

MASTERS

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PRODUCER, ENTREPRENEUR, AND THE RIGHT TO PROPERTY*

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“THE institution of property,” John Stuart Mill remarked, “when limited to its essential elements, consists in the recognition, in each person, of a right to the exclusive disposal of what he or she have produced by their own exertions, or received either by gift or by fair agreement, without force or fraud, from those who produced it. The foundation of the whole is the right of producers to what they themselves have produced.”¹ The purpose of this paper is to point out the ambiguity of the phrase “what a man has produced”, and to draw attention, in particular, to one significant, economically valid, meaning of the term,—a meaning involving the concept of entrepreneurship—which seems to have been overlooked almost entirely.

Precision in applying the term “what a man has produced” seems to be of considerable importance. The ethical views associated with widely disparate ideologies, relating both to the justifiability of private rights to property, and to the problem of justice in the distribution of incomes, appear to involve in some form the notion of “what a man has produced”. Thus the Lockean theory of private property—which came, to serve as the source of the moral case for capitalism²—has been understood as depending on the view that man has the right to the “fruits of his work”³. As Friedman has pointed out, the capitalist ethic (which he identifies as holding that “a man deserves what he produces”⁴) is shared by Marx, since Marx’s view on the exploitation of labor, resting on the premise that labor produces

*This paper was presented at the Symposium on the Origins and Development of Property Rights, Institute of Humane Studies, University of San Francisco, January 1973.

the whole product, is valid "only if labor is entitled to what it produces"⁵.

Without ourselves necessarily accepting, therefore, any one of these ethical positions, it seems worthwhile to achieve clarity by seeking to understand what exactly the notion "what a man has produced" is to mean. The literature seems to have perceived production *insofar as it flows from factors of production*, so that by the statement "what a man has produced" has been intended "what has been produced by those *factors of production* identified with the man with whom we are concerned". Briefly, a man is a producer insofar as he is himself considered a factor of production, or as he is the owner of factors viewed as responsible for output. Thus Friedman seems to further identify the "capitalist ethic" cited above, with the view that "an individual deserves what is produced by the resources he owns"⁶. J. B. Clark rested "the right of society to exist in its present form" on his marginal productivity theory of distribution, seeing it as satisfying the requirement that each man gets what he produces.⁷ Locke's labor theory of property begins from the premise that "every man has a property in his own person . . . The labor of his body and the work of his hands we may say are properly his".⁸ Production is made possible only by the ownership of agents of production.

It follows, that if we perceive production as flowing from factors of production, and if we correspondingly relate the ethical implication of "what a man has produced" strictly to that which derives from the factors of production which that man owns (including, of course, his own labor capacity), then the exercise of pure entrepreneurship in production (i.e. seen as involving no element of factor ownership) carries with it none of the favorable ethical connotations attached to "that which a man has produced". This conclusion, the questioning of which is the purpose of this paper, requires some elaboration.

FACTOR-OWNERSHIP AND ENTREPRENEURSHIP

It is well-known that economic literature suffers from insufficient attention paid to the entrepreneurial role, so that we find few careful attempts to define precisely wherein this role

consists. In the more sophisticated discussions of entrepreneurship, a fairly sharp distinction has emerged between the factors of production on the one hand, and entrepreneurship on the other. In Schumpeter's classic discussion, for example, the means of production include *all* agents required to produce the product in the state of circular flow (equilibrium). In equilibrium there is the tendency "for the entrepreneur to make neither profit nor loss . . . he has no function of a special kind there, he simply does not exist"⁹. In disequilibrium, on the other hand, innovations in product quality and in methods of production are attributable to the initiative of pioneering Schumpeterian entrepreneurs. Although, that is to say, the new products or the new productive techniques require *no* resources beyond those consistent with the state of equilibrium, these new products and techniques would not have appeared at all in the first place, had it not been for entrepreneurial daring and drive.

It follows that there is a built-in ambiguity, therefore, concerning the sense in which pure entrepreneurship can be considered a resource necessary for the emergence of the product. And it is this ambiguity which is no doubt partly responsible for the disagreement among economists as to whether to treat entrepreneurship as a factor of production.¹⁰

On the one hand, as we have seen, until a product or technique has in fact been introduced, possession of all necessary means of production (including relevant knowledge) guarantees nothing without the presence of entrepreneurial initiative. So that even Schumpeter recognizes that entrepreneurship "may be conceived as a means of production"¹¹. On the other hand if a would-be producer asks the question: "Supposing I decide to produce product X (or to utilize production technique Y), what means of production will it be necessary for me to obtain?", then it is clear that the answer will not include "the decision to produce product X (or to use technique Y)". And this is undoubtedly why Schumpeter states that "ordinarily" he did *not* conceive of entrepreneurship as a factor of production.¹²

Clearly a sharp distinction must be drawn between means of production ordinarily conceived, and entrepreneurship. The latter is *not* similar to factors of production insofar as concerns

the theory of marginal productivity.¹³ More fundamentally, entrepreneurship even if considered a means of production, *cannot be purchased or hired by the entrepreneur*, i.e. it is never perceived by the potential entrepreneur as either an available productive factor, or as a necessary productive factor. Either the entrepreneur is prepared to take the initiative or he is not.¹⁴ If he is not prepared to take the initiative, the would-be entrepreneur simply sees the project as, on balance, one not worth undertaking—he does not see it as a project for which a needed resource is unavailable. If he is determined to take the initiative again, then all he needs to obtain are the factors that would be required in the entrepreneurless state of equilibrium. Or, to put the matter in a slightly different form, the engineer asked to identify the productive agents to which a product is to be attributed, may indeed include intangibles such as “knowledge”, but will *not* list “initiative”, (since the very notion of attribution presupposes the decision to produce). Accordingly, since the entire product can be attributed to the “other” means of production, it follows that entrepreneurship is in fact not a means of production at all, and cannot be credited with having contributed anything to the product.

To sum up, the literature revolving around the ethical implications of “what a man has produced”, is concerned with what has been produced by the factors of production which a man owns (or even more narrowly, by the man himself seen as a factor of production). If one perceives pure entrepreneurship as not being a productive factor, it follows that it cannot share in the favorable ethical implications of being responsible for the product. On the other hand, if one views entrepreneurship as a productive factor, attributing some portion of the product’s value to the initiative of the entrepreneur, parallel with the contributions made by the other factors, then that portion (however calculated or evaluated)—but *no more than that portion*—may be considered as having been produced by the entrepreneur, and relevant, therefore, to the corresponding ethical implications.

We will, in the following pages, draw attention to the possibility for a position almost precisely opposite, in all respects, to that just presented. In the position to be offered for considera-

tion, the favorable implications of the phrase "what a man has produced" *do not apply at all to factors of production*. Rather, on this position, pure entrepreneurship is responsible—in the sense relevant to the ethical connotations of "what a man has produced"—to the *entire* product. (Moreover this way of seeing matters is only helped by insight into the sense in which entrepreneurship is *not* to be considered a factor of production. In other words, paradoxically enough, the entrepreneur is to be considered the sole "producer" of the entire product—in the ethically relevant sense—precisely because he makes *no* contribution to production in the sense relevant to the theory of marginal productivity). A sentence from Knight presents, I believe, the essence of what this paper is all about. Much of this paper can be viewed as a commentary on the following: "Under the enterprise system, a special social class, the business men, direct economic activity: *they are in the strict sense the producers, while the great mass of the population merely furnish them with productive services, placing their persons and their property at the disposal of this class; the entrepreneurs also guarantee to those who furnish productive services a fixed remuneration*".¹⁵

SOME OBSERVATIONS ON THE LOCKEAN THEORY OF PROPERTY

A philosopher-critic of Locke's theory of property has summed up the theory as follows: (1) Every man has a (moral) right to own his person; therefore (2) every man has a (moral) right to own the labor of his person; therefore (3) every man has a (moral) right to own that which he has mixed the labor of his person with.¹⁶ This summary will serve us conveniently in our discussion.

Apparently Locke takes it for granted that, since a man has a moral right to his own labor (in the sense of "working"), he has also a moral right to that which his labor produces. This view, which we call proposition (3a), (and which we have cited above as an example of the ethical values attached to the notion of "what a man has produced"), seems implicit in proposition (3)¹⁷. However proposition (3) goes beyond the view that what a man has produced is morally his own. Proposition (3) asserts

that when a man mixes his labor with unowned natural resources, in the "natural state" in which there is "still enough and as good left",¹⁸ he is to be considered as the natural private owner of what results from the mixing. Clearly it is the ambitious proposition (3) which is of the greatest importance for Locke's own thesis. It is however with the more modest proposition (3a) that we are ourselves concerned.

That in proposition (3a) Locke has in mind labor-as-factor-of-production seems clear from his often-cited extension of his proposition (3) to include hired labor. "Thus . . . the turfs my servant has cut, and the ore I have dug in any place where I have a right to them in common with others, become my property without the assignation or consent of anybody".¹⁹ A man's own labor is his own in a sense no different from that in which the labor of his servant is an employer's. That which has been produced by a man's own labor is his own in the same sense in which that which has been produced by an employee's labor is the employer's.

It is true that Day is sharply critical of Locke, denying that one can talk significantly of owning labor (in the sense of "working"). Laboring, Day contends, is an activity, "and although activities can be engaged in, performed or done, they cannot be owned".²⁰ However, economists will find Locke's use of terms quite familiar and acceptable. Economists speak of agents of production (in the sense of *stocks*), and of the "services" of agents of production (in the flow sense). A man who "owns" an agent of production is considered by economists to own, by that token, also the services flowing from that agent. Again, by hiring the services of a productive agent, a producer is considered by economists to have acquired ownership of the service flow, by purchase from the previous owner of that flow (i.e. the owner of the agent "itself"). In speaking of owning the services of an employee, therefore, the economist does not in fact have in mind the ownership of the *activity* of working, nor the ownership of that which the activity of working produces, nor even the ownership of the *capacity* for working.²¹ Rather the economist is perceiving the employee as a stock of human capital, capable of generating a flow of services. So that, to the various different meanings Day discovers to be attached to the word

"labor", should be added: "labor" viewed as the flow of abstract productive service generated by a human being.

Viewed in this "economist's" sense, therefore, Locke's theory seems to say, quite understandably: (1') Every man has a (moral) right to own the human capital represented by his person: therefore (2') every man has a (moral) right to own the flow of labor services associated with his person; therefore (3a') every person has a right to the product produced by these labor services. (Just as he has the right to the product produced by the labor services he has hired from an employee).

Clearly, therefore, proposition (3a'), with which we are ourselves concerned, relates to labor viewed as a physical factor of production. It appears moreover that even the notion of labor as *sacrifice*,—a notion which might permit one to regard the product as being deserved by the laborer in the sense of reward for sacrifice—is foreign to Locke's theory. Thus as Myrdal has pointed out, Locke's view "that labor is the source of property has nothing to do with pain and sacrifice but follows from the idea of labour as a natural property of the worker and as the cause and creator of value".²² So that Locke, at any rate, is not arguing his proposition (3a') on the basis of any ethically merited *reward* for the pain or sacrifice of labor. Instead, it appears, Locke's proposition (3a') rests on the ethical view that the product *physically derived from a man's property* should belong to him in the same sense that the natural growth from a man's property may be deemed to belong to him naturally.²³ This is entirely consistent with the usual interpretation of Locke-type ethical arguments, as presented by modern economists, in terms of the language of the theory of marginal productivity.²⁴ We shall see below that there are grounds for discovering, however, elements of an alternative perception of the ethical meaningfulness of production in Locke.

HUMAN WILL AND THE ACQUISITION OF PROPERTY

Contrasted with the notion of the product as *physically* produced by man (with or without the use of other productive resources), is the perception of the product as resulting from

the *human will*. As discussed briefly above, we shall be arguing that for the purposes of ethically justifying property in products, it may be of relevance to draw attention to the sense in which the product finds its source in entrepreneurial decision making rather than to the sense in which it is derived from factor ownership. While explicit recognition of this insight is almost entirely absent from the literature, it is possible to discover a number of remarks and views which suggest an "entrepreneurial" approach to a justification for property.

Thus in Locke's own century Pufendorf emphasized the distinction between an action which is forced and that which is performed freely. Only the latter is properly a *human* action, involving "an element of subjective spontaneity" and a "free project of the self".²⁵ A century later Kant's theory of the acquisition of property through labor saw the labor itself as almost irrelevant to the act of acquisition. "When it is a question of the first Acquisition of a thing, the cultivation or modification of it by labour forms nothing more than an external sign of the fact that it has been taken into possession . . .".²⁶ It is not the mixing of labor with an object which makes it one's own, but "the transcendental operation of directing (one's) will upon (it)".²⁷ Hegel too, saw in the human will the true source of property rights, and moreover saw it as providing a justification for the acquisition of natural resources which is superior to that depending upon the mixing of labor.²⁸

Moreover it has seemed to some writers that Locke's labor theory of property, too, (as well as the labor theory of value of the later classical economists)²⁹ cannot be properly understood unless one recognizes the special character of labor, the *human* factor, as compared with other factors of production. So that, if one accepts their view, it turns out to be not quite correct to interpret Locke's theory of property as depending on the view that the product arises physically from an owned factor of production which happens to be labor. Thus Weiskopf in his psychological analysis of classical economics, viewed as deriving from Locke, emphasizes labor as *an activity of the person*. Following on Myrdal,³⁰ Weiskopf points out that in the classical view nature is seen as dead, with only human labor seen as the *active* agent. Petty's dictum comparing labor to the father, the

active principle of wealth, with land seen as the mother, is used by Weiskopf to explain the Locke-Classical treatment of labor as the sole origin of wealth for purposes of justifying property rights and of explaining the determination of value.³¹

If Weiskopf's view of the matter is correct, then Locke's labor theory does not relate to that aspect of labor in which it is seen merely as a physical source of the product, but rather to the aspect of labor in which it is seen as inseparable from the active, human will of the laborer. Plausible though Weiskopf's view may be for an understanding of the classical preoccupation with labor, it seems difficult to reconcile it with Locke's treatment of hired labor as being as complete a justification for property rights in the product, as one's own labor. If Locke's treatment of hired labor envisages the employer as hiring not only the physical labor services of the employee, but also the active, spontaneous, human elements associated with these services, then, of course, he is not understanding these elements in their purely entrepreneurial sense (in which, by definition, they cannot be hired at all).³² We shall return to offer further brief remarks on Locke later in this paper.

