>2</sup> Unless otherwise noted, all quotations regarding *OE* are taken from Ayn Rand, “Value and Rights” in *Readings in Introductory Philosophical Analysis*, ed. John Hospers (Englewood Cliffs, New Jersey: Prentice-Hall, 1968), pp. 364-87. Page numbers are noted in the text.

The good is neither an attribute of “things in themselves” nor of man’s emotional states, but *an evaluation* of the facts of reality by man’s consciousness according to a rational standard of value. (Rational, in this context, means: derived from the facts of reality and validated by a process of reason.) The objective theory holds that *the good is an aspect of reality in relation to man*—and that it must be discovered, not invented by man.<sup>3</sup>

The good is not something that exists in splendid isolation but involves a complex relationship that every human being needs to discover for him- or herself. However, what is crucial for *OE* is that the good is an *evaluation* of the facts of reality, and an evaluation does not exist apart from a cognitive act. This claim proves crucial to understanding how *OE* attempts to connect the ethical order to the natural order.

What is good for a human being can only be achieved if it is discovered. A human being “does not automatically know what is true or false, cannot know what is right or wrong, what is good for him or evil. Yet he needs that knowledge in order to live” (371). In order for such knowledge to be achieved, it is *necessary* for individual human beings to initiate and maintain a conceptual grasp of the situation. This necessity is hypothetical in that it is in part based on “man’s life, or: that which is required for man’s survival qua man” (372). If one is to attain one’s good (as defined by the standard of “man’s life”), then one must take those actions that *mutatis mutandis* achieve or realize one’s good.

The hypothetical necessity, however, is not only based on the fact that “man’s life” is one’s good or ultimate end; it also requires one’s “choice to live.” As Rand states:

My morality, the morality of reason, is contained in a single axiom: existence exists--and in a single choice: to live. The rest proceeds from these.<sup>4</sup>

Life or death is man’s only fundamental alternative. To live is his basic act of choice. If he chooses to live, a rational ethics will tell him what principles of action are required to implement

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<sup>3</sup>Ayn Rand, “What Is Capitalism?” *Capitalism: The Unknown Ideal* (New York: New American Library, 1966), p. 14.

<sup>4</sup>Ayn Rand, *For the New Intellectual: The Philosophy of Ayn Rand* (New York: New American Library, 1961), p. 128.

his choice. If he does not choose to live, nature will take its course.

Reality confronts man with a great many "musts," but all of them are conditional; the formula for realistic necessity is: "You must, if –" and "if" stands for man's choice: "– if you want to achieve a certain goal." You must eat, if you want to survive. You must work, if you want to eat. You must think – if you want to work. You must look to reality, if you want to think – if you want to know what to do – if you want to know what goals to choose – if you want to know how to achieve them.<sup>5</sup>

If one does not "choose to live," then the course nature takes may not entail immediate extinction, but for *OE* it does involve one in living at a subhuman level—certainly, it is not man's survival *qua* man.

Yet it is by no means necessary that one choose to live. The choice to live ultimately comes down to the choice to use one's rational faculty—the exercise of this faculty is volitional. As suggested, conceptual awareness is not automatic. It is self-directed. It requires one making the effort to focus one's consciousness. "Existentially, the choice 'to focus or not' is the choice 'to be conscious or not.' Metaphysically, the choice 'to be conscious or not' is the choice of life or death" (370). Thus, one has to have chosen to live, in the sense that one has exercised the effort to be conceptually aware of the world, if one is to determine what ought to be done. There is for *OE* no concept of good, or notion of what ought to be, apart from and prior to the basic choice to live—that is, the choice to be conceptually aware. Indeed, to ask why one ought to choose to live or why it is rational to so choose is, according to *OE*, to ignore that the very search for an answer to such questions presupposes that one has chosen to live and thus is already holding that knowledge is a good in the service of one's life. Such inquiries have no point, because one has chosen to live.<sup>6</sup>

Yet there seems to be a problem with this argument—namely, there is nothing at all conceptually amiss in engaging in an activity and

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<sup>5</sup>Ayn Rand, "Causality Versus Duty," *The Objectivist* 9.7 (July 1970): 4.

<sup>6</sup>It makes no difference to the logical point here whether the choice to live occurs once (and that suffices), or whether the choice is something one continuously does. "First" or "prior" can be understood in a logical, not exclusively a temporal sense.

asking, while so engaged, whether one is justified in doing so. Choice cannot mean just focusing because that does not answer focusing on what or why. Indeed, we just noted above that choice seems to involve a complex process of a deployment of our rational faculty. But again, deployed on what and why? Choice implies evaluation which itself implies a standard. Without an evaluative standard one simply has selection, not choice. In short, “the choice to live” is highly ambiguous. This is because *OE* sometimes gives the impression that every choice is like the fundamental first choice to live, as if the mere act of selection itself sets in motion standards of evaluation. However, if there is no normative standard governing the fundamental first choice because selection alone is sufficient to qualify as a choice, then it’s difficult to see why any other choice would not be like the first one—radically independent. Yet if we bring in an evaluative component to choice, then it is possible to have standards prior to the choice itself. Therein lies the ambiguity.

In this connection, Nathaniel Branden in his essay “The Moral Revolution in *Atlas Shrugged*,” states regarding the choice to live:

Not to hold man's life as one's standard for moral judgment is to be guilty of a logical contradiction. It is only to a living entity that things can be good or evil; life is the basic value that makes all other values possible; the value of life is not justified by a value beyond itself; to demand such justification - to ask: Why should man choose to live? - is to have dropped the meaning, context and source of one's concepts. “Should” is a concept that can have no intelligible meaning, if divorced from the concept and value of life.<sup>7</sup>

*OE* holds that one must accept one’s life as one’s ultimate end and value on pain of engaging in a self-contradiction if denied, and this suffices to overcome the putative is-ought gap.

However, as has been noted elsewhere,<sup>8</sup> *if the existence of any “ought” is truly dependent on one choosing to live*, then Branden’s retort—namely, that asking why one ought to choose to live involves a

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<sup>7</sup>Nathaniel Branden and Barbara Branden, *Who is Ayn Rand?* (New York: Paperback Library, 1962), pp. 26-27. The contradiction of which Branden speaks might be better understood as performative in character.

<sup>8</sup>See note 15 below.

logical inconsistency or engages one in unintelligibility<sup>9</sup>—would seem to have no normative force. One must choose to live in order for it to be the case that one *ought* not to engage in making inconsistent or unintelligible statements. The “ought” succeeds the choice. If so, there appears to be a gap between what is logically required and what is morally required. Furthermore, there appears to be a gap between the logical requirement that choices can only be made while being alive and a moral obligation to choose in life-supporting ways. Being guilty of self-contradiction or making a meaningless claim is only of concern if one has knowledge as one’s aim or, to put it in Rand’s terms, has chosen to live; and it is the obligatory character of making that choice that remains at issue. Thus, either there are “ought’s” applicable to the choice to live or there are not. Since *OE* seems to hold that there are no standards prior to the choice to live—however locked in to life one is upon choosing—it would appear, then, that for *OE* there is no normative standard or ontological context that governs such a choice. It may be that this is due to *OE* failing to differentiate what is to be chosen from the act of choice itself—that is to say, failing to differentiate *preferring* one alternative to another to merely *selecting* one over another.