Finally, we notice that more recently Oliver, in drawing attention to the inadequacy of Marxian labor theory for a doctrine of "earned-income" (in which a man is entitled to what he has produced), argues that Marx leaves no room for the role of the free will exercised by the laborer in his work,—when such a role is essential for the very concept of "earning".³³ We have thus an example of the recognition of the role of the human will in ethical evaluation of "What a man has produced".

PRODUCTION-AUTOMATIC GROWTH OR HUMAN CREATION?

From the foregoing discussion it will have become apparent that we are confronted with two quite different views on the nature of production. We turn now to spell out explicitly what these two views are, and to consider briefly their plausibility to serve as foundations for the ethical view that what a man has produced ought to be his.

(a) *Production as Automatic Growth from the Factors of*

Production: The one view of production sees production as it would occur in the state of equilibrium. In such a state each producing firm has already been fully adjusted to the conditions of the market. The services of necessary inputs (including the services of managers) flow smoothly into the firm in synchronized fashion, with the corresponding output flow emerging with equal smoothness. The market value of the input flow corresponds exactly to that of the output flow; alternative uses for input services offer no higher factor prices, alternative sources of input supply promise no savings. Certainly one can say that the output has been produced by the productive input services. But because there has, in such a state, been no room for entrepreneurship, output must be seen as emerging automatically, as it were, from the combined input flow, exactly as fruit might grow from a tree without direction from the owner of the tree. To rest an ethical case for ownership in a product on the circumstance that a man's productive resources have produced it, in *this* sense, is to claim that the product is his not on the grounds that *he* has permitted his factors to create the product, but on the grounds that the product has grown—as it were automatically—from the factor services he owns.

(b) *Production as a Human Creation:* The alternative view refuses to see the product as emerging automatically from a given combination of factor services. In this view the product has come into being only because some human being has *decided* to bring together the necessary productive factors. In deciding to initiate the process of production, this human being has *created* the product. In his creation of the product this entrepreneur-producer has *used* the factors of production which his vision has brought together. He has not cooperated jointly with these factors (so that this view does not see the entrepreneur's contribution as consisting of a portion of the value of the product, with the remaining portion being the contributions of "other" productive agents). He has produced *the whole product entirely on his own*, being able to do so by his initiative, daring and drive in identifying and taking advantage of the available productive factors. In this view, an ethical case for ownership in a product based on one's having "created" it, depends strictly on one's *not* having been the owner of one of the cooperating input

factors. (To the extent that an entrepreneur was also a factor-owner he is credited with the creation of the product only in the sense that he "purchased" his factor services from himself, so to speak, rather than permitting them to serve alternative purposes).

If one uses the first of these two views on production as the basis for an ethical case for property in the product, or in the distribution of income, it is entirely relevant to use a Clarkian marginal productivity approach. The contribution of a factor of production must somehow be disentangled from the contributions of other factors, and the theory of marginal productivity may, with greater or lesser success, be called upon for this purpose. But if it is the second ("creation") view which is to be used, then marginal productivity is entirely irrelevant (except in a sense to be discussed below). On this second view the (necessarily indivisible) entrepreneur is responsible for the entire product. The contributions of the factor inputs, being without any entrepreneurial component, are irrelevant for the ethical position being taken.

Of course, it is true that also on this second view, the entrepreneur-producer must, in order to "create" the product, acquire the services of the necessary productive factors. (And in fact competition may force him to compensate them to the full extent of their respective marginal products). However, it should be plain, this view does not claim rights in the product for the entrepreneur on the grounds that, since he has fairly purchased these factor services, production has now been carried on with *his* factor services. In this view the entrepreneur's rights rest strictly on the vision and initiative with which, at the time when he owned *no* productive resources, he undertook to marshal them for his purposes.

It is not the purpose of this paper to choose between these two interpretations of the ethical implications of "producing". Our purpose has been rather to draw attention to the existence of the second view and to emphasize its diametrically opposed character as compared with that of the first view. In choosing which of these views to endorse (if, indeed, one wishes to endorse either of them at all) or which of them to ascribe to particular writers, it is necessary to consider carefully whether it is the

active, human, *creativity* of the producer which should be underlined, or whether it is rather the ownership of the physical or other *ingredients of production* which it is wished to recognize.

FINDERS, KEEPERS, AND SPECULATIVE PROFITS

The points made in the preceding section may perhaps throw light on certain matters raised in discussions concerning the ethics of property and income distribution. Oliver³⁴ has noted that sometimes writers presenting ethical positions based on "what a man has produced", introduce the notion of "finders, keepers". "The man . . . that first discovers and claims title to natural resources thereby gains ownership." Oliver points out that Locke's position bases ownership in natural resources (with which one has mixed one's labor) partly on "discovery". For Oliver "finders, keepers" is a rule which bears no relation at all to the ethical deservingness associated with having produced something. Our insight into the "entrepreneurial" view on production may perhaps be of some help in this respect.

Briefly it seems that Locke's labor theory of property rights is best understood as involving a combination, possibly a confusion, of *both* the "factorial" and the "entrepreneurial" views on production. We recall our earlier reference to Myrdal's and Weisskopf's understanding of Locke in terms of the contrast between active, live labor and passive, dead nature. This certainly supports the theory that Locke viewed labor as not merely a factor of production, but as also involving the uniquely human element which we have identified with entrepreneurship. Again, the initially puzzling view which Locke presents, in which title to natural resources is acquired by the mixing of labor, assumes immediate intelligibility when the mixing of labor with the natural resource is perceived as the grasping of the "entrepreneurial" opportunity offered by the available, as yet unappropriated, resources. The "finders, keepers" rule which Oliver discovers in Locke thus represents essentially the same ethical view as that underlying the entrepreneurial view on production. In this view a producer is entitled to what he has produced not because he has contributed anything to its physical fabrication, but because *he perceived and grasped the*

opportunity for its fabrication (by utilizing the resources available in the market). This is clearly an example of "finding, keeping".

These insights appear relevant to some comments by Samuelson on the normative aspects of speculative profits. Where a crop failure generates speculative profits, Samuelson points out that the successful speculator need only be a trifle quicker than his rivals in order to make his fortune. In his absence, the socially advantageous consequences of his speculation (i.e. the curtailment of relatively less urgently needed consumption at earlier dates, making possible some more urgently needed consumption at later dates) would occur seconds later through the activities of other speculators. Even if one accepts "a Clarkian naive-productivity theory of ethical deservingness", Samuelson remarks, one can hardly justify the capture of all the profits, by the successful speculator who saved society from no more than a few seconds of unwise consumption. Without commenting on the substance of Samuelson's normative criticism of speculative profits³⁵, it seems useful to remark that, as we have seen, a Clarkian ethical approach is wholly inappropriate anyway in dealing with entrepreneurial profits. What *might* be of greater relevance would be the entrepreneurial view which, as we have seen consists essentially in precisely a "finders, keepers" ethic. On such an ethic an opportunity perceived and grasped confers ethical deservingness. Necessarily this perceives the gain from grasping the opportunity as having been deserved, despite the possibility, or even the likelihood, that others might have perceived and grasped the same opportunity seconds later. No one is bound, of course, to subscribe to this entrepreneurial ethic; in fact one may reject it precisely on Samuelson's grounds, if one chooses. But it does seem appropriate to judge the deservingness of one particular example of entrepreneurial profit on the approach relevant to a defense of the deservingness of entrepreneurial profits in general.³⁶

THE ENTREPRENEURIAL ELEMENT IN FACTOR-OWNERS' DECISIONS

Although we have been at pains to accentuate the distinction between the factor-of-production view on production on the one hand, and the "creation", entrepreneurial view on the other,

it seems wise to point out a circumstance which operates to blur, to some extent, the sharp line we have drawn between these views. This circumstance is the presence of an entrepreneurial element in *every* human action and decision, including especially, for our purposes, the decisions of factor owners.

The isolation of a purely entrepreneurial element in production is, of course, an analytical device. Human action in its totality is made up of an "entrepreneurial" element (to which is attributable the decision maker's awareness of the ends-means framework within which he is free to operate), *and* an "economizing" element (to which we attribute the efficiency, with respect to the perceived ends-means framework, of the decision taken).³⁷ Analytically we conceive of factor-owners as pure "economizers", operating within an already-perceived market framework. Entrepreneurs, on the other hand, we perceive as becoming aware (with no resources of their own at all) of changed patterns of resource availability, of technological possibilities, and of possibilities for new products that will be attractive to consumers. But flesh and blood resource owners are, of course, also to *some* extent, their own entrepreneurs, (just as flesh and blood entrepreneurs are likely to be owners of some factor services themselves).

It follows that when a producer hires the services of productive agents, entrepreneurship has in fact been exercised, not only by "the" entrepreneur, but also by the factor owners in deciding to sell. While productive services may be viewed as flowing "passively" from the productive agent, it is the factor owner's decision (from which all elements of entrepreneurship cannot be entirely absent) which permits the flow to proceed in the adopted channel, rather than in alternative processes of production. In the case of labor, in particular, the factor owner's decision to permit the service flow, is required at every minute of his service. So that when we say in an apparently "factor-of-production" view of the matter, that a factor has produced a product, we are, *in real-world cases*, referring *both* to the factor as producer and to the factor owner as, at least to some extent, entrepreneur. Now, it seems of great importance to emphasize the two quite different senses of production so involved. It seems, at the same time, helpful to notice how easily the two

views on production can become combined and/or confused. This will perhaps account not only for the view which our interpretation has ascribed to Locke, but also for the circumstance that the literature has failed almost entirely to notice explicitly the possibility of an entrepreneurial, factorless view of the ethical implications of producing. An outstanding exception is the sentence in Knight cited earlier, in which it is the entrepreneurs who are seen "in the strict sense" as "the producers", with the factor owners merely furnishing them with productive services.

¹ J. S. Mill, *Principles of Political Economy* (Ashley Edition, London, 1923), p. 218.

² See G. Myrdal, *The Political Element in the Development of Economic Theory* (Harvard, 1954) p. 71f; R. Schlatter, *Private Property, The History of an Idea*, (Rutgers University Press, 1951) Chapter 7; C.B. Macpherson, "The Social Bearing of Locke's Political Theory", *Western Political Quarterly* (1954); A. Ryan, "Locke and the Dictatorship of the Bourgeoisie" *Political Studies* (1965).

³ Myrdal, *ibid.* Strictly speaking, Locke did not actually assert that, by mixing his labor with a nature-given resource, he has thereby "produced" the result. However he has certainly been understood as having implied as much. Thus, commenting on the notion "that, if a man 'makes' something, it is his," Oliver cites Locke as having given expression to this idea in his labor theory of property rights. (H.M. Oliver, *A Critique of Socioeconomic Goals*, Indiana University Press, 1954, p. 27). See further later in this paper.

⁴ M. Friedman, *Price Theory, A Provisional Text*, (Aldine, 1962), p. 196.

⁵ M. Friedman, *Capitalism and Freedom* (University of Chicago Press, 1962) p. 167. On this see also Oliver (*op. cit.* p. 37). In an extensive critique of Oliver's discussion, Rothbard (*Power and Market, Government and the Economy*, Institute for Humane Studies, 1970, p. 183) makes it clear that he supports the same underlying ethic.

⁶ *Price Theory*, p. 196.

⁷ J. B. Clark, *The Distribution of Wealth*, (1899), p. 3.

⁸ J. Locke, *An Essay Concerning the True Original, Extent and End of Civil Government*, paragraph 27.

⁹ J. A. Schumpeter, *The Theory of Economic Development* (Harvard, 1934), p. 76.

¹⁰ On this, see for example the discussion in F. Machlup, *The Economics of Sellers' Competition* (Johns Hopkins Press, 1952), pp. 226-228.

¹¹ Schumpeter, *op. cit.* p. 143.

¹² *Ibid.*

¹³ See Schumpeter, *op. cit.* p. 153; Machlup, *op. cit.* p. 226; F. H. Knight, *Risk, Uncertainty and Profit*, p. 271.

¹⁴ On all this see the writer's *Competition and Entrepreneurship* (University of Chicago Press, 1973), Chapter 2.

¹⁵ F. H. Knight, *Risk, Uncertainty and Profit*, p. 271; emphasis on the central clause supplied. Similar statements are to be found in F. B. Hawley, *Entreprise and the Productive Process* (New York, Putnam, 1907) pp. 85, 102, 112, 127.

¹⁶ J. P. Day, "Locke on Property," (*Philosophical Quarterly*, 1966) reprinted in G. D. Schochet, (Editor) *Life, Liberty, And Property, Essays on Locke's Political Ideas*, (Wadsworth Publishing Company, Belmont, California) p. 109. (All page references will be to this reprint.)

¹⁷ See Day, pp. 109-110; and see above note 3.

¹⁸ Locke, *op. cit.*, paragraph 33.

¹⁹ Locke, paragraph 28.

²⁰ Day, *op. cit.*, pp. 113f.

²¹ On all this see Day, *ibid.*

²² G. Myrdal, *The Political Element in the Development of Economic Theory*, p. 74. It should be noted, however, that just as the later classical economists used expressions like "trouble", "sacrifice", "pain" synonymously with "labor"—and are for this reason described by Myrdal as having viewed labor strictly as the "trouble caused by effort" (Myrdal, *ibid.*)—so too does Locke occasionally (see paragraph 30, 34) seem to identify the justification for ownership of the product of one's labor as resting on one's having been he "who takes pains about it".

²³ See the reference in E. Halévy, *The Growth of Philosophic Radicalism* (Boston: The Beacon Press) p. 45, to Hume's view that "we are the proprietors of the fruits of our garden, and of the dung of our flock by virtue of the normal operation of the laws of association".

²⁴ See Oliver, *A Critique of Socioeconomic Goals*, p. 33; see also the sources referred to above notes 4, 7.

²⁵ See A. C. Outler, "Some Concepts of Human Rights and Obligations in Classical Protestantism", in A. L. Harding (Editor) *Natural Law and Natural Rights* (Southern Methodist University Press, Dallas, 1955) p. 16.

²⁶ I. Kant, *Philosophy of Law* (Edited by Hastie, Edinburgh, 1887) p. 92.

²⁷ R. Schlatter, *Private Property* p. 256.

²⁸ See Schlatter, *ibid.*

²⁹ On the question of the impact of Locke's labor theory of property on the later classical labor theory of value, there has been controversy. Myrdal (*The Political Element in the Development of Economic Theory*, pp. 71f), Halévy (*The Growth of Philosophic Radicalism*, p. 44), and W. A. Weiskopf (*The Psychology of Economics*, University of Chicago Press, 1955, pp. 22ff, p. 145) all assert a direct influence. See however J. A. Schumpeter, *History of Economic Analysis* (Oxford University Press, 1954) pp. 120, 310-311; see also I. M. Kirzner, *The Economic Point of view*, (Van Nostrand, 1960), p. 25, and p. 190, notes 8, 9.

³⁰ Myrdal, *The Political Element*, p. 72; see especially Myrdal's reference to Rodbertus.

³¹ Weiskopf, *The Psychology of Economics*, pp. 25, 145.

³² For further discussion of the entrepreneurial element in the decisions of factor owners, see below pp. 13ff.

³³ Oliver, *A Critique of Socioeconomic Goals*, p. 37.

³⁴ *Op. cit.* p. 42.

³⁵ Samuelson's discussion is in his "Intertemporal Price Equilibrium: A Prologue to the Theory of Speculation", *Weltwirtschaftliches Archiv*, (December, 1957), p. 209. For further comment see the writer's *Competition and Entrepreneurship* (University of Chicago Press, 1973), Chapter 6.

³⁶ See Schlatter, *Private Property*, p. 191, note 2, for references to use made of Locke's labor theory to condemn the ethical status of entrepreneurial profit.

³⁷ See further the writer's *Competition and Entrepreneurship*, Chapter 2.

A DUAL-ASPECT APPROACH TO THE MIND-BODY PROBLEM

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DOWN through the ages, numerous scientists, theologians, and philosophers have wrestled with the puzzle as to the ontological status of man's consciousness, or mind. It is a difficult, persistent, but fascinating problem; witness the volume of literature on the subject.

Two principal concerns of those who work in this area are what can be referred to as the problem of *mentality* and the problem of *intentionality*. The latter, which is beyond the scope of this paper, is the problem of the nature of the relation between man's consciousness and reality, especially that between knower and known.

The former, also better known as the Mind-Body Problem, is the issue on which this paper focuses: the problem of the nature of the relationship between man's consciousness and his body.

The view of mind upheld in this paper is a particular version of the Dual-Aspect theory of mind, which may be briefly stated as follows: *any given process of the mind is actually one and the same process as some particular electro-chemical process of the brain, so that what appear to be two distinct processes are actually just two aspects of one and the same brain process, i.e., they are actually just one and the same brain process viewed from two different cognitive perspectives.*

This paper does not aim at a complete survey of all the various mind-body theories. Other theories of mind will be considered mainly in virtue of the problems they leave unsolved and which give rise to consideration of the Dual-Aspect theory. The primary task of this paper is rather a presentation of the Dual-Aspect theory of mind, the solution it offers to the mind-body problem, and defense of it against some major objections.

A second crucial thrust of this paper is a development of the implications of the Dual-Aspect theory of mind for the free will problem, concerning the nature of human action. It will be shown that the Dual-Aspect theory leaves room for a conception of human action which is radically different in normative implications from that conception which is widely promulgated in the social sciences today.

I. THE DUALITY OF MIND AND BODY

Throughout history, some sort of distinction between the mind and the body has been maintained by the vast majority of men. But there is and has been considerable difference of opinion about the *nature* of that distinction.

Some propose that we view mind and body as two radically different *entities* somehow coexisting and interacting in the same living person. This Cartesian view of mind as an irreducible primary, an immaterial sort of 'substance' or entity, fails to explain how such a substance and its interactions with the body can be detected, let alone how something immaterial can interact causally with something material, like the body.

Others propose that we instead view mind as *process* (or as a cohering group of processes). Some process theorists further assert that there is no such thing as an entity, that the body, like the mind, is instead a set of processes.¹ This view is based upon a straw-man conception of 'entity' as absolutely static and unchanging, and the consequent false dilemma which that sets up.²

Certain other process theorists, rejecting this extreme position, more plausibly maintain that the mind is a cohering set of mental processes, somehow distinct from physical brain processes, yet intimately related. A brief consideration of their respective difficulties will set the stage for the Dual-Aspect theory.

Process-Epiphenomenalism, or one-way process interaction, is the view that mind or mental processes have no "causal efficacy" with regard to the body, (that the mind cannot contact

the body), and that the mind is merely a passive by-product and concomitant of brain activity, like the shadow of one's body or the echo of one's voice.³ This theory is caught in the cross-fire between Interactionism and Parallelism. If either part of its thesis is true, then its other half cannot be, and it thus reduces to one of the other two theories: (a) If the evidence supports the claim that physical brain processes cause (contact) mental processes, then it also supports the claim that mental processes have a reciprocal causal power with respect to physical brain processes, as maintained by Interactionism; (b) If on the other hand one denies the causal efficacy of mental processes, the same reasons also support a denial of the ability of brain processes to cause (contact) mental processes, as Parallelism contends.⁴

Process-Interactionism, or two-way process interaction, is the view that there are mental processes distinct from all other bodily processes, and which cause physical brain processes, and vice versa.⁵ In literal form, this view meets two fundamental problems: (a) First, it asserts that a process causes another process, which is based upon the logically untenable mechanistic model of causality as a relationship between *actions*.⁶ Instead, causality is the cause-effect relation between substances (or entities) and their activities.⁷ All processes are processes of entities, being carried out by an individual entity as a whole, by part of an individual entity, or by part or all of a number of individual entities. And whenever entities (or parts, or groups of them) act so as to produce by their actions a change in some other entity (or part, or groups), they are said to be causally *interacting* with the other one. Actually, then, Interactionism is properly concerned with a human organism whose various parts interact so as to cause a physical brain process, and interacting with other parts of the organism, consequently cause a mental process; and vice versa. In other words, Process-Interactionism collapses into Substance-Interactionism, albeit a more plausible variant than the Cartesian view, since both substances here are of the same type (*viz.*, material parts of the same living organism). But, short of identifying the mind with the body or brain, this new position has nothing to say about interaction of *mind* or *mental processes* with the body or brain. (b) Secondly,

the Process-Interactionism view contends that a process located in space (the physical brain process) causally interacts with a process *not* located in space (the mental process). The difficulty lies in the fact that processes do not have spatial locations, except in a secondary sense, owing to the fact that the entities undergoing those processes themselves possess spatial locations.⁸ Thus, the question arises: Where is the part of the human body or brain which undergoes a mental process, separate and distinct from all physical brain processes? This location apparently has not yet been found, nor is it clear how it might be. The high degree of correlation established between these allegedly distinct processes by neurophysiological experiments seems to indicate that perhaps they are generated by one and the same part of the brain, for any given pair of mental and physical brain processes.⁹ If so, then to view them as actually distinct processes is not the simplest explanation of their relation.

Process-Parallelism is the view that there is no causal interaction between mental and brain processes, that they co-exist parallel to one another in the same person without acting upon each other in any way.¹⁰ But this view is not more likely to be true merely because processes are not the kind of things which can interact. Demonstrating the conceptual error in Process-Interactionism does not thereby establish the existence of such distinct processes occurring parallel to one another. It only proves that *if* such distinct mental processes exist, they do not interact with physical brain processes. If they do exist, furthermore, they must be processes of some part of the human body which does *not* interact with the part carrying out the physical brain process—at least at that moment in time. And again the problem of how and where to locate the part of the brain carrying out the allegedly distinct mental processes seems insurmountable.

The way out of this impasse is to reject the common premise of Interactionism and Parallelism: that there is any such thing as a mental process, distinct from any and all physical bodily processes, or a mind distinct from the body. This is the central point of the Dual-Aspect theory: a mental process and the physical brain process correlated with it are one and the same

brain process, as viewed from different cognitive perspectives; i.e., the mental and the physical are but two distinct *aspects* of one and the same process, as viewed through two different cognitive modes.

Despite their common rejection of the claim that there are actually two distinct entities, organs or processes involved in the mind-body relationship, Dual-Aspect theories differ considerably as to *which* aspects (of an entity, organ or process) share the duality. In the section which follows, a clear distinction will be made between the version of the Dual-Aspect theory this paper supports and earlier, more vulnerable forms of that theory.

II. THE DUAL-ASPECT THEORY

The simplest version of this theory maintains that mind and body are not two distinct entities, as Cartesians claim, but rather two aspects of one underlying entity, the human organism, or human being.¹¹ A second, similar version holds that mind and brain are two aspects of one and the same organ of a human being.¹²

Both the mind-body and mind-brain Dual-Aspect theories, however, are open to the same objection. What evidence is there for the existence of this mysterious "underlying" organism or organ? Merely postulating its existence in order to provide its attributes with a metaphysical "foundation" is insufficient. If we are not directly aware of this organism or organ, but merely of its "aspects" (the mind and body, or brain), and cannot prove that it exists, then we have no logical right to assert that it exists.¹³

Such a dilemma is fostered by the ontological and epistemological pre-suppositions of Locke's representative realist theory of knowledge. With the medievals and the naive realists, Locke held the position that an entity is a unitary, unknowable substance, external to and supporting its various qualities. This assumption that an entity must be *ontologically* simple in its nature was built upon an illicit interpretation of observations about the *logically* simple subject of which many different properties were predicated.¹⁴

The error was to hypostatize this logical relation between a unitary subject and its many predicates, and thus to assume that the epistemological distinction between an entity and its properties was actually an ontological distinction between a unitary, simple entity and its numerous properties.¹⁵ The direct unknowability of such a unitary, simple entity follows once it is pointed out that no such simple-natured entity is presented to our perception: if it exists and "supports" its properties, it must be external to them and beyond the range of our direct awareness.

Thus, because of a confusion between language and logic on the one hand and reality on the other, Locke is led to assert his representative realist theory: we are not directly aware of entities in the external world; we are only directly aware of their aspects or qualities which we apprehend as mental contents or 'ideas'. To gain knowledge of the external world, Locke maintained, it was necessary to proceed by inference from one's 'ideas' to their unseen sources.

Berkeley's idealism is thus not so radical a departure from Locke's position as it might appear. Idealism accepts the Lockean premise of our having direct awareness only of 'ideas' and of the necessity of inferring the external world's existence from those 'ideas'. It merely denies the *possibility* of such an inference and, consequently, the existence of an external world.

Hume's skeptical position grants that we *are* directly aware of the external world, in opposition to both Locke and Berkeley. He placed external reality not in entities, however, but in aspects or qualities, which somehow "bundle" together to form the material objects we encounter. Hume viewed entities in the same way Berkeley viewed the external world: as unnecessary, unjustified, unjustifiable notions. We are directly aware only of aspects, not entities, Hume says; and since inferring the existence of entities from their aspects is impossible, entities do not exist.

This "bundle" theory of things in the world has application to the mind-body problem, too, particularly to the versions of the Dual-Aspect theory now under scrutiny. To repeat (and Hume and Berkeley would probably concur): if we are not *directly* aware of this organism or organ, but merely of its

“aspects” (the mind and body, or brain), and cannot prove that it exists, then we have no logical right to assert that it exists. But now, with Hume, we face a fundamental mystery: how do the mind and body manage to cohere in a “bundle”, if there is not some entity tying them together, so to speak, of which they are both aspects?