#### *Footean Ethics*<sup>10</sup>

Ethics is a practical concern. Its essential aim is neither to know some fact nor some logical principle but rather to guide human conduct. If any is-statement or logical principle is going to provide guidance for what humans ought to do, then there needs to be an account of practical rationality that not only allows reason to provide such guidance, but also explains how it is that what reason discovers can direct what one chooses.

A concern, then, if not *the* concern, of *FE* is to provide an alternative to the (neo)Humean view that our wants or desires are the determining factors for what we do and that reason is only a “slave to the passions,” and hence that ethics is not a matter of knowledge.

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<sup>9</sup> Strictly speaking, to affirm the proposition “P and not-P” is to hold something that is necessarily false but this is not something literally meaningless or unintelligible. Indeed, one has to understand what is being affirmed to see that it is false.

<sup>10</sup> Unless otherwise noted, all quotations regarding *FE* are taken from Philippa Foot, *Natural Goodness* (Oxford: Oxford University Press, 2001). Page numbers are noted in the text.

Moreover, Foot does not think that this challenge can be solved by a system of hypothetical imperatives. Indeed, she regards the idea of morality as a system of hypothetical imperatives as suffering from “obvious indigestibility” (60). Practical rationality cannot be concerned only with the relation of means to ends. Nor can it ultimately be based merely on what one wants, desires, or even chooses. Instead, there must be something that they are for—the directive power of which is not the result of being wanted, desired, or chosen—if we are going to have a basis for what we ought to choose and thus ethical knowledge.<sup>11</sup>

There needs to be a natural end or function—an end or function that is not simply the result of what is wanted, desired, or chosen. Foot holds that there is no reason to be afraid of teleological language when it comes to living things. Such language need not be the result of a world-view that reflects the will of a deity or even human will. Rather, it is part of natural-teleological description of life-forms. It is from such descriptions that an account of what is naturally good and beneficial for a living entity can be developed, including human beings. Human good is a necessary condition for practical reasoning and explains its vital importance.

Ethical knowledge exists, then, because “a moral evaluation does not stand over against the statement of a matter of fact, but rather has to do with facts about a particular subject matter” (24), and because life is at the center of this subject matter. As Foot states:

‘Natural’ goodness, as I define it, which is attributable only to living things themselves and to their parts, characteristics, and operations, is intrinsic or ‘autonomous’ goodness in that it depends directly on the relation of an individual to the ‘life form’ of its species. On barren Mars, there is no natural goodness, and even secondary goodness can be attributed to things on that planet only by relating them to our own lives, or to living things existing elsewhere (26-27).

What is naturally good is either attributable to a living thing in virtue of its relationship to its life-form or to facets of reality as they are related to living things, for example, when we speak of good weather as being good for plants, animals, or human beings.

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<sup>11</sup>Foot states that her approach involves “seeing goodness as a necessary condition of practical rationality . . .” (*Natural Goodness*, p. 63).

The importance of life to an understanding of what is morally good and what ought to be done is shared by both *OE* and *FE*. The crucial metaethical difference between them seems to be that the former (*OE*) holds that the questions “Why ought one choose to live?” or “Why be moral?” are pointless, since the very ability to ask these questions is dependent on first having made “the choice to live,” which is necessary for the very concepts of moral good or what ought to be. The latter (*FE*) holds that virtuous activity is necessary to, and constitutive of, human good, which is the ultimate end of practical rationality and standard for human choice. As such, human good provides not only the answer to such questions as “Why ought one to be moral?” but also the ontological basis for doubting the very point of asking “ought” in this context.<sup>12</sup>

### *Individualistic Perfectionism*<sup>13</sup>

*IP* accepts the claim of *OE* that life is an ultimate end for a living thing and further that life is not a denatured activity, but always and necessarily involves a particular form of living. It also accepts the claim that the use of one’s conceptual faculty is chiefly a matter of self-direction. Like *FE*, *IP* accepts its claim that life so understood is the natural end or function of a living entity. The aim of life is life. Most importantly, the approach taken by *IP* works within the context of metaphysical realism: there are beings that exist and are what they are independent and apart from our cognition of them, but these beings can nonetheless come to be known. Reality is intelligible and is not in principle unknowable. The approach taken by *IP* accepts, of course, the claim that one cannot *think* about what exists, including relationships, apart from their being thought of, but it holds that this neither means nor

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<sup>12</sup>See *ibid.*, p. 65.

<sup>13</sup>For a much more complete account of *IP*, see: Douglas B. Rasmussen and Douglas J. Den Uyl, *Liberty and Nature: An Aristotelian Defense of Liberal Order* [hereinafter *LN*] (La Salle, IL: Open Court, 1991); Douglas B. Rasmussen and Douglas J. Den Uyl, *Norms of Liberty: A Perfectionist Basis for Non-Perfectionist Politics* [hereinafter *NOL*] (University Park, PA: Pennsylvania State University Press, 2005); Douglas J. Den Uyl and Douglas B. Rasmussen, *The Perfectionist Turn: From Metanorms to Metaethics* [hereinafter *TPT*] (Edinburgh: Edinburgh University Press, 2016); and Douglas B. Rasmussen and Douglas J. Den Uyl, *The Realist Turn: Repositioning Liberalism* [hereinafter *TRT*] (Cham, CH: Palgrave Macmillan, 2020). Page numbers for quotations from these works are noted in the text.



implies that existents cannot be or have a nature apart from such thinking.

Accordingly, apart from the self-directed use of one's conceptual capacity, one does not have the *concepts* of moral good or what ought to be. However, this does not show that what these concepts are about does not exist apart from the exercise of one's conceptual capacity. Indeed, *human good is not a concept*. It is neither abstract nor universal, but individualized. It comprises a complex reality that expresses a relationship of potentiality for actuality, which is understood not only in terms of efficient causality but final and formal causality as well.

In this regard, *IP* holds with Aristotle that there is a distinction between grades of actuality when it comes to living things. The first grade of actuality is the possession of a set of capacities that are also potentialities for a living thing's second grade of actuality—that is, their actual use or deployment by a living thing. Included among the set of potentialities of a human being that comprise its first grade of actuality is the potential to exercise one's conceptual capacity. This first grade of actuality is a cognitive-independent reality. However, when one's conceptual capacity is exercised and used in a manner that actualizes the other potentialities that require it, then a second grade of actuality is attained. For example, one has the capacity to know one's good and attain it (first grade of actuality), but one needs to engage in knowing and attaining it in order to be fully actualized (second grade of actuality).