The way out of this blind alley is to reject the premise shared by Locke, Berkeley, Hume, the Dual-Aspect theories just discussed, and many of the key figures in modern philosophy: the assumption that we are not directly aware of the organism and organ “underlying” the mind, body and brain. Quite the contrary, *we are directly aware of the organism and the organ*: the organism is the human body with all its processes and other aspects, including the mind; the organ is the human brain with all its processes and other aspects, including the mind.

One is no longer compelled, as Locke, to claim the existence of an invisible, mysterious, directly unknowable organism or organ, in order to satisfy his metaphysical bias as a realist, who holds that entities are in some sense the primary existents. Nor is one saddled with the form of direct realism known as “naive realism,” which fails to account for the physical and physiological processes mediating between the known object and the knowing subject, and which fails to distinguish between object and content of cognition.

There is a third alternative, which is neither the indirect, intuitive apprehension of a copy of external reality (as held by representative realism), nor the direct, intuitive apprehension of external reality itself (as held by naive realism). Instead of these, we must use as the basis for the Dual-Aspect theory *the direct, referential awareness of Critical Realism*. To quote Roy W. Sellars, an outstanding proponent of this form of realism: “Knowledge should not claim to *be* being, nor *like* being. It is *of* being and reflects being”.¹⁶

That is, our cognitive contents should neither be confused with the objects of cognition, nor should they be regarded necessarily as being copies of the objects of cognition. Instead they should merely be regarded as having been causally generated from the object of cognition, and thus bearing some discoverable correlation to that object, a correlation which

permits us with sufficient justification to cognitively *identify* the contents with the object of cognition.¹⁷ With such an epistemological foundation, we can proceed beyond these more naive forms of Dual-Aspect theory.

A problem arises, however. If we accept the view of the mind as an aspect of the brain (and of the body), the simple *dual*-aspect view being considered has dissolved, leaving only a single aspect, the mind. We now must find some other aspect to pair with the mind, if we are to formulate a Dual-Aspect theory involving the mind as one of *two* aspects. There is such an aspect and such a theory, but they can be discussed more coherently after first considering individual processes.¹⁸

In this context, consider the solution to the apparent impasse at which we arrived in the previous section. This Dual-Aspect theory holds that a so-called mental process, and the physical process of the brain with which it is intimately associated, are not two distinct processes, but rather are two aspects of one and the same brain process. The two aspects of that brain process are the mental aspect and the *physical* (electro-chemical) aspect.

Such a formulation avoids the error of many of the Identity theorists,¹⁹ whereby the two aspects held to be identical are the mental process and the *brain* process, a view which entails the same difficulties as the previously discussed Dual-Aspect theories. How do we know that there is a single, underlying process? The process in question is in fact the brain process, so it cannot be one of the aspects.

We are aware of the brain process extrospectively when we view its physical aspects scientifically, and we sometimes equate it with those aspects. But the term "brain process" contains different information from the term "physical process of the brain".

The former refers to a process in terms of the *part of the entity* which carries it out, while the latter refers to a process carried out by that entity in terms of the *kind of process* being carried out. Thus, it is the term "physical process of the brain" (or "*physical brain process*") which is properly paired with the term "mental process" (or "*mental brain process*").

It is true that we are unable to view the mental aspect of

brain processes by extrospection, just as we are unable to grasp the physical aspect of brain processes introspectively. We shall never be able to do these things, any more than we could ever see the length of a table with our hands, or feel the length of a table with our eyes.

Yet, just as a child identifies seen length with felt length, through a combination of evidence and (at least implicit) reasoning, so too does the Dual-Aspect theory propose that we identify mental processes and physical brain processes (though by a more explicit reasoning process). The common factor here is the presence of *data which are correlated across different cognitive modes, and the decision to economize by regarding the data as coming from a single source.*

A good question to ponder at this juncture is this: If a child's seen-and-felt length identification is so similar to our introspected-and-extrospected brain process identification, then why has the latter identification taken so long to suggest itself, and even then, to adults, not children?

The answer appears to lie in the location of our cognitive organs, and the practical importance in obtaining correlated information from them. The sensory organs being located on the periphery of our nervous system, provide us our first cognitive contact with reality. They are of crucial importance in our learning how to deal discriminatively with the world in our locomotion of body or limbs (to run, to grasp, etc.). From a very early age, the coordination of these senses is simply vital.

On the other hand, even though men have for ages utilized their organs of conceptual extrospection and, to a lesser degree, introspection (which we may reasonably presume to be certain parts of the brain), the study of the physical processes of the brain has begun only recently in history. For only recently have the religious taboos and the inadequate conceptual and technological developments in psychology been successfully overcome to permit the inauguration of such studies. Furthermore, once the study of these processes did get under way, along with the study of the introspective reports of mental processes, it was for highly specialized purposes (medical, neurophysiological, etc.), which to this point at least have been held to be of far less than universal practical importance to men.

It is these special circumstances which suggest that only within the past century or less has the possibility of a mental-physical Dual-Aspect theory, and the *ontological parsimony* it provides, seemed a scientifically and philosophically tenable alternative to the traditional Interactionist and reductionist theories. The fact that the Dual-Aspect theory is a genuine alternative to reductionism, however, needs further clarification.

III. THE NON-REDUCTIVE STATUS OF THE DUAL-ASPECT THEORY

There are a number of interesting consequences following from the acceptance of the Dual-Aspect Theory. Conclusions which once seemed absurd or wrongheaded now take on a new light, in view of the thesis that a mental process and a physical brain process are actually both merely aspects of one brain process.

One such conclusion is that *a mental process is actually a physical process*. That is, since the term "mental process" actually refers to a mental brain process also possessing physical (electrochemical) aspects, a mental process is also properly referable to as a "physical brain process".

A number of philosophers have rejected this conclusion in the past, for it was previously associated with a position referred to as "reductive materialism". As did the Dual-Aspect theorists, the reductive materialists maintained that a mental process is actually a physical brain process; but here the resemblance between reductionism and the Dual-Aspect theory ends.

The reductive materialists seek above all to deny the reality of anything other than "matter" (material entities) and actions and interrelationships thereof. As such, they maintain that spiritual or mental phenomena do not really exist, that they are illusory, mere appearance, a distortion, etc.; and that what *appears* to be a mental phenomeon is *really nothing but* a physical phenomeon. They seek to strip away the illusory, to shrink or *reduce* our view of reality so that it excludes the realm of mental or spiritual "appearances".²⁰

As a logical corollary, the reductionists also seem to obliterate the distinction between different species of physical brain

processes. Since there is no real basis upon which to distinguish certain brain processes from other brain processes (except the "unreal appearance" of their being "mental"), the reductionists have *reduced* the number of conceptual classifications we must retain when thinking about brain processes. They have said there is not really a separate group of brain processes which we call "mental processes". We are mistaken if we fail to realize that they are *really nothing but* brain processes.²¹

In neither of these senses is the Dual-Aspect theory guilty of reductionism. Like other anti-reductionists, the Dual-Aspect theorists maintain that mental phenomena are *real*, and that there is no illusion or "mere appearance" involved. And they also share the belief that mental processes are a special subcategory of natural processes, distinguishable from all others by some valid (reality-derived) criteria. In short, they agree that mental processes are not simply *nothing but* physical processes. But here again is where the similarity ends.

First, the Dual-Aspect theory holds that mental processes are actually certain physical brain processes *as we are aware of them introspectively*, i.e., that "mental" refers to the fully real, introspectable *aspects* of those particular physical brain processes. Our awareness of them is the form in which we are aware of certain brain processes introspectively, just as our awareness of the physical aspects is the form in which we are aware of those brain processes extrospectively.

It has been the error of reductionists to grant a cognitive monopoly to extrospection. In correcting this error, we must realize that one must be aware of reality (*viz.*, brain processes) in *some* form, but may be aware of reality in *any* form (and not just some one particular form exclusively).²² Just as both visual perception and tactual perception are different but equally valid forms for apprehending real aspects of entities (such as their length), which can be correlated with one another, so too the Dual-Aspect theory maintains, are extrospection and introspection different but equally valid forms for apprehending real aspects of brain processes.

Secondly, the Dual-Aspect theory holds that mental processes are actually *mental* physical brain processes. As such they are not merely *nothing but* physical brain processes, but rather

physical brain processes of a certain special *kind*, distinguished from all other physical brain processes by virtue of their introspectable, mental aspect. Since this mental aspect is a *real* aspect of those brain processes, it provides a *valid* basis for making the distinction, a basis derived from reality.

Thus, it is that the Dual-Aspect theory avoids the stigma of reductionism. Even as it insists that mental processes are actually physical processes, it equally steadfastly denies that they are *nothing but* physical processes. The Dual-Aspect theory is thus basically opposed not only to traditional anti-reductionist alternatives, but to reductionism as well.

In pushing the claim, however, that mental and physical brain processes are identical (i.e., one and the same brain process), Dual-Aspect theorists (and Identity theorists) have invited attacks which point out that the equation of perception or thought with the brain activity accompanying them is unempirical and illogical.²³

In response to such attacks, this much must be granted: it is unempirical and illogical to equate the mental and physical *aspects* of a given brain process, to say that they are *one and the same aspect of that brain process*. But the Dual-Aspect theory does not do this. It says merely that a mental process and an electrochemical brain process, however different they may *appear*, are actually *one and the same process*.

The reason why a single process can be presented to our awareness in two forms so radically different is provided by the Dual-Aspect theory. In the one case, we see its mental aspect, because we are apprehending it through introspection; and in the other case, we see its physical aspect, because we are apprehending it extrospectively.²⁴ Since, however, the mental process and the physical process are the same process, and in that sense are identical, we are aware of the same unique process in both cases.

What we are actually saying is that *a given brain process*, which happens to be both physical and mental in character, *is itself*. This is far from a failure to recognize the basic *difference* between the two *aspects* of that brain process' identity.

As for the relationship between a mental process and a *brain* process, they too may well be one and the same process. That is, there is no absurdity in identifying them, any more than in

saying that a given moving physical entity and a given physical entity are identical. Here, as before, we are merely seeking to affirm the fact that when we apprehend the process' (or entity's) identity, we are apprehending the process (or entity) itself.

People who reject the identity of mental processes with physical brain processes often do so because such a Dual-Aspect or Identity theory seems to entail reductive materialism. Admittedly, such materialists do maintain some sort of Dual-Aspect or Identity theory, but that is not the essential part of their theory. The component of reductive materialism distinguishing it from the Dual-Aspect theory is its view that anything other than physical aspects of reality is *unreal*, particularly, mental aspects. This, together with the consequent rejection of introspection as a valid means of knowing reality, is its essential characteristic.

Thus it is not necessary to deny the identity of mental processes and physical brain processes in order to reject the reductive materialist hypothesis. All one need do is reject the view of the physical as the sole reality, and the view of introspection as a distorting noncognitive form of awareness. This is precisely what the Dual-Aspect theory does.

If the Dual-Aspect theory is clearly a non-reductionist theory, however, it is still far from clear in light of earlier remarks whether a view of man as a non-deterministic free agent can be consistent with it. The remaining two sections will deal with objections to and implications of the fact that mind and mental processes lack the causal efficacy often ascribed to them by those maintaining a doctrine of freedom of the will.

IV. THE CAUSAL INEFFICACY OF MIND

The non-Humean conception of causation developed earlier in this paper provides a clear justification for maintaining that mental processes and mind have no causal efficacy. Even if mental processes and mind actually were processes and process-complexes *distinct from* physical brain processes and complexes of such processes, *they could not cause physical brain processes, any more than physical brain processes could cause them.*

The only causal agent involved is the human organism—

specifically, its organ, the brain—more specifically, those parts of the brain which interact, engaging in processes, some of which have conscious or mental aspects. Only entities, or parts thereof, may be said to cause actions or processes. And mental processes (i.e., mental brain processes) and “mind” (the complex of mental brain processes, as viewed introspectively) are simply *not* entities.

But if, in fact, the Dual-Aspect theory is correct, mental processes and mind are *not* processes and process-complexes *at all*, distinct from the physical brain processes and complexes of such processes. They instead are one and the same as the physical processes and process-complexes. They *are* those physical processes and process-complexes as known introspectively; our awareness of them is our awareness of the *mental aspect* of those physical processes and process-complexes.

How, then, shall we understand the seeming causal interaction between mental processes and other brain processes *below* the level of conscious awareness? Simply by recognizing that various parts of the brain carry out processes by which they interact with each other. One part of the brain, carrying out a process which may or may not be of sufficient complexity and/or intensity to possess a mental aspect, causes another part of the brain to carry out a process, which itself may or may not possess a mental aspect.

Thus, it is not the conscious or mental aspect of any such brain processes which causes other brain processes, or vice versa. It is the various parts of the brain carrying out processes possessing those aspects, which are the causal agents. (Similar remarks can be made regarding what seem to be mind-body interactions.)

This causal inefficacy of mental processes and of mind has led many people to protest in the following manner: What if consciousness (or mind) never existed? How could you claim human history would have been the same without consciousness or mind? How can you claim that consciousness has no role to play in the course of human events?²⁵

The error in such an objection is what I call the “what if” fallacy, or the fallacy of “logical possibility”. Its proponents ask us to *imagine* what a phenomeon would be like without

certain of its attributes.²⁶ The reply is that there simply is no *evidence* that it is possible for conscious-level brain processes to exist without the attribute of consciousness.

Brain processes and their attribute of consciousness are metaphysically inseparable. Consciousness is a necessary aspect of brain processes at a sufficiently high level of complexity and/or intensity. It can no more exist apart from those processes than can the color, mass, or volume of the human body, or the incandescence of an iron rod of certain high temperature;²⁷ nor can those brain processes exist apart from consciousness.

Thus, to speculate on how such brain processes might proceed without the attribute of consciousness is an exercise in futility. Consciousness is a natural, necessary attribute of those brain processes at or above that particular level. Those brain processes would not be those brain processes, were they not also possessed of their attribute of consciousness. Had consciousness never existed, it would be because brain processes of a sufficiently high level of complexity and intensity had never existed—otherwise, consciousness would *have* to have existed.

Without consciousness, human history could *not* have been the same, simply because humans would not have been able to carry out brain processes of a sufficiently high level to direct actions we would characterize as “human” (let alone, as “animal”). But the course of human events is not directed by consciousness *per se*. It is directed by *conscious human beings*, i.e., by human beings whose brains engage in processes possessing the attribute of consciousness.

Thus it is that consciousness (or mental processes) and mind are causally inefficacious. Moreover, they are *uncaused* as well (except in the derivative respect whereby the brain processes of which they are aspects, are themselves caused). What remains to be established, though, is whether man, whose mind is impotent with regard to his actions, can be said, in any meaningful sense, to be “free”.

V. MIND, SELF, WILL AND “FREEDOM”

We have established that the mind, considered as *activity* or process, is not a set of mental processes distinct from a set of

accompanying physical brain processes. Instead, it is that set of physical brain processes, as viewed introspectively.

From the standpoint not of activity, but of *capacity* to act, we also employ the term "mind" in common parlance, as if it were a capacity distinct from the capacity of the brain to carry out its processes. But the mind, qua mental capacity is merely the capacity of the brain to carry out *mental brain processes*. As such, it is one and the same as the brain's capacity for carrying out physical brain processes of a sufficiently high degree of complexity and/or intensity that they take on a mental aspect.

The *direct experience* of the brain's capacity to carry out mental brain processes is the awareness of one's *ego*. That is, one's ego is one's capacity to carry out mental processes, as viewed introspectively. One is aware of a feeling that one *can* carry out certain mental brain processes.

From such direct, introspective data—the awareness of one's ego—one eventually *infers conceptually* that there is a persisting, abiding capacity of the organism to carry out such mental processes. This inference is how one arrives at the concept of *mind qua capacity*.

Entailed by the awareness of the ego, moreover, is the awareness of *self*—i.e., of one's self. The concept of 'self' *per se* does not necessarily imply a self-conscious being. It merely implies a being which is the *object* of some action which that same being has taken.

When the action is introspection, a mental brain process which is cognitively directed toward another mental brain process in the same organism, then that organism is being *aware of* its self. It is aware that, as an organism, it is introspectively viewing *that same organism* while it is carrying out another mental brain process.

So self is not some mysterious personalizing accompaniment of the human organism. It is the human organism, considered insofar as it is both the agent and the object of some action. Self-awareness (awareness by an organism of that same organism) occurs when that action is introspection.

One's conscious self is the human organism which one is, considered insofar as it is both the agent and object of consciousness (mental brain processes). Thus, one's ego is to one's

conscious self as a human organism's mental capacities are to that organism—namely, in a relation of capacity to organism, known directly in the former instance, and inferentially in the latter.

Like the ego, the will also exists in a specific relation to one's conscious self, and more generally to oneself as a conscious, minded organism. This can best be seen by considering the nature and cause of human action, in the context of the specific way in which it exemplifies the action-principles common to all living organisms.

Like all living organisms, a human being "... is a complex integrate of hierarchically organized structures and functions ... controlled in part by their own regulators and in part by regulators on higher levels of the hierarchy". In order to remain alive, an organism's component parts must "function in such a way as to preserve the integrity of that structure ...". This functioning is *self-generated*, generated by the organism and its components—not by the outside physical factors impinging upon it.²⁸

The continued life—i.e., the continued structural and functional integrity—of the organism, is the principle which is the ultimate regulator and director of the organism's life functions. In other words, an organism's actions are *self-regulated* toward its continued existence.²⁹

Thus, life is an attribute of certain entities: the capacity to engage in self-sustaining and self-generated (and regulated) activity—activity which *results in* the continuance of the structural-functional integrity of those entities, and which is *caused by* those entities (and directed toward that end).

A distinction is implicit here between the capacity to act so that a certain goal is achieved, and the capacity to direct that action, monitoring it and correcting for deviation from (or obstacles to) the goal of that action. These capacities for self-generated and self-regulated action are not, however, separate capacities for separate types of action, but rather two analytically distinguishable aspects of one and the same capacity and action. (This in turn indicates how the nature of the will is to be characterized shortly).

The higher the complexity of the function carried out, the

higher the complexity of structure needed to carry it out, in order that all the subunits required to participate in the function have the necessary regulation. A network to carry signals to "trigger" activities on lower levels and to "monitor" data from those lower levels, a network including the brain and nervous system, is needed. The higher the level of complexity and/or intensity of brain processes involved in organismic activity, the more likely that they will take on a mental, or conscious aspect.³⁰

At the perceptual level of consciousness, one is aware of alternatives on the range-of-the-moment, but one is bound by one's pleasure-pain mechanism in the selection from among those alternatives. At the conceptual level, though, one is aware of long-range as well as short-range alternatives and their consequences. One is able to deliberate on the merits of the various alternatives beyond just the immediate pleasure or pain they yield, and to make one's choice on such a basis.

One is also aware that one has the power or capacity to make such a deliberative (rather than merely appetitive) choice. One is aware of a feeling that one can regulate certain brain processes—i.e., make a *choice* of which action to take. This *direct experience* of the brain's capacity to regulate mental brain processes, and related bodily actions, is referred to as one's *will*.

One will, then, is one's capacity to regulate one's mental processes viewed introspectively. *One's will is the regulative aspect of one's ego*. The awareness of one's ego is inseparable from the awareness of one's will. For every consciously directed action which a man is actually capable of taking, he implicitly or explicitly is aware that "I *can* do this, if I *want* to (will to)".

From such direct, introspective data (the awareness of one's will), one eventually *infers conceptually* that there is a persisting, abiding capacity of one's organism to regulate its mental processes. This is how one arrives at the concept of *volition* (qua capacity). *Volition is the regulative aspect of mind*.

It was noted above that one's ego was to one's conscious self as mind was to a "minded" organism—the relation being *capacity to organism* (as known directly and by inference, respectively). The same is true from the standpoint of the regulative concepts just discussed. One's will is to the conscious, willing self as volition is to a volitionally "minded" organism.

From this the relation of the will to other aspects of the mental realm is clear enough. But what bearing does this have upon the problem of free will? Does it conclusively prove or disprove free will? What, in fact, can it mean for a man's will to be "free"?

The doctrine of free will maintains that man is capable of himself causing certain actions, no antecedent conditions being sufficient for his causing just that action. What this means is that man's will allows him to cause certain actions (or make certain choices) without anything else external or internal causing him to do so.³¹

"Free will", thus formulated, appears to be simply the principle present in all living organisms—namely, the principle of self-generated (self-caused) actions—as found on the level of self-conscious human beings. All living organisms are self-determining and in this sense are "free"; but only man has a will, so only man's self-determination may properly be referred to as the possessing of "free will."

The difference between man and the lower animals is *not* that man alone is self-determining. All living beings are self-determining; i.e., all living beings generate their own actions themselves. Man's distinction in this respect is that he is self-determining *psychologically*.³²

Man has the ability, by virtue of his capacity for self-awareness (introspection), to integrate his consciousness into the top of his organismic hierarchy, allowing it to be more than just an *automatic* system of signals of danger and safety, pain and well-being, etc. With the awareness of future consequences and alternatives, and the awareness that he is a being who can weigh the alternatives and choose the one he thinks best, a man's consciousness becomes subject to his control. He is able to use it actively, instead of automatically responding to its data.

It may be asked whether there is in fact some antecedent condition causing a man to choose to direct his consciousness rather than abandon the controls. This is tantamount to suggesting that perhaps man, and all other living organisms do not choose or select their actions at all, perhaps instead they are merely manipulated in ways too subtle to detect by the casual observer. What is being questioned here is essentially whether

there really is any form of causation operative in living organisms other than action-reaction, mechanistic causation.

Physics has long ago rejected the "closed system" view of living organisms, in favor of an "open system" view, where the organism has a natural tendency to build up greater and greater levels of complexity in its structure and function, and to maintain the integrity of structure and function thus achieved.³³ This integrative tendency, directing the actions of the organism, would seem to be the basic physical paradigm for not efficient causation, but *final causation*, or goal-directedness, which is *organism-centered and directed*.

Thus, upon the currently available psychological, biological and physical evidence, it would seem that man's free will, his capacity to direct his actions as an organism (especially his conscious actions), is a fact. It certainly cannot be dismissed so easily as some are willing and anxious to do.

Most importantly, in this context, man's freedom of will is thoroughly compatible with the Dual-Aspect theory of mind. It is not the mind, nor the will, which chooses man's actions. These are merely man's capacity to act mentally and to choose those actions. The cause of man's actions, according to the Dual-Aspect theory, is *man*, as a minded, willing organism.

¹ See for instance Wolfgang Kohler, "The Mind-Body Problem," *Dimensions of Mind*, ed. Sidney Hook (New York: Collier Books, 1960), p. 15.

² This epistemological error is discussed in more detail in R. E. Bissell, "Entities as 'Primary Existents,'" unpublished.

³ Excellent discussions of this theory may be found in Paul Edwards and Arthur Pap (eds.), *A Modern Introduction to Philosophy* (Rev. ed; New York: The Free Press, 1965), p. 179; Robert Efron, "Biology Without Consciousness—And Its Consequences," *Perspectives in Biology and Medicine*, II, 1 (Autumn 1967), p. 15.

⁴ This argument is made in John Hospers, *Introduction to Philosophical Analysis* (Englewood Cliffs, NJ: Prentice Hall, Inc., 1953), pp. 397-398.

⁵ An interesting non-Humean variant of this view may be found in Robert Efron, "The Measurement of Perceptual Durations," *Studium Generale*, XXIII (1970), p. 552; and Efron, "Biology. . .", p. 16.

⁶ For critiques of this Humean conception of causality, see Wilhelm Windelband, *A History of Philosophy* (New York: Harper Torchbooks, 1958), II,

p. 410; Richard Taylor, *Action and Purpose* (Englewood Cliffs, NJ: Prentice-Hall, Inc., 1966), p. 16; Edward H. Madden and Rom Harre, "In Defence of Natural Agents," *Philosophical Quarterly*, XXIII, 91 (Ap. 1973), p. 117; Milton Fisk, *Nature and Necessity* (Bloomington, IN: University of Indiana Press, 1973), pp. 257-270.

⁷ This principle is developed in detail in H. W. B. Joseph, *An Introduction to Logic* (New York: Oxford University Press, 1957), pp. 400-425; Fisk, *ibid.*, pp. 257-270; Madden and Harre, *ibid.*, p. 117; Madden, "A Third View of Causality," *Review of Metaphysics*, XXIII, 1 (Sept. 1969), pp. 67-84.

⁸ For a similar argument see G. E. Moore, "Are the Characteristics of Things Universal or Particular?", *Proceedings of the Aristotelian Society*, Suppl. III, 1923, pp. 95-113.

⁹ Work in this area by Kohler, E. D. Adrian, W. Penfield, D. O. Hebb, W. S. McCullough and others is cited by Herbert Feigl, "Mind-Body, Not a Pseudo-Problem," *Dimensions of Mind*, p. 35.

¹⁰ See Hospers, pp. 394-397.

¹¹ This view is to be found in Spinoza, *Ethica*, ii. Spinoza is cited by some Identity theorists as an early proponent of their position; they regard the Dual-Aspect theory as a variant of the Identity theory (as does Hospers, p. 398). See C. V. Borst (ed), *The Mind Brain Identity Theory* (London: Macmillan, 1970).

¹² Borst, *ibid.*

¹³ Criticisms of this sort can be found in Hospers, p. 398; Elmer Sprague, "The Mind-Body Problem," *Dimensions of Mind*, p. 72; Feigl, "The 'Mental' and the 'Physical.'" in H. Feigl, G. Maxwell and M. Scriven (eds.), *Concepts, Theories, and the Mind-Body Problem* (Minnesota Studies in the Philosophy of Science, Vol. II; Minneapolis: University of Minnesota Press, 1957), pp. 370-497.

¹⁴ The foundations of Lockean realism are criticized in this manner by Roy Wood Sellars, *Evolutionary Naturalism* (New York: Russell & Russell, 1922), p. 138.

¹⁵ *Ibid.*, p. 141.

¹⁶ For an excellent discussion of Critical Realism see Sellars, "Direct, Referential Realism," *Dialogue*, II (1963), pp. 135-143.

¹⁷ *Ibid.*

¹⁸ See section IV of this paper.