Human good understood in terms of what the first grade of human actuality entails needs to be discovered in order for a human being to attain his form of life—his manner of living—and what that involves—the second grade of human actuality. This means that engaging in the act of discovering human good is good for a human being. It is choice-worthy and ought to be done. Not knowing one's human good does not relieve one of the obligation to discover and attain it, since human beings can in principle make such a discovery. This discovery is of course self-directed, but self-direction can still be for human good without its being compelled to that end. Teleology is not compulsion.

Both *IP* and *FE* are different from *OE* when it comes to understanding the nature of the conditional or hypothetical upon which moral obligation is based. Indeed, this seems to be the ultimate

metaethical difference, and it pertains to how the human life-form is understood. It has to do particularly with the question of whether the human faculty of rationality has a function or end only of its own making or not.

*OE* holds that the “choice to live” (in all its manifestations) is necessary for the very existence of moral obligation; without it, there would be no moral obligation. Though human beings are living things that have their own lives as their ultimate ends, the exercise of their rational faculty, which the “choice to live” requires, stands apart from all the other faculties that function for the sake of human life in that there is nothing that this faculty is for—nothing toward which it is naturally oriented. This approach to moral obligation is what is commonly called a “problematic hypothetical imperative”: one ought to do what is good for one, *if* one wants or chooses to live.<sup>14</sup>

*IP* and *FE* hold that what is good for one as a human being provides an orientation for all human faculties, especially the faculty for rationality. The exercise of our rationality, which is expressed by our conceptual mode of awareness, functions for the sake of our human life-form, and the human life-form determines human good. Attaining this form of life is that for the sake of which human living exists, and this determines what is choice-worthy. It gives rise to moral obligation. This approach to moral obligation is what is commonly called an “assertoric hypothetical imperative”: one ought to *be* good (which involves doing what is good for one), *since* human good is one’s natural end.<sup>15</sup>

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<sup>14</sup>Or, if it is thought that rationality need not be considered as having anything in common with the other faculties of a flesh-and-blood living human being, then this might be understood as a categorical imperative since the ends of reason would be dictated by practical rationality itself. But surely this could not be what *OE* holds.

<sup>15</sup>See the following essays by Douglas B. Rasmussen: “Rand on Obligation and Value,” *The Journal of Ayn Rand Studies* 4.1 (Fall 2002): 69-86; “Regarding Choice and the Foundation of Morality: Reflections on Rand’s Ethics,” *The Journal of Ayn Rand Studies* 7.2 (Spring 2006): 309-28; “Rand’s Metaethics: Rejoinder to Hartford,” *The Journal of Ayn Rand Studies* 8.2 (Spring 2007): 307-16; and “Machan, Realism, and Objective Value Judgments,” *Reality, Reason, and Rights: Essays in Honor of Tibor R. Machan*, ed. Douglas Rasmussen, Aeon Skoble, and Douglas Den Uyl (Lexington Books, 2011), pp. 171-83.

Obligation ultimately rests in *OE* on one's choice, while in *IP* and *FE* it rests on what is one's good.

It must be noted here that understanding what the "choice to live" means in *OE* is highly problematic. This is so because at some points this choice appears simply to mean that someone has determined to conceptually consider some fact or feature of the world and at other points it appears to be a most reflective consideration of whether life is worthy to be lived. It seems to us that either way one must already be at least minimally engaged in some form of conceptual awareness in order to consider the question of whether to focus, think, or live regardless of how that question is understood or applied or what its context may be. This is not to say, however, that much effort is not required to get beyond minimal conceptual awareness, or that self-perfection does not entail self-direction. Yet it is to say that we begin our cognition of the world with the formation of rudimentary concepts that do not require *a level of effort that involves volitional consideration*. Indeed, *IP* (and most likely *FE*) is more inclined to say that the only fundamental choice we face comes after we are minimally conceptually aware, and it is the choice to die, which in most circumstances is not a good idea.

## **Normative Ethics**

### *Objectivist Ethics*

*OE* holds that "man's life, or: that which is required for man's survival qua man" (372) is the standard for determining human good. This standard does not "mean a momentary or a merely physical survival. . . . [It] means the terms, methods, conditions and goals required for the survival of a rational being through the whole of his lifespan—in all those aspects of existence which are open to his choice" (373). Moreover, Rand states:

In order to exist, every part of an organism must function; if it doesn't, it atrophies. This applies to man's mind more than to any other faculty. In order *actually to be alive properly*, a man must use his mind constantly and productively. That's why rationality is the basic virtue . . . . What for? The creative happiness of achieving greater and great control over reality and more ambitious values in whatever field man is using his mind . . . . *To survive properly*, man must think constantly. Man

cannot survive automatically. The day he decides he no longer needs to be creative is the day he's dead spiritually.<sup>16</sup>

Accordingly,

the three cardinal values of the Objectivist Ethics—the three values which, together are *the means to* and *the realization of* one's ultimate value, one's own life—are: Reason, Purpose, and Self-Esteem, with their three corresponding virtues: Rationality, Productiveness, Pride (373, emphasis added).

Further, the virtues of independence, integrity, honesty, justice, and productiveness are considered forms of cognition and conduct that rationality demands.

All of these virtues are part of what “man's survival qua man” involves. They are constitutive. However, these virtues are constitutive not because they are valuable in themselves. Rather, for *OE*, it is because they are causally contributory to an individual's survival—that is, what is necessary for attainment of values that human beings need to survive. It is causality, then, not desire, convention, duty, or even good that is the guiding principle here.

According to one recent account of *OE*,<sup>17</sup> the justification of these virtues, in terms of their causal contribution to what human beings need to survive, does not require holding that these virtues are only a means to survival. Nor does a causal justification of these virtues require treating human good as merely physical survival. It is held that these virtues are constitutive exactly because they causally contribute to human survival. This is so because life is a constant process of self-generated and self-sustaining action that is itself its own end *and* because the actions a living thing takes to maintain its life also constitute it. These virtues are both instrumental to and constitutive of human survival at the

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<sup>16</sup>Ayn Rand, *Ayn Rand Answers: The Best of Her Q & A*, ed. Robert Mayhew (New York: New American Library, 2005), p. 30, emphasis added.

<sup>17</sup>See Gregory Salmieri, “Selfish Regard for the Rights of Others: Continuing a Discussion with Zwolinski, Miller, and Mossoff” in *Foundations for a Free Society: Reflections on Ayn Rand's Political Philosophy*, ed. Gregory Salmieri and Robert Mayhew (Pittsburgh, PA: University of Pittsburgh Press, 2019), pp. 168-175.

same time, and hence there is no instrumental/constitutive dichotomy for *OE*—or so it is claimed.

The aim of morality for *OE* is what is good for an individual human being. It holds “that the actor must always be the beneficiary of his action and that man must act for his own *rational* self-interest.”<sup>18</sup> The relationship of an individual to others is not the definitive ethical concern. Rather, it is the relationship between an individual and his very self that ultimately matters. Hence *OE* advocates ethical egoism and rejects altruism. It is in this regard that *OE* has raised the most controversy and criticism.