¹⁹ This unfortunate way of designating the two aspects is exemplified by J. J. C. Smart, "Sensations and Brain Processes," *The Philosophical Review*, LXVIII, 2 (1959), pp. 141-156; and U. T. Place, "Is Consciousness a Brain Process," *British Journal of Psychology*, XLVII (1956), pp. 44-50.

²⁰ This side of reductionism is focused on by such critics as John Herman Randall, Jr. and Justus Buchler, *Philosophy: An Introduction* (New York: Barnes & Noble, Inc., 1942), pp. 198-199.

²¹ This reductionist fallacy is the target of Arthur Koestler, J. R. Smythies, *et al.*, in *Beyond Reductionism* (Boston: Beacon Press, 1971).

²² This formulation of the Aristotelian-Objectivist conception of awareness

was suggested to me by the principle of concept-formation—"that the omitted measurements must exist in *some* quantity, but may exist in *any* quantity"—enunciated in Ayn Rand, *Introduction to Objectivist Epistemology* (New York: The Objectivist, Inc., 1967), p. 21. For similar employment of this some/any principle, see Panayot Butchvarov, *Resemblance and Identity* (Bloomington, IN: Indiana University Press, 1966), pp. 34, 84, 90, 163-164, 166; and Douglas Rasmussen, "Aristotle and the Defense of the Law of Contradiction," *Personalist*, LIV, 2 (Spr. 1973), pp. 149-162.

²³ Classic presentations of this argument are found in James B. Pratt, *Matter and Spirit* (New York: Macmillan, 1922), pp. 11-12; and Brand Blanshard, *The Nature of Thought* (New York: Macmillan, 1939), pp. 336-337.

²⁴ This mind-brain view is defended well by Stephen C. Pepper, "A Neural Identity Theory of Mind," *Dimensions of Mind*, pp. 45-60.

²⁵ Such criticisms are made by Hospers, pp. 397-398; and Joseph, p. 383.

²⁶ See the discussion of this fallacy by Tibor R. Machan, "Another Look at 'Logical Possibility,'" *Personalist*, LI, 2 (Spr. 1970), pp. 246-249.

²⁷ Such an analogy is presented by Susanne K. Langer, *Mind: An Essay in Human Feeling* (Vol. I; Baltimore: John Hopkins Press, 1967), p. 21.

²⁸ This conception of life is presented in illuminating fashion by Nathaniel Branden, *The Psychology of Self-Esteem* (Los Angeles: Nash Pub. Corp., 1969), pp. 16, 39. For a discussion of the physical basis for self-generated, self-sustaining activity see Koestler, *The Ghost in the Machine* (New York: Macmillan 1967), pp. 197-200; and Ludwig von Bertalanffy, *Robots, Men and Minds* (New York: George Braziller, Inc., 1967), pp. 73-77; and Langer, pp. 21-30.

²⁹ Branden, *ibid.*, pp. 37-39.

³⁰ See Koestler, *The Ghost. . .*, esp. pp. 205-211; and Langer, p. 21. Also see Roger W. Sperry, "Mind, Brain and Humanist Values," *New Views of the Nature of Man*, ed. John R. Platt (Chicago: University of Chicago Press, 1965), pp. 79-82.

³¹ This formulation of the doctrine of "free will" or agency is to be found in Richard Taylor, *Metaphysics* (Englewood Cliffs, NJ: Prentice Hall, 1963), pp. 50-53.

³² Branden, pp. 59, 43; and Sperry, pp. 86-87. I use the term "self-determining" rather than "free" even though they mean the same in this context, in order to avoid and to reveal the misleading association of "freedom" solely with human beings. It is the introspective awareness of one's being psychologically self-determining which we usually refer to as our experience of being "free." (See Koestler, *The Ghost. . .*, p. 216.) That is, only in his being *consciously free* is man free in a form different from that of other living organisms—as is his being a self unique only in that he is a conscious self, i.e., a *self-conscious* self. In the broader biological sense, all living beings are free and are selves.

³³ Koestler, *ibid.*, pp. 197-200.

H. B. ACTON'S DEFENSE OF THE MARKET

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H. B. ACTON describes the purpose of *The Morals of Markets*¹ to be,

... to examine, from the point of view of morality, the merits, for merits there assuredly are, and the defects, for there are defects in all human institutions, of the system under which goods are produced in free markets.(1)

Acton does not further explain the character and scope of his examination. What does the insertion of "from the point of view of morality" indicate? No particular moral perspective is announced or systematically employed. *The Morals of Markets* is not an essay in economics, yet Acton's comments range over economics, psychology and sociology. What Acton seems to have in mind by an evaluation of "the morality of the free market" is a discussion of those features of markets which have struck some observers—observers of the sort commonly deemed "morality sensitive"²—as morally offensive. Acton's goal is to challenge the intuitions of these moral critics of the market. An implicit methodological principle of Acton's challenge seems to be the view that moral intuitions do not exist, or in any case do not flourish, in isolation. They exist or flourish only within specific conceptual frameworks which, in turn, depend upon general empirical claims. Thus, to mention a case that is central to Acton's topic, to have a moral intuition of the wrongness of taking advantage of others' needs by requiring payment for services rendered is to have a moral sense which is molded by a particular conception of market transactions. If this conception is mistaken, the moral intuition is undercut. Further, to assert the wrongness of a certain type of activity is to presume the viability of an alternative type of activity. If this presumption is rendered dubious, so is the

assertion which relies upon it. Acton's remarks range over the ethical, economic, sociological, *et. al.* in pursuit of defects in, or undetected commitments of, the perspectives of those whose intuitions he wishes to challenge. His goal, then, is the negative one of muddying the intuitive waters of anti-market moralists.

In a short review a summary of the whole point and counter-point flow which constitutes the argument of *The Morals of Markets* cannot be given. One cannot even specify each of the anti-market criticisms which Acton dissects. Rather than attempt these impossible tasks, I will give an account of some of the strands of Acton's essay—specifically, those strands that are most clearly directed against the charge that "the market economy, depending as it does on the "profit motive", encourages selfishness and avarice and, indeed, exalts these vices to the rank of virtues". (9) These strands run strongly through chapter II, "The Profit Motive", and into chapter IV, "The Egalitarian Collectivist Alternative". Section A of this review is devoted to the appearance of these strands within "The Profit Motive" and section B is concerned with their appearance within "The Egalitarian Collectivist Alternative". We cannot follow all the connections of these strands and, in particular, we must pass by and ignore Acton's interesting discussions of such topics as profit versus remuneration (20-25, 29-32), competition (33-42), and State planning (86-96). Since my main purpose is to indicate the character of Acton's argument, I will do just that and, for the most part, I will leave the evaluation of Acton's contentions to the reader.

A

Acton's main concern in "The Profit Motive" is indicated by a passage from Carlyle's *Past and Present* which, in part, reads:

We call it a Society; and go about professing the total separation, isolation. Our life is not a mutual helpfulness; but rather, cloaked under due laws-of-war, named "fair competition" and so forth, it is a mutual hostility. We have profoundly forgotten everywhere that *Cash-payment* is not the sole relation of human beings; we think nothing doubting, that *it* absolves and liquidates all engagements of man. (11)

In short, insofar as men are engaged in market activity their motives and actions are corruptions of what men's motives and actions should be. This moral corruption becomes the model for all human interaction and comes to pervade society. The seed of corruption is the self-interstedness of market activity and of contractual society.

As Acton points out (12), this view requires the condemnation of all actions in which persons seek to maximize their interests. It is not only the manufacturer and the merchant who aim at maximizing benefits over costs. All sellers (e.g., wage-earners) and all buyers (e.g., consumers) are "in the same moral boat as the profit-seeker". All are equally victims and perpetuators of the acquisitive impulse. The general moral condemnation of the market requires, then, abstention from championing the causes of higher wages or consumerism. This, of course, is recognized by the anti-market moralist whose ideal is a non-market, non-contractual, society in which relations of production and distribution are not formed on the basis of perceived self-interest. Acton is primarily concerned with the consistent anti-market moralist.

According to Acton,

... if it is never right to look after one's own interest in competition with others, then the market economy must be fundamentally bad, since, as we have already indicated, all those participating in it are trying to do as well for themselves as they can. (12)

Thus, Acton wants to defend the view that it is *sometimes* right or at least morally permissible "to look after one's own interest in competition with others". Specifically, normal market participation is always morally permissible.³ Normal market participation is defended against the charge that "it must permeate, and hence presumably corrupt, everything else in the society that harbours it", (12) and against the charge that it is wicked, i.e., that "within the market itself men are necessarily dominated by avarice, lack of concern for others, and the wish to harm them". (12) Acton takes this second charge as equivalent to the charge that in market activity men seek to take advantage of, and do take advantage of, other men.

Against the first charge Acton claims that the competitive

market is only a part of any society in which it exists. This is not merely a quantitative point. The significant thing is that for most persons engaged in market activities these activities are means to independent ends—material, psychological, and social ends of great variety. I take Acton to be saying that the motives of persons in their market enterprises largely reflect and derive from goals that are not in turn created by the potential for market activity. Aims, motives, and ideals cannot be determined by the existence or allure of the market since, in general, market activity expresses whatever aims, motives and ideals those who enter the market have. It is not at all clear that in this argument Acton comes to grips with the Galbraithian analysis of what motivates persons in market society or with the claim, implicit in the passage from Carlyle, that the existence of money itself, and of value expressed in monetary units, has an unhealthy or alienating effect on persons' aims, motives, and ideals.⁴

Acton is on firmer ground in his challenge to the second charge, i.e., that whatever its scope, the self-interestedness of market activity is morally offensive. Acton's strategy is to dispel the misconceptions which underlie the claim that, in the market, persons take advantage of one another's needs. In the market persons do "take advantage" of others' needs by providing goods and services which satisfy those needs in return, of course, for payment. Acton contrasts this mode of reaching decisions about the allocation of resources and the distribution of goods and services with non-self-interested gift-giving. The market is the means by which potential customers communicate their demands to those who have resources at hand. The consumer can be the source of a *demand* for goods rather than remaining a suppliant.

The buyer, unlike the recipient of gifts, can require the producer to make what is wanted. The producer or seller, unlike the bestower of gifts, is led to supply the types and quantities needed at times when they are of use. . . . Benelolence is good, but it is business that is needed, and business means mutual agreements, times of delivery, specifications and quantities, contracts, exchange and sale. These agreements and deals take place in order that people's needs shall be satisfied. But the satisfactions are reciprocal. (15)

Persons seek to improve their positions, but they do so by

benefiting others. Self-interest does not magically result in public good. Rather, "each party can only benefit himself by benefiting others". (16)

It may still be claimed that the market activity does not and cannot generate or display in persons the unequivocal intent to benefit others, and that, for this reason, the market is necessarily wicked. This seems to have been the position of J. A. Hobson in a passage which Acton reproduces from *Wealth and Life*.

By their very nature the bargaining processes inhibit the consideration of the good of others, and concentrate the mind and will of each party upon the bargaining for his own immediate and material gains. . . . this constant drive of selfish interest involves a hardening of the moral arteries. (26)

In chapter II, Acton does challenge the view that no virtues can be ascribed to men acting in the marketplace. He cites justice, honesty, and reliability. Acton also contests the relevancy of the charge that humility, charity, and self-sacrifice are absent from the market. "The very idea of a firm showing humility or sacrificing itself is absurd, and the idea of these virtues being exercised by individual participants in the market is hardly less so". (19-20) This, however, is hardly a moral defense of such firms and individuals against Hobson's charge.

Hobson and Acton are in agreement in characterizing market participants as "trying to do as well for themselves as they can". And Hobson's rejection of the market is based on a condemnation of this very feature of market activity. On what basis, then, can Acton challenge Hobson's charge? Acton cannot defeat "pure" moral claims, e.g., proclamations of the right-making or wrong-making character of some evident feature of this or that type of action. To the ultimate claim that self-interested intent renders an action morally odious, Acton can make no reply. However, it seems that Acton either thinks that no one truly makes such radically "pure" moral claims or thinks that there could be no point to such claims. For Acton never entertains Hobson's anti-bargaining, anti-market, claim as a "pure" moral claim and he seems to find it remarkable that persons be prepared to make such "pure" claims. Even in the light of the passage from Hobson, it is with puzzlement that Acton says,

One cannot help *suspecting* that egalitarians (i.e., anti-market moralists) think there is something morally evil in the desire to foster the development of one's own children, to look after one's own health and to own one's own house, even in a society where minimum standards are at a level undreamed of by the pioneers of the welfare state. (73, emphasis added)

Acton takes the very possibility that the egalitarian holds to this "pure", non-contextual, moral view as an argument against the egalitarian. It is Acton's apparent rejection of what I have been calling "pure" moral claims which lead me to claim that among Acton's implicit methodological principles is the view that to assert the wrongness of a certain form of activity is to presume the viability of some alternative form of activity. The presumption of the anti-market moralist is that there is a morally viable alternative mechanism for the distribution of resources, goods and services. This presumption is challenged in Acton's chapter IV, "The Egalitarian Collectivist Alternative".

B

Chapter IV is described as a critique of distributive justice. Acton characterizes the view which he will oppose as follows:

Wealth . . . gives its possessors advantages which it is unjust they should have. Basic needs . . . should be satisfied in accordance with their urgency, not in accordance with the financial resources of those who have them. (59)

This view would seem to call for redistribution of financial resources. Yet Acton does not discuss income or wealth redistribution. In fact, he has claimed in chapter II, "The market, as a method of recording consumer preferences and allocating resources can respond to any distribution or redistribution of income". (14) So it is fitting that a defense of the morals of markets does not argue for or against any particular distribution or redistribution of income or wealth. Acton is primarily concerned with an evaluation of community or State provision of basic goods and services. How, then are we to understand Acton's description of chapter IV as a critique of distributive

justice? And how does chapter IV constitute a continuation of the argument of chapter II? I understand the implicit structure of Acton's argument to be this. Distributive justice realized through income and wealth redistribution must be rejected by the anti-market moralist. For a monetary redistribution leaves persons free, and presumes persons to remain free, to enter the market as self-interested buyers and sellers. A monetary redistribution would merely be a realignment of buying power. In rejecting the market as a means for allocating resources, goods, and services, the anti-market moralist is committed to a particular form of distributive justice—a form which bypasses market transactions. Resources, goods and services must be allocated to persons according to their "basic needs" and persons are not to be permitted to acquire resources, goods, or services on any other, e.g., market, basis.⁵ A phrase should be added to Acton's characterization of distributive justice to more clearly specify Acton's target,

Wealth . . . gives its possessors advantages which it is unjust they should have. Basic needs . . . should be satisfied in accordance with their urgency, not in accordance with the financial resources of those who have them, *no matter what the pattern of financial resources is.*

Rather than being concerned with the view that wealth or goods and services should exist in this or that specific, quantitatively definable, pattern, Acton is primarily concerned with the demand that, whatever distribution is produced, the distribution must be made in a moral, i.e., in a non-market way. According to the Hobsonian it is the manner and not the result of a distributing process which is morally significant. This demand for a non-market means of distribution proceeds, according to Acton, from the view that in all social and economic interactions it is wrong for agents to (seek to) benefit themselves. According to Acton, this type of demand for distributive justice yields the modern, paternalistic, welfare State. This State is the fundamental alternative to the contractual, market society and its (moderately) limited government.

To a large extent, Acton's critique of what he sees as the only alternative to the market rests on his distinction between distributive and commutative justice.

... it should be noticed that authorities play a different part in distributive justice from the part they play in exchange transactions. The distribution is *made* by an authority. If there were no authority to make it, there could be no distribution, just or unjust. On the other hand, individuals exchange goods between one another; it is they who determine who gets what, not some authority over them. Government is needed, of course, to prevent violence and fraud, but the government is not a party to the exchanges. . . . It is natural, therefore, to use the term commutative justice to mean just dealing between individuals, and just dealing between individuals is dealing in which agreements are freely made and honestly kept. Distributive justice is exercised by an authority, commutative justice by and between individuals. (6r)

Distributive and commutative justice are incompatible. For a community or State system of distributive justice eliminates the very condition of commutative justice—free exchange of goods and services. Further, the operation of a public system of distributive justice, which must involve “public” decisions about who gets which goods or services, violates the key value enshrined in the notion of commutative justice, *viz.*, freedom from coercion. As the system of distributive justice develops, “the scope of coercion is widened and the possibilities for free agreements are diminished”. (79) The very notion of distributive justice, involving as it does the imposition of some specific pattern of needs satisfaction, incorporates the demand for a pervasive social and political authority. The basic moral objection to distributive justice is, then, that “when distributive justice is placed above commutative justice, force is being advocated at the expense of voluntary agreement”. (80).⁷

It should be noted that Acton thinks that there is a significant difference between the State's coercively depriving persons of some of their earnings for the sake of some ideal of distributive justice and the State's coercively depriving persons of some of their earnings for the sake of some humanitarian ideal. Taking a stand which would seem to undercut his own appeal to the value of non-coercion, Acton holds that coercion for distributive ideals is not justified while coercion for humanitarian ideals is justified. (43-44, 58-59)

If someone is unwilling to contribute towards the cost of crime prevention, we feel he ought to be made to do so. If someone is unwilling

to contribute towards the cost of helping those who are in dire want, we do not think it wrong for taxation to be put upon him. But to be forced to make payments in order to secure a just distribution of wealth is a different matter, since there is no universal view on what such a distribution should be, and the individual is being forced to pay for something he may consider wrong. (79)

But surely, (a) the universality of a view is not a necessary condition of its truth; (b) as Acton himself wants to emphasize in his discussions of "basic needs", there is no "universal view" of what constitutes "dire want", hence, the distributionist and the humanitarian are in the same epistemic boat; and (c) that a person considers doing *s* wrong does not entail that it is wrong to force him to do *s*. Why, then, does Acton appeal to the lack of universality among persons' views about what constitutes a just distribution?

Acton wants to emphasize that there will be no spontaneous agreement about what constitutes "basic needs" and, *a fortiori*, there will be no spontaneous agreement about what scheme of distribution should be established. The absence of a "universal view" rules out the possibility of non-authoritarian, "grass-roots" distribution according to needs or justice. A determination must be made about what are the "basic needs" and about which scheme of distribution is just, i.e., does not involve one person benefiting at another's expense. The absence of a universal view about what constitutes "basic needs" and distribution justice results in conflicting, rival, claims about what this authoritative determination should be. And, "In practice, in democratic societies the answer to the question what constitutes a 'just' distribution of wealth varies as different groups and interests gain the ear of politicians". (80) The elimination of the "cash nexus" does not eliminate competition. It merely alters its form. When competing demands are no longer expressed in monetary offers and directed towards profit-seeking firms, they are expressed as claims to the fulfillment of basic needs or distributive justice and directed towards the State, and, in turn, to the taxpaying public. Claims to the satisfaction of basic needs or distributive justice constitute the currency of the non-market, welfare State. Each particular conception of basic needs or distributive justice lays claim to be the legal tender of

the State. The competition of the market is reproduced, but in a coercive and less efficient version, in ideological and group-interest politics. "The egalitarian, therefore, in removing the competition that arises from cash demand, substitutes competition by means of entreaty or bullying". (71)

To the extent that this competition is resolved—and for the anti-market moralist it must be resolved for it clearly embodies the sort of rivalry for which he condemns the market—social and moral conformity emerges. Public institutions and policies assume the mantle of the Just State. The large-scale non-market distribution of goods and services requires a day-to-day bureaucracy which develops a life and a will of its own. "Universal distributive justice" yields "universal authority". (83) Pervasive authority is established and commutative justice withers away. The State replaces civil society. In short, according to Acton, the manner of the distribution of goods to which the anti-market moralist is committed involves a loss in "negative" freedom and commutative justice *and* a loss in "positive" freedom, i.e., in the power of persons to determine their own circumstances and ways of life.

¹ H. B. Acton, *The Morals of Markets* (London: Longman, 1971). All page references in the text are references to *The Morals of Markets*.

² Among those cited are Carlyle and Ruskin, J. A. Hobson and R. H. Tawney. An interesting discussion of anti-market moralism can be found in W.D. Grampp's "Classical Economics and Its Moral Critics", *History of Political Economy*, 1973, pp. 359-374.

³ Acton claims that acts such as the sale of food during a famine, "go against the market system, and cannot be taken as typical". (14)

⁴ For an interesting preliminary discussion of the alienation charge against the market see E. G. Dolan's "Alienation, Freedom, and Economic Organization", *Journal of Political Economy*, 1971, pp. 1084-1094.

⁵ It is unclear why Acton believes that non-market d. j. must be fundamentally egalitarian. He may be assuming that all theories of d. j. are fundamentally egalitarian or he may hold that allocation only according to "basic needs" implies egalitarian distribution. Yet he also emphasizes the indeterminacy of "basic needs".

⁶ Thus, Acton's comments on distributive justice in general, or specific theories such as Rawls' justice as fairness, are superficial. For criticisms from a perspective similar to Acton's see, F. A. Hayek, *The Constitution of Liberty*

(Chicago: Henry Regnery Co., 1972) pp. 95-102, 231-233 and "The Misconception of Human Rights as Positive Claims", *Farmand* (Oslo, 11/12/1966) pp. 32-35; Robert Nozick, "Distributive Justice" *Philosophy and Public Affairs* (Fall, 1973) pp. 45-126.

⁷ Acton reminds us of Herbert Spencer's distinction between "militant" societies, i.e., those societies which display "unity, hierarchy, and use of force and in which some conception of justice and order is imposed by the government and "industrial societies", i.e., those societies which display "differentiation and freedom" and in which "cooperation is secured by voluntary means". It should be clear that the crucial feature of militant societies is not their distribution or redistribution of wealth but their substitution of public, political, authority for the "spontaneous" working of the market and of mutually beneficial individual action. See, also, A. J. Nock's *Our Enemy. The State* (New York: Free Life Editions, 1973) for a well-developed and complementary distinction between State power and social power.

AUSTIN AND WITTGENSTEIN ON "DOUBT" AND "KNOWLEDGE"

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THE notion of "doubt" has traditionally played an important role in the philosophy of knowledge. As Descartes stated in his *Discourse On Method*, the first rule in seeking truth is never to accept anything unless it is presented clearly and distinctly without any reason or occasion for doubt. Further, even before Descartes, the Platonic conception of knowledge was linked with the very notions of infallibility and unchangeability. Indeed, a general rule for traditional philosophy has been as follows: *if* one can doubt the proposition "x is y," then, one cannot say that he has knowledge that "x is y."

However, this particular rule has produced puzzlement for philosophers. This puzzlement is called the "problem of knowledge," i.e., Is knowledge possible? If a human being is not omniscient or infallible, then there is always a possibility that one can be mistaken or proven wrong by future evidence, and if there always exists such possibility, then there is always grounds for doubting any claim to knowledge. Thus, no claim to possess knowledge can be substantiated. Further, if it is contended that knowledge does not require freedom from such doubt—in other words, if *certainty* is no longer a requirement of knowledge—then, the very basis for probable statements becomes in jeopardy, for one always claims to *know* that "x is only probably y."

The puzzlement is complete. If there is to be such a thing as knowledge, there must be a human that is *not* capable of error or correction by future events, but if this is so, then there need be no philosophy of knowledge because infallible, omniscient creatures need have no such concern !! Where does philosophy turn? If certainty is not maintained as a condition of there being knowledge, then no other cognitive claim makes sense. If

certainty is maintained as a condition for knowledge, then how can one deny the real occasions for doubt that fallible and limited human beings suffer?

It is to this alleged dilemma that Wittgenstein and Austin's conceptions of "knowledge" and "doubt" can be applied. In this paper I will explicate their conceptions and show how their views offer the beginning of a solution to this puzzle.

I

Austin's conception of the entire enterprise begins by challenging the initial assumption of the Cartesian and Platonic tradition. Austin writes:

Now, we are perfectly aware, and should be candidly, aware of this liability. . . . The human intellect and senses are, indeed, inherently fallible and delusive, but not by any means inveterately. Machines are inherently liable to break down, but good machines don't (often). *It is futile to embark on a 'theory of knowledge' which denies this liability: such theories constantly end up by admitting the liability after all, and denying the existence of 'knowledge.'*¹ (emphasis added)

One must take as the starting point for his epistemology the fact of human fallibility and ignorance. Indeed, there would be no need for an epistemology if this were not the case. One must remember that the goal is to explain what knowledge is for such a being, not for God or anything else. It is to ignore a most elementary of facts to attempt to describe knowledge and show its possibility without *first* realizing that knowledge *is* human knowledge.

Since the acknowledgement of the fallibility of human consciousness is Austin's starting point in explaining "I know," then the mere fact that it is possible for me to be mistaken is not ground for saying that "I may be mistaken."

[B]eing aware that you may be mistaken doesn't mean merely being aware that you are a fallible human being; *it means that you have some concrete reason to suppose that you may be mistaken in this case.*² (emphasis added)

Thus, since knowledge is *human* knowledge, it is always possible to be mistaken, but, epistemically speaking, this is an utterly useless type of possibility. When philosophers use such a

possibility as a doubt to challenge one's claim to know that "x is y," there is no disputation of the evidence used to support the knowledge claim but rather, as Austin states, "a challenge as to the reliability" of one's evidence. Yet, every challenge to the reliability of one's evidence rests on the human possibility of error (E. g. Are you sure that you are not dreaming? Is that the *right* "y"? Etc.), and, as already said, this is epistemically worthless doubt.

To clarify this point, the following distinction between two types of possibility will, I think, help us to understand Austin:³ *metaphysical*—means given the nature of existence X *can* occur e.g. It is possible *for* me to kill you.

epistemological—means that there is evidence that X will occur e.g. It is possible that I (a wanton killer) will kill you.

Further, I think we can see that it is *ipso facto* invalid to infer epistemological possibility from metaphysical possibility. For example,

It is possible *for* Ghandi to murder. (He has the physical capacity.)

Therefore, it is possible that Ghandi will murder. (We have evidence that he is going to do so.)

This distinction shows very clearly the point Austin is trying to make—namely, epistemic possibility requires that there be some evidence. We see that it is invalid to doubt the claim to know that "x is y," simply because one *can* be in error or ignorance. Doubt must be shown, not just asserted.

Doubt which is based on the fact that a human can be in error is either not doubt or, rather, nothing other than a requirement for there being knowledge, i.e., the fact that I *can* be wrong must be there for one to claim that there is knowledge—the "can" shows that it is human knowledge. Thus, to doubt that I know that "x is y" solely because I can be wrong is to say nothing other than one doubts "x is y" because I am a human being! (This may properly be a conclusion of an investigation into the issue but not an initial assumption.)