Ethical egoism for *OE* does not, however, preclude friendships of various kinds or preclude choosing to risk one’s life for friends and family, or even preclude defending one’s country for the sake of preserving liberty. This does, however, mean that one’s friends, family members, social and political institutions, and country do not have a moral blank check. They are not free from evaluation. They can and ought to be morally evaluated in terms of what they causally contribute to one’s surviving or living properly.

Finally, *OE* rejects the idea that there can be a conflict of interests between people who are rationally pursuing their own good as understood in terms of the principles, methods, virtues, and values that constitute “man’s survival qua man.” When this standard is applied correctly by individuals to the purpose of attaining their own life, then there is no basis for conflict. This is, of course, not to say that individuals invariably do this or act rationally. However, it is to say that for *OE* the differences among individuals understood in terms of who they are and their circumstances *cannot*—as a matter of principle—give rise to legitimate conflicts between individuals regarding what is their respective good and how they should conduct themselves.

#### *Footean Ethics*

*FE* holds that the goodness of a living thing is present to the extent that it instantiates its life-form (or stated more traditionally, to the extent that it conforms to its nature), but since this instantiation is of a

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<sup>18</sup>Ayn Rand, “Introduction” in *The Virtue of Selfishness: A New Concept of Egoism* (New York: Signet, 1964), p. x.

*life*-form, it must involve what is beneficial or good for it as the kind of living thing it is. It must involve being a good *living* thing.<sup>19</sup>

However, it should be emphasized that this is a statement of what it is for a living thing to be good and not a statement of what is needed for a living thing to exist in every set of circumstances or situations. Nor is it even a statement, strictly speaking, of what is necessary to exist. Existing as such is not a living thing's ultimate good or end, but instead it is *living as the kind of living thing it is*. As Foot notes, "the teleological story goes beyond a reference to survival" (43). Natural teleology may require a biocentric foundation and starting point, but that does not necessarily make biological or physical survival the end of a living being. This is especially so for human beings when it comes to the standard for determining human good.

The central question for *FE* is whether there is a common conceptual structure shared by the procedure of determining goodness and defect for a plant or an animal and the procedure of determining goodness and defect for a human being. Regarding this question, Foot makes three important points:

The first is that there is in fact a common conceptual structure to all the procedures of determining goodness:

The structure of the derivation is the same whether we derive an evaluation of the roots of a particular oak tree or the action of a particular human being. The meaning of the words "good" and "bad" is not different when used of features of plants on the one hand and humans on the other, but is rather the same as applied, in judgments of natural goodness and defect, in the case of all living things (47).

The second is that the respective forms of goodness determined by these procedures are quite different, and that the goodness of a human being cannot be reduced to that of a plant or an animal:

When we think about the idea of an individual's good as opposed to its goodness, as we started to do in introducing the

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<sup>19</sup>Goodness of a living thing, then, is explained in terms of what is good for it as the kind of living thing it is. Goodness is not some simple, non-relational property. It is expressed in the relationship of an individual living thing to its *life*-form.

concept of benefit, human good must indeed be recognized as different from good in the world of plants or animals, where good consisted in success in the cycle of development, self-maintenance, and reproduction. Human good is *sui generis* (51).

Third, nonetheless, a common conceptual structure remains:

For there is a ‘natural-history story’ about how human beings achieve this good as there is about how plants and animals achieve theirs. There are truths such as ‘Humans make clothes and build houses’ that are to be compared with ‘Birds grow feathers and build nests;’ but also propositions such as ‘Humans establish rules of conduct and recognize rights.’ To determine what is goodness and what defect of character, disposition, and choice, we must consider what human good is and how human beings live: in other words, *what kind of a living thing a human being is* (51, emphasis added).

What goodness is for living entities—regardless of their complexity and diversity—is their living qua the kind of being they are. Their particular natures determine in what their good consists.

Foot follows Elizabeth Anscombe in thinking that we cannot have an adequate understanding of what ethics involves apart from a well-developed understanding of human nature. *FE* holds that we do have sufficient understanding of human nature to note that human good extends far beyond biological or physical survival and that human beings need virtues. Humans need virtues, Peter Geach noted, as bees need stings.<sup>20</sup> Virtues, such as courage, integrity, temperance, and justice, are part of what practical rationality requires in realizing the human life-form; and engaging in practical rationality, which is a “master virtue” (62), is the foundation for a human being developing capacities, dispositions, or behaviors that conform to his nature or life-form. It is through practical rationality that human good is made real. As such, practical rationality and its concomitant virtues are both instrumentally and constitutively causes of what it is to be a good human being.<sup>21</sup>

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<sup>20</sup>Peter Geach, *The Virtues* (Cambridge: Cambridge University Press, 1977), p. 17.

<sup>21</sup>See Douglas B. Rasmussen and Douglas J. Den Uyl, “On Grounding Ethical Values in the Human Life Form,” a review of Benjamin J. B. Lipscomb, *The*

Regrettably, Foot does not engage in a full account of the values and virtues human good comprises. She notes the importance of creativity, freedom, friendship, justice, and practical reasonableness, and even argues that one can find happiness of a certain sort in situations in which one faces one's demise, knowing that one is nonetheless following the demands of one's integrity.<sup>22</sup> Yet she is more content in *Natural Goodness*, her last major work, to establish the justification for a naturalistic procedure—namely, that there is no in-principle barrier to knowing human good through an examination of the human life-form. It is possible for us to come to understand in what human good consists through an understanding of human nature. Attaining such an understanding involves not only scientific (not scientistic) inquiry, but also philosophical and personal reflection, natural history stories, and common experiences.

From the perspective of metaphysical realism, which *IP* endorses, discovering in what human good consists (that is, its formal cause) need not be simply a matter of deduction or some a priori procedure.<sup>23</sup> It is, broadly speaking, an empirical process, but one that is freed from Cartesian epistemological and methodological assumptions. As a result, it is not necessary to start with an account of human good that has been shown to be immune to so-called radical doubt or to revision. Rather, a starting point for understanding in what human good consists is simply what Aristotle called the “endoxa” (established opinions), which lists some basic, “generic” goods and virtues (as we shall see in the following examination *IP*'s account of human good). This is an initial, though not necessarily final, account of what human good *is*. Clearly, human good is beyond that of biological or physical survival. (This at least is also insisted upon by *OE*.) It would seem, then, that to the extent that Foot was a follower of Anscombe and found Ludwig sWittgenstein's arguments against a “private language” effective, *FE* would find starting with the endoxa to discover in what

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*Women Are Up to Something*; and Clare Mac Cumhail and Rachel Wiseman, *Metaphysical Animals*,” *The Journal of Ayn Rand Studies* 23:1-2 (2023): 327-39.