Besides requiring there to be evidence for there to be doubt, Austin holds that the claim to know that "x is y" is not "predictive" in such a way that the future can always prove it wrong.

In other words, the claim that "x is y" will not be proven wrong if circumstances change such that "y" becomes "z"; rather, "what the future can always do, is to make us *revise* our ideas . . ."⁴ Implied here is a position which I would designate as *contextualism*—the view that the truth (rightness) or falsity (wrongness) of a position is always determined in some context of knowledge.

To say the same thing in a different way, Austin acknowledges that human knowledge is necessarily limited; thus, to hold that heretofore unknown circumstances prove previous knowledge claims false is wrong-headed. It forgets that knowledge is an activity⁵ not a static, timeless snapshot. Indeed, the main force of Austin comments on "I know" seem to be that no idea can be produced concerning "x's", goldfinches, or anything else which precludes the possibility that it may be revised. To repeat, newly discovered facts do not, strictly speaking, *solely* prove false old ideas but, rather, revises them. As said, the claim to know that "x is y" is an activity not a snapshot; it can change to include "and sometimes z" without being made mistaken.

The following lengthy quotation characterizes how Austin views the revision of ideas.

First, it is arranged that, on experiencing a complex of features C, then we say "This is C" or "This is a C." Then subsequently, the occurrence either of the whole of C or of a significant and characteristic part of it, on one or many occasions, accompanied or followed in definite circumstances by another special and distinctive features, which makes it seem desirable to revise our ideas: so that we draw a distinction between "This looks like a C, but in fact is only a dummy, etc." and "This is a real C (live, genuine, etc.)." *Henceforward*, we can only ascertain that it's a *real* C by ascertaining that the special features or complex of features is present in the appropriate circumstances. The old expression "This is a C" will tend heretofore to fail to draw any distinction between "real, live, etc." and "dummy, stuffed, etc." If the special distinctive feature is one which does not manifest itself in *any* definite circumstances (on application of some specific test, after some lapse of time, etc.) then it is not a suitable feature on which to base a distinction between "real" and "dummy, imaginary, etc." All we can then do is to say "Some C's are and some aren't, some do and some don't: and it may be very interesting or important whether they do or don't, but they're all C's, real C's just the same. Now if the

special feature is one which must appear in (more or less) definite circumstances, then "This is a real C" is not necessarily predictive: we can, in favourable cases, make sure of it.⁶ (The distinction could just as easily be between C's and D's as C's and real C's.)

This illustrates most aptly that newly discovered facts, especially facts that do not fit into previous conceptual categories, are not a threat to knowledge but an expansion of it.

Austin's comments concerning "doubt" and "knowledge" fit together quite nicely. "Doubt" can never be solely based on the possibility that one can be wrong, and "I know" is never so static as to be proven false by merely the new discovery of facts. Both comments are based on Austin's initial declaration that the starting point of an epistemology is the recognition that knowledge *is* human knowledge.

II

Consider the proposition "I know that x is a tree."

It [the proposition] would not be surmise and I might tell it to someone else with complete certainty, as something there is no doubt about. But does that mean that it is *unconditionally* the truth? May not the thing that I recognize with complete certainty as the tree that I have seen here my whole life long—may this not be disclosed as something different? May it not confound me?

And nevertheless it was right, *in the circumstances that give the sentence meaning*, to say 'I know (I do not merely surmise) that that's a tree.' To say that in strict truth I only believe it, would be wrong. . . . *I cannot be making a mistake about it. But this does not mean that I am infallible about it.*⁷ (emphasis added)

Here Wittgenstein echoes Austin's claim (Or is it vice-versa?) that "I know" cannot be "predictive" in such a way that the future can prove it wrong. He is clearly contending that "I know" does not in any way amount to a claim of infallibility. The claim "I know that x is a tree" is justified within the circumstances that give the sentence meaning.

(It should be noted that the "circumstances that give the sentence meaning" is the language-game or context in which the sentence is found. For Wittgenstein this is "rock-bottom")

or the "point where explanation ends." We shall have need to keep this in mind.)

The *contextuality* implied here is explicitly brought out in the following remarks:

That to my mind someone else has been wrong is no ground for assuming that I am wrong now.—But isn't it a ground for assuming that I might be wrong? It is *no* ground for any *unsureness* in my judgment, or my actions.⁸

I act with complete certainty. But this certainty is my own.⁹

This shows that "I know" is always used in a context and that it is always someone's "I know." To ignore *this* is to ignore the language-game in which it is found. For example, considering the proposition, "I know that I have never been on the moon," Wittgenstein states,

... even the thought that I might have been transported there, by unknown means, in my sleep, *would not give me any right to speak of a possible mistake here. I play the game wrong if I do.*¹⁰ (emphasis added)

What is the wrong move made? It is confusing an imagined doubt with a real doubt, for one should not

... say that one is in doubt because it is possible for one to imagine a doubt. I can easily imagine someone always doubting before he opened his front door whether an abyss did not yawn behind it ... but that does not make me doubt in the same case.¹¹

Indeed, "one gives oneself a false picture of doubt";¹² one needs a grounds for doubt—a reason found in the circumstances surrounding the claim "I know x is y."¹³ Doubt is only found in various contexts (language-games) and, thus, its ground is dictated accordingly.

Yet, if it is maintained that there is a sense of "doubt" that can be applied to the proposition "I know x is y" because one is *truly* a fallible human being. I think Wittgenstein meets the objection by granting it but showing it to be epistemically useless. His question: "Can one say: 'Where there is no doubt there is no knowledge either'?"¹⁴ points out this approach. Sure, one *can* be mistaken, for to be human, at least, admits to that possibility, but what of it? How does this show that one might be in error in the situation where one claims to know that

x is y? Such doubt is *not* dictated by the language-game. Thus, for Wittgenstein such a possibility of error does not effect the epistemic worth of the claim to know that x is y.

Wittgenstein admits that it is quite possible for one to say that "I know x is y" within a context or language-game and, then, have the language-game alter in such a way that doubt is introduced regarding the claim. This, however, would only mean that the language-game changed.¹⁵ The *original* claim that "I know x is y" in *its* context is (was) correct nonetheless. (Remember a proposition is meaningless outside of its language-game.) Thus, I think, this is what enables Wittgenstein to say, "I have the right to say, 'I can't be making a mistake about this' even if I am in error."¹⁶ One's claim to know that x is y is, thus, not proven wrong by the new language-game (context) surrounding it; rather, the meaning of the claim changes. A claim of certainty may be reduced to a claim of probability, for example. As said, the correctness of each claim is maintained in its context, despite the fact that alteration occurs, for "the concept of knowing is coupled with that of language-game."¹⁷ This is further pointed out when

we say we know that water boils and does not freeze under such-and-such circumstances. Is it conceivable that we are wrong? Wouldn't a mistake topple all judgement with it? More, what could stand if that were to fall? Might someone discover something that made us say 'It was a mistake'?

Whatever may happen in the future, however water may behave in the future—we *know* that up to now it has behaved thus in innumerable instances.

This fact is fused into the foundation of our language-game.¹⁸

Thus, if tomorrow a new discovery proves water not to boil at 100° C. at sea level, this does not in the least effect the previous knowledge claim—one can claim that old knowledge was expanded or revised but not mistaken, for the new discovery only alters the language-game. (Wittgenstein, however, would not like to say that "facts" alter language-games, but he would say the language-games alter and that's the important point here.)

Further, to say that human knowledge is contextual (within a language-game) is to say something unnecessary. As Wittgen-

stein states, "A judge might even say 'That is the truth—so far as a human being can know it.' *But what does this rider accomplish?*"¹⁹ (emphasis added)

Very simply then, Wittgenstein seems to hold that knowledge is always determined within a context, a language-game, and that real doubt must be grounded there also and not just imagined or thought.

III

Austin's and Wittgenstein's conceptions of "knowledge" and "doubt" amount to the following points:

- 1) Knowledge is not a timeless snapshot; rather it is an activity.
- 2) All knowledge is contextual.
- 3) Doubt has to be grounded in evidence beyond the knower's humanity.
- 4) Context is fundamental in determining the epistemic worth of a proposition.
- 5) All knowledge is human knowledge.

Strange as it may seem, the fifth point is the most important realization, for it immediately points out that knowledge is not intrinsic to the world; rather, knowledge depends on human activity to exist—*meaning* is not found in things but with the activity of humans with things. (This is not meant to imply in anyway that knowledge is "subjective" in the sense of arbitrary; rather, it simply tries to show human activity as a necessary condition for knowledge.) This realization makes all the other points possible, for all of the other points start with the fact of human knowledge.

Since human knowledge occurs for creatures that are not omniscient, knowledge must be subject to alteration and not something timelessly static. However, since human knowledge still requires *certainty* (as seen, "probability" requires certainty), knowledge claims must be found in a context and, further, the context must be the basis from which truth, falsity, correctness, incorrectness, and rightness and wrongness are

determined—no proposition is a *a*-contextual, even this one! Finally, since human knowledge cannot exist unless it can be mistaken, doubt must be based on evidence that something is not the case. As said, all these points follow directly from the fact that knowledge is human knowledge.

How does all this solve the "problem of knowledge"? It solves the problem by showing that the metaphysical possibility of error or correction by future events does not constitute evidence for doubting the claim that "one knows that *x* is *y*"; rather, there must be a concrete reason to doubt the claim. This, of course, only eliminates the constant doubt. It is the contextual and active nature of knowledge that makes certainty possible—one may still be tempted to say contextual or human certainty, but this temptation can be squashed by asking: As opposed to what? (The fundamentality of the language-game jumps right up !!)

It may be objected that this view of "knowledge" and "doubt" proves too much, for does it ever allow for someone to be in error? If knowledge is always expanded and revised by new discoveries, are we not just saying that one is never wrong? Thus, haven't we just substituted one extreme with another?

This objection is a good one and much is required by way of answering, more than can be supplied in this paper. However, I think Wittgenstein has the key element in the answer. He says, "There is a difference between a mistake for which, as it were, a place is prepared in the game, and a complete irregularity that happens as an exception."²⁰ I take this to mean that errors, mistakes and other assorted blunders occur within a context such that one can point out that the rules are not being followed and, thus, point out mistakes. Complete irregularities are outside of the context, and one doesn't know what to say about them. Thus, this view would still allow for errors but would not let "complete irregularities" destroy the possibility of knowledge.

However, it is not at all clear to me how one can say which is a "mistake" within a context and which is a "complete irregularity," for that seems to depend solely on who is noticing the occurrence. In other words, it would seem that the more knowledgeable person concerning the language-game would

consider more occurrences mistakes than the less informed person. However, possibly this is not a damaging result, for Wittgenstein does say that the complete certainty is *my* certainty. This does not mean that the determination of an occurrence as a "mistake" or "complete irregularity" is entirely arbitrary; rather, this would have to be done by reference to all the known data concerning the occurrence. If in the widest context of knowledge, this occurrence could have been prevented, then a "mistake" has occurred; if in the same context, there was no data that could forecast such an occurrence, then, a "complete irregularity," such as Austin's exploding goldfinch, has occurred, and we just can't say anything about that. In this way, then, error can be allowed for without doing away with knowledge.²¹

¹ J. L. Austin, "Other Minds," *Philosophical Papers*, 2nd ed. (London: Oxford University Press, 1970), p. 98.

² *Ibid.*

³ Taken from Jarret B. Wollstein's "Notes from 'Certainty Without Omniscience'," notes of a lecture given by Dr. Leonard Peikoff at the University of Virginia in 1967.

⁴ Austin, pp. 88-89.

⁵ *Ibid.*, p. 103.

⁶ *Ibid.*, p. 89.

⁷ Ludwig Wittgenstein, *On Certainty*, trans. Anscombe and Wright (Oxford: Basil Blackwell, 1969), p. 55 e.

⁸ *Ibid.*, p. 80 e.

⁹ *Ibid.*, p. 25 e.

¹⁰ *Ibid.*, p. 88 e.

¹¹ Wittgenstein, *Philosophical Investigations*, trans. Anscombe (New York: McMillan Co., 1953), p. 39 e.

¹² Wittgenstein, *On Certainty*, p. 33 e.

¹³ *Ibid.*, pp. 33 e-34 e.

¹⁴ *Ibid.*, p. 18 e.

¹⁵ *Ibid.*, p. 85 e.

¹⁶ *Ibid.*, p. 88 e.

¹⁷ *Ibid.*, p. 74 e.

¹⁸ *Ibid.*, p. 73 e.

¹⁹ *Ibid.*, p. 80 e.

²⁰ *Ibid.*, p. 85 e.

²¹ This paper has only attempted to give some important characteristics concerning knowledge claims and *not* a definitive answer as to what knowledge is.

THE STATE AND THE COMMUNITY IN ARISTOTLE'S *POLITICS*

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THE term '*polis*', like most key terms in Aristotle's philosophical writings, is used in different senses. The full significance of this fact—observed by Aristotle himself at *Politics* III, 3, 1276a23-24—has not been fully appreciated by Aristotle or his later commentators. Although it is a commonplace that the concept of the *polis* does not involve a clearcut distinction between the state and the community, not much use has been made of this in unraveling the tangled skein of Aristotle's argument, especially in Book III of the *Politics*. I