<sup>22</sup>See *Natural Goodness*, p. 97.

<sup>23</sup>This also seems to be the case for *FE*, but this is not so clear for *OE*, since the list of values and virtues that *OE* offers seem to be derived from the meaning of the definition of “man's survival qua man” (373). However, much here depends on understanding Rand's account of concepts. We shall not engage that issue at this time.



human good consists congenial. This seems to be what Foot is suggesting, at least in part, when she speaks of “natural history stories.”

### *Individualistic Perfectionism*

*IP* holds that it is “*the life-form of a being, not its mere existence, that provides the basis of our understanding its good*” (*TPT*, 29); and it is the life-form of a human being that is the foundation for understanding in what being a good human being consists. In this respect, *IP* and *FE* are alike.

For *IP*, human good is best expressed by the terms “self-perfection” or “human flourishing,” and most succinctly stated this means “the exercise of one’s own practical wisdom” (*TPT*, 33). Self-perfection or human flourishing is the ultimate good or end (*telos*) for human beings. Ontologically considered, it is an activity, an actuality, and a particular way of living.<sup>24</sup> As an account of human good, self-perfection or human flourishing (these terms are used interchangeably<sup>25</sup>) is characterized by the following interrelated and interpenetrating general features:

- a) *Agent-relativity*: always good for and of some individual person or other.
- b) *Inclusivity*: the most final end that includes all other final ends.
- c) *Individuality*: not abstract or universal but determinate and unique.
- d) *Objectivity*: fundamentally characterized as a way of living for a human being.
- e) *Self-directedness*: actualized through the self-directed use of human reason.
- f) *Sociality*: not atomistic but realized with and among others.

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<sup>24</sup> In Aristotelian-Thomistic terms, self-perfection or human flourishing is an immanent activity—that is, it is an activity that has no external result but of itself is perfective of the agent who engages in it.

<sup>25</sup>For a justification of this use, see “The Perfectionist Turn,” *TPT*, chapter 5, pp. 171-200.

Not all of these features can be considered here, but only those that are most useful in comparing *IP* with *OE* and *FE*—and then only very briefly.

Human flourishing is an *inclusive good* in that the causal contribution of the goods and virtues that constitute it are validated and explained in terms of final and formal causality as well as efficient causality.<sup>26</sup> Hence, the pursuit of such goods as knowledge, health, friendship, creative achievement, beauty, and pleasure, and the exercise of such virtues (or rational dispositions) as integrity, temperance, courage, and justice are understood as both productive *and* expressive of human flourishing. They make up what it is for human beings to flourish or perfect themselves in that the effects of these activities are both for, and manifested within, the flourishing or self-perfecting life. They are not found in anything apart the individual human being. They are immanent activities. More generally stated, they causally contribute to a unity that develops and sustains the powers whose exercise constitutes the actualization or perfection of a human being. They help to define what human flourishing is and thus what it is to be a good human being.

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<sup>26</sup>Rand holds that final causation “applies only to a conscious being” (“Causality Versus Duty,” p. 4). Further, she states:

“When applied to physical phenomena, such as the automatic functions of an organism, the term ‘goal-directed’ is not to be taken to mean ‘purposive’ (a concept applicable only to the actions of a consciousness) and is not to imply the existence of any teleological principle operating in insentient nature. I use the term ‘goal-directed’ in this context, to designate the fact that the automatic functions of living organisms are actions whose nature is such that they *result* in the preservation of an organism’s life” (366 n.1). So, given Rand’s understanding of natural teleology, it certainly seems that *OE* does not appeal to final causality in explaining what constitutes human flourishing. However, how does one determine just what is the *result* of the functions of a living organism without an understanding of that *for which* it functions? Why would not death be the result; for that is what happens to every living thing? Living things need to be understood teleologically and as different in kind from other physical phenomena. Indeed, the biocentric nature of natural teleology needs to be recognized. Additionally, it should be noted that there seems to be no place in *OE* for an immanent activity—that is, it is an activity that has no external result but of itself is perfective of the agent who engages in it. In contrast, see *TPT*, pp. 45-47; 193-198; and 219-224.

It should be emphasized that though the pursuit of these goods and virtues are not external means to self-perfection, their worth does not exist apart from them being essential to the perfection of some individual human being or other. Hence, their worth is not “intrinsic” in the sense that it exists apart from their being constitutive features of an individual’s self-perfection. *IP* holds with *OE* that there is no instrumental/constitutive *dichotomy*, but *IP* does hold that there is a *distinction* between them. Not all activities that are—or would seem to be—supportive of self-perfection are constitutive (for example, winning money in a lottery), even though some activities can be both instrumental and constitutive.

Health is among the goods listed in *IP*’s account of human flourishing, which must at least involve biological or physical survival, and it could be regarded as foundational for the achievement of any other good or exercise of virtue. On the other hand, knowledge is also listed and is necessary for any understanding of what biological or physical survival (or any other good or virtue) involves, and so could be regarded as foundational as well. We have to be healthy enough to function, and we have to be knowledgeable enough to function. But this does not make human flourishing simply either a result of health or knowledge—they are not sufficient. Nor does their importance for human flourishing carry with it guidance as to how health or knowledge should be weighted in value relative to all the other goods and virtues in determining how one ought to conduct oneself. In fact, *IP* holds that this can be said about all the goods and virtues that comprise human flourishing.<sup>27</sup> An abstract understanding of in what human flourishing consists is not an adequate guide for moral conduct,<sup>28</sup> and this is where the importance of the individual and the central role of practical wisdom is developed by *IP*.

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<sup>27</sup>The exception to this is, of course, one’s own exercise of practical wisdom, for it is the primary virtue that weighs the worth of the goods and virtues and determines what ought to be done. It provides them with unity and coherence that characterizes human flourishing as a whole.

<sup>28</sup>In saying this, however, we are not saying that generalized accounts of the components of the good life are of no value. They can be used in making general evaluations of people. Further, such accounts are necessary in helping the individual see the dimensions that might need integration as well as being the source of principles needed to guide one through practical experience. *IP* shares this view with *FE* and *OE*.

Interestingly enough, Rand makes no mention of practical wisdom, as far as we can tell.

*IP* holds that self-perfection is *individualized*. Individual human beings are not mere loci for attaining generalized human goods. The conformity of an individual human being to his life-form is more than simply a matter of instantiation of a form, as *FE* might seem to suggest.<sup>29</sup> Self-perfection achieves determinacy and reality only when the basic, “generic” goods and virtues find expression through the individual’s unique talents, potentialities, and circumstances (which is called an individual’s “nexus”). Self-perfection is a matter of not only *what* an individual is but *who* an individual is. Hence, the difference between *IP* and how perfectionism has been often understood regarding human good (and also how *OE* and *FE* seem at times to understand it as well) is as follows:

Though we may abstractly speak of a *summum bonum*, there are in reality only many *summa bona*. There are only many *summa bona*, because each individual’s flourishing is the *summum bonum* for him- or herself, and because there is no single *summum bonum* without unique form or apart from the lives of individual human beings (*TPT*, 42).

It is thus possible, according to *IP*, for self-perfection to be a reality and yet not be universal or impersonal. “The human telos just is, then, the flourishing of each individual” (*TPT*, 37).

Earlier, *endoxa* (established opinions) were spoken of as the starting point for understanding in what human flourishing consists, but the completion point is the exercise of practical wisdom (*phronesis*). Practical wisdom is the excellent use of practical reason, which is a self-directed activity, and it is more, as *FE* also holds, than mere cleverness. Practical wisdom is the ability to determine at the time of action in particular and contingent circumstances the proper weighting or evaluation of basic, “generic” goods and virtues (which involves as well the exercise of dispositions for proper desires and emotional responses—that is, moral virtues). It thus determines what is to be done.

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<sup>29</sup>In *Natural Goodness* Foot does not take up a discussion of how human good is always and necessarily individualized or how its individualized character is ethically important. Of course, not discussing the individualized character of human good does not mean or imply that *FE* would deny its importance.

Practical wisdom is the central integrating virtue of the flourishing life. It is intellectual insight that guides human conduct and perfects the individual. As Aristotle states:

Virtue . . . is a state of character concerned with choice, lying in a mean, i.e., *the mean relative to us*, this being determined by a rational principle, and by that principle by which the man of practical wisdom would determine it.<sup>30</sup>

It is insight into the nature of the appropriateness of the ends to be pursued that transforms practical reason into practical wisdom, depending upon the strength and perceptiveness of the insight.

And insight is of ultimate things in both directions; for insight and not reasoning is of the primary bounding principles and of ultimate things, and insight, *in demonstrations*, is of immutable and binding principles [sc. the principle of non-contradiction], whereas insight, *in matters of action*, is of the ultimate and of the contingent and of the other [sc. minor] premise . . . .<sup>31</sup>

Here is a type of knowing that is not discursive but direct. The role of this form of knowing is, however, not discussed in *OE*.

Finally, there are two remaining issues where *IP* is basically different from *OE*. These can only be quickly noted.

First, since the character of human flourishing as a cognitive-independent reality is neither abstract nor universal but always expressed in individualized form, one person's concrete form of flourishing is not the same as someone else's. Abstractly considered, the goods and virtues found in the lives and characters of human beings may be regarded as the same, but in reality they are and must be individuated, which opens the door to the possibility of conflict. What might make an inference that the good must be the same for all individuals because it is rational appear justifiable would be if the concept of human good is conflated with the reality to which it refers. That is to say, to describe a

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<sup>30</sup>Aristotle, *Nicomachean Ethics*, 1107a1–3, trans. W. D. Ross, in *The Basic Works of Aristotle*, ed. Richard McKeon (New York: Random House, 1968), emphasis added.

<sup>31</sup>*Nicomachean Ethics*, 1143a35-b3, trans. Fred D. Miller from his essay, "Aristotle On Rationality in Action," *The Review of Metaphysics* 37.3 (March 1984): 513 (first interpolation is ours).

virtue as being rational is to thereby suppose it exists (or should exist) in the same way and to the same degree in person X and person Y. But to do this is a non sequitur.

*OE* seems at times to come dangerously close to making such a conflation—indeed, to having a constructivist approach to ethical knowledge—as was suggested in the discussion of the so-called choice to live. Therefore, *IP* holds that the possibility of righteous conflicts between individuals regarding their respective good cannot be ruled out as a matter of principle.<sup>32</sup> In fact, it is a crucial issue when it comes to understanding the proper approach to political philosophy, as we shall see shortly.

Second, *OE* treats the relationship between an individual and his *self* as the central consideration of normative ethics. As noted earlier, *OE* holds that “the actor must *always* be the beneficiary of his action and that man must act for his own *rational* self-interest.”<sup>33</sup> On the other hand, *IP* does not make relationships primary—be they in how they affect others, the greatest number, or one’s self. Ontologically, a human being is the foundation for relationships and not merely a node in a network of relations. *IP* thus rejects consequentialism as the basic way to determine what ought to be done.<sup>34</sup> The crucial question of normative ethics is not whether one is acting for one’s own good or for the good of others,<sup>35</sup> but rather what kind of self one is making. Actions done for

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<sup>32</sup>Long ago, Antony Flew noted that even though neither deserves nor has a right to the job for which they are competing, it can nonetheless be true that two persons have conflicting interests in this regard. See “Selfishness and the Unintended Consequences of Intended Action,” *The Philosophic Thought of Ayn Rand*, ed. Douglas J. Den Uyl and Douglas B. Rasmussen (Urbana and Chicago: University of Illinois Press, 1984), pp. 189-190.

<sup>33</sup>Ayn Rand, “Introduction” in *The Virtue of Selfishness: A New Concept of Egoism* (New York: Signet, 1964), p. x (first emphasis added).

<sup>34</sup>Foot also makes this rejection (48-50).

<sup>35</sup>Rand complains that for altruism “the *beneficiary* of an action is the only criterion of moral value—and so long as that beneficiary is anybody other than oneself, anything goes.” Further she states that “the choice of the beneficiary of moral values . . . is not a substitute for morality nor a criterion of moral value. . . . Neither is it a moral *primary*. . . .” “Introduction,” *The Virtue of Selfishness*, p. viii and p. x. However, for Rand to require that only oneself ought to be beneficiary is to adopt the same logic as that of altruism. It makes the moral worth of conduct dependent on relationships rather than the perfection of the individual human being.

others and done for one's self can be both appropriate or inappropriate depending on the individuals involved and their circumstances. Again, practical wisdom is required.

## Political Philosophy

### *Footean Ethics*

Wikipedia reports that Foot once told a student that “I've never found political philosophy interesting.”<sup>36</sup> However that may be, Foot was interested in applied ethics and had views on abortion and euthanasia. Some sense of her political “theory” can perhaps be gleaned from these issues and elsewhere. First of all, it seems highly unlikely that Foot would embrace a political theory constituted primarily by some form of utilitarianism. She more or less explicitly rejects it and is uncomfortable with forms of consequentialism generally. Indeed, she suggests that what is wrong with utilitarianism just is its consequentialism.<sup>37</sup> Moreover, Foot also notes that benevolence and “welfare” are not the whole of ethics and can be limited by rights and justice.

Indeed, Foot is not shy in suggesting that there are such things as rights and they can trump other moral considerations. Utilitarianism itself is thwarted by rights,<sup>38</sup> and the pursuit of social benefits generally is limited by rights.<sup>39</sup> Foot does allow for both positive and negative rights, saying that these are the two main types of rights and that both can be overridden in exceptional circumstances. However, the duty of noninterference takes priority in “ordinary circumstances,”<sup>40</sup> especially when it comes to property rights. Foot also indicates that rights do not cover the whole of morality, nor even most of it if one is referring to

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<sup>36</sup><[https://en.wikipedia.org/wiki/Philippa\\_Foot](https://en.wikipedia.org/wiki/Philippa_Foot)>. Although she didn't write about it, Foot was in practice a fairly conventional supporter of the welfare state and the British Labour Party.

<sup>37</sup>See Philippa Foot, “Utilitarianism and the Virtues,” in *Moral Dilemmas and Other Topics in Moral Philosophy* (Oxford: Clarendon Press, 2002), 59-77.

<sup>38</sup>“If the theory [standard utilitarianism] was to give results at all in line with common moral opinion *rights* had to be looked after in a way that was so far impossible within even the modified versions of utilitarianism” (emphasis in original), *Ibid.*, p. 61.

<sup>39</sup>“Considerations about rights, both positive and negative, limit the action which can be taken for the sake of welfare.” *Ibid.*, p. 71.

<sup>40</sup>Foot, “Killing and Letting Die,” *Moral Dilemmas*, pp. 78-87.

individual flourishing.<sup>41</sup> In general, what guides Foot in all this is “common moral opinion” and not a developed political theory. But Aristotle also relied on endoxa, and in both cases the starting point of a political theory, and the general paths the theory would likely take, are present. Thus the most accurate thing we can say about Foot’s political philosophy in relation to ours is that her sensibilities seem sound enough, but common moral opinion is not a stable resting place to discern the connections or lack thereof between politics and ethics.

### *Objectivist Ethics and Individualistic Perfectionism*

In Rand’s case, as in the case of *IP*, it makes most sense to discuss her politics as grounded in her theory of rights. The central passage in this regard is the following:

“Rights” are a moral concept—the concept that provides a logical transition from the principles guiding an individual’s actions to the principles guiding his relationship with others—the concept that preserves and protects individual morality in a social context—the link between the moral code of a man and the legal code of a society, between ethics and politics. Individual rights are the means of subordinating society to moral law (381).

As we have noted above, Rand’s ethics is grounded in human nature, and since rights are a moral concept, they too are grounded in human nature. “Rights are conditions of existence required by man’s nature for his proper survival” (383). In this case, rights allow us to engage in the “self-sustaining and self-generated actions required by the nature of a rational being for the support, the furtherance, the fulfillment and the enjoyment of his own life” (382). Notice that Rand’s doctrine is one of individual rights. In the passage cited above we move from “the principles guiding an individual’s action” to “principles guiding his relationship with others.” We could easily imagine someone arguing that it should go the other way with social rules dictating the actions of individuals. But for Rand it is the freedom of the individual that rights are meant to protect. That freedom, Rand would argue, is necessary because the volitional nature of reason is our central tool for living, hence choice-making is elemental for human beings. Rights are therefore protected spheres of actions and not things, positions, statuses,

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<sup>41</sup>See *Natural Goodness*, pp. 13, 69, 77.



offices, or positions of authority. And because they are grounded in human nature, it is not incorrect to think of this doctrine as a natural rights doctrine.

Since the ordinary vernacular around rights uses the language of positive or negative rights, one would have to say Rand's doctrine is one of negative rights. Rand herself, however, puts it somewhat differently:

Thus, for every individual, a right is the moral sanction of a positive—of his freedom to act on his own judgment, for his own goals, by his own voluntary, uncoerced choice. As to his neighbors, his rights impose no obligations on them except of the negative kind: to abstain from violating his rights (382).

The great evil for Rand is coercion, which is the initiation of the use of physical force that includes fraud and breach of contract. Physical force removes acting on one's judgment, which, as we have seen, is fundamental to living a human life. The two main sources of coercion are criminals and the state, with the latter, of course, being the focus of her political theory. Since the central, perhaps only, tool of the state is force, the state, no more than the criminal, cannot be allowed to initiate it. The state can only use force in response to violations of the spheres of freedom that make up our individual rights. Once those spheres are defined, the power of the state stands by to protect, secure, and enforce the rules that define the context in which individual actions will take place—in other words, its power of retaliation ensures the existence of individual rights both domestically and with regard to other states.

We do not get a lot of detail of how to define the scope and limits of rights as they would be determined in practice. It is clear that Rand means for these basic rights to apply to all equally, since our need to make choices and take actions in light of our judgments is the same for all. A key concept in Rand's political theory that follows, therefore, from this need to ensure freedom of action is the notion of property rights. She goes as far as to say that "without property rights, no other rights are possible" (382). The "right to life" is the primary right, but since life requires action in the world based upon choice, we need to understand that choices have implications for actions in the material world. Choices are not just mental states or processes. Similarly, while property rights culminate in material things, it is not things but actions that characterize the nature of a property right:

Bear in mind that the right to property is a right to action, like all the others: it is not the right to an object, but to the action and the consequences of producing or earning that object. It is not a guarantee that a man will earn any property, but only a guarantee that he will own it if he earns it. It is the right to gain, to keep, to use and to dispose of material values (382).

Notice that like all else in Rand, rights are in their primary instance individual rights. We may voluntarily cooperate with others in our utilization of the material world, but any rights jointly held are dependent first upon individual voluntary actions. In short, the right to life is instantiated through the right to property.

Rand's theory of rights implies that the powers of the state be limited and precisely defined. Because property rights are so important and the state generally leaves one alone to cooperate with others through voluntary mutual exchange, Rand likes to call her form of political order "capitalism." She notes that "capitalism is a social system based on the recognition of individual rights, including property rights, in which all property is privately owned."<sup>42</sup> Whether "capitalism" is the best term to use in describing a political theory is of little importance to us here. The term does, however, remind us that Rand's doctrine has no room for collectivism of any kind. It is a thoroughgoing political individualism, and unabashedly so.

From the foregoing account of *OE*, it is likely that the *IP* position would generally accord with Rand on practical politics. Rule of law, strong property rights, laissez-faire economics, limited democracy, and the like would all be part of the political package for both. Any disagreements would likely be about means or modes of maintenance rather than political goals. Our focus here must be, therefore, the way of understanding the foundations for such a political arrangement. For this we should return a moment to Rand's statements about rights.

When looked at generally, Rand's statement about rights that we cited earlier clearly intends to describe the type of political order we have just articulated. Nonetheless, when examined carefully, it lacks conceptual clarity. Here it is again:

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<sup>42</sup> "What Is Capitalism?" p. 11.

“Rights” are a moral concept—the concept that provides a logical transition from the principles guiding an individual’s actions to the principles guiding his relationship with others—the concept that preserves and protects individual morality in a social context—the link between the moral code of a man and the legal code of a society, between ethics and politics. Individual rights are the means of subordinating society to moral law (381).

First of all, there are many principles “guiding an individual’s actions.” Which ones are we talking about and why those? Social morality seems to be instrumentalized to individual morality in that its purpose is to preserve and protect individual morality. Again, are we to preserve and protect any and all such principles? Is there also no social morality deserving of preservation and protection of its own? And what if our individual moralities do not mesh? Further, what kind of morality is just a “link,” being neither an individual’s moral code nor a legal rule? Is it society that needs subordinating or certain types of individuals? In the Randian world of only individual moralities, what can “society” mean as a thing to be subordinated? Finally, what started out at the beginning of the passage as a “moral concept” ends up being a “moral law.” Somehow those seem to be rather different concepts. Of course, reading more of Rand would help sort out some of these issues. Still, the easy elisions between morality, rights, and law end up leaving a good deal of unclarity about what is or is not being justified.

We do not know whether Rand would accept our way of dealing with these issues, but she does open the door to them. We have seen already the centrality Rand gives to reason and the necessity of choosing to use it in living one’s life. Those choices for living must be made by individuals, even when they associate together, so individual choice is the critical center around which any theory would develop. In essence then, Rand’s view of rights endorses what could be called the vital moral importance of self-direction—that is, the importance of acting on one’s own judgment—even though this endorsement does not consider whether one’s own judgment is morally correct. Absent this direct guidance toward the good, this analysis suggests that the concept of rights has a function that extends beyond that of ethical norms ordinarily understood. Rights in this sense are open to the possibility that doing some things which are ethically wrong may nonetheless be within one’s right. Such a possibility is hinted in Rand’s remark that rights are the

link between the ethical code of a man and the legal code of a society. Something (a right) apparently can have some ethical standing without being specifically directed toward some good. However, this suggestion is not developed or made clear.<sup>43</sup>

Rand does say that the “recognition of individual rights entails the banishment of physical force from human relationships” and that “the only function of government . . . is the task of protecting man’s rights.” Hence, provided they do not use physical force against others, individuals would seem to be free to follow their choices whether they be good or bad ones. Yet why is it permissible to allow wrong-doing? It is often unclear in Rand whether all there is to the social side of morality is respecting rights. Though Rand notes that justice is among those virtues involved in the exercise of the virtue of rationality, does justice require one to do anything socially other than not coerce others? Indeed, what is required socially to “never seek or grant the unearned or undeserved, neither in matter nor in spirit” (374)? And if we look to individual morality, the situation is not much improved. As long as we are following our “rational” interests, productiveness and pride will result. Irrationality always leads to bad outcomes and rationality to good ones with respect to an individual’s own happiness and success. Respecting rights then is a form of rationality—that is, a way of serving one’s interests in maintaining one’s life. It would have the same standing as any other principle that might serve one’s interests.

By contrast, the *IP* position holds that moral norms are not all of the same sort. Some set a context within which moral action can take place, while there are other norms that are forms of guidance toward one’s good. The former we label “metanorms,” and that is what rights are. While we cannot go into the various dimensions of the doctrine here, the relevant point is that rights have a completely different role to play from other moral norms, and they need both a separate justification as well as a place within the moral pantheon generally. Rand is correct in suggesting that what is centrally in need of protection is self-direction, and that putting individual self-direction at the center implies a certain politics. But a lot more needs to be said about why one would have the right to do wrong than we find in Rand. On the one hand, the distinction between the types of norms seems to exist for her. On the other, it is

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<sup>43</sup>See *LN*, p. 111.

difficult to imagine her condoning in any way doing what is wrong, since that would be to condone unreason.

In *IP* politics, the very purpose of rights has nothing to do with rational conduct, though the existence and the respecting of rights is rational. Rights are not only grounded in what is fundamental to human nature, but also what is true about the nature of government itself. Because the central tool of government, coercion, is an anathema to morality, an ethically permissible way needs to be found to limit and define the use of that tool. For various reasons the state cannot (should not) do more than protect self-directedness, even though allowing for it is hardly normative for living a good life.<sup>44</sup> In any case, rights grow out of an understanding of the nature of government and its possible impact on the human good. It is the relationship between the individual human good and the possible consequences of collective action that determine the nature of rights.

It should be noted here also that it is because *IP* is committed to teleology that this distinction between metanorms and norms can be made with some clarity and force. For knowing that norms of goodness come from elsewhere than do metanorms—though both depend upon an understanding of human nature—is made evident by the fact that our telos is not achieved simply by being in the context which is needed for its achievement. Without a sense of that sharp difference between metanorms and norms and the reasons for having both, it is increasingly difficult to give one the right to do wrong.

Finally, as the term “IP” implies, the telos is individuated. In its use of reason *OE*, by contrast, suggests that the same norms will apply to all individuals, and accordingly there can never be righteous conflicts between what is good for one person and good for another. Their actions will be rational or not because they are human and all norms are rooted in human nature. With *IP*, a norm that applies to one person may not apply to another—indeed it might be irrational (not in accord with his telos) for the other to do what was appropriate for someone else. Only conflating the concept of human good with its reality would justify ignoring this possibility, but as has been noted earlier, this is a conflation *IP* rejects root and branch. This strong sense of individualism factors into the nature of rights because rights must not only protect what is understood to be a part of human nature in general, but also somehow

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<sup>44</sup>See *NOL*, and *TRT*, pp. 19-63.

recognize the presence of individuality. Hence rights are one moral notion that *does* apply in the same way to all individuals. Rand certainly values individuals, but it is not clear how much room there is for individualism and why that would matter in how she frames her rights theory.

## Conclusion

Since we are the ones making the comparisons between the three approaches to ethics, it seems pointless to conclude by recommending one theory over the others. Instead, it makes more sense to mention what all of these theories seem to have in common. They are cognitivist theories. They hold that moral knowledge is possible and thus reject emotivism, expressivism, and prescriptivism. They also seem, more or less, to share a commitment to metaphysical and epistemological realism, an emphasis on a life-based approach to values or ends, the centrality of human nature for understanding ethics, and non-reductive naturalism. They stand in opposition to faith, sentiment, socialization, and various forms of transcendentalism,<sup>45</sup> and they do not regard either consequentialism or deontology as adequate ethical theories. All three theories can be said to be within the Aristotelian tradition. Speaking most generally, they hold that “what is” ultimately provides the basis for “what ought to be.” Rand and Foot, among others (such as Anscombe), over the latter decades of the 20th century were significant in eroding the stranglehold analytic ethics has held over ethical theorizing. All three theories seem to have some sort of commitment to natural rights. In short, whatever differences there are between the three approaches, enough solid ground has been carved out by them for continual reflection into the insights this form of ethical theorizing makes available to us.<sup>46</sup>

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<sup>45</sup>It should be noted that John Hacker-Wright interprets Foot in a Kantian fashion: the human life-form is an a priori category that is necessary for the possibility of our understanding ourselves in thought and action. See *Philippa Foot's Metaethics* (Cambridge: Cambridge University Press, 2021), p. 37. See also TPT, p. 230 n74.

<sup>46</sup>We want to thank Roger Bissell, David Gordon, Teodora Nichita, and the editors of this journal for their assistance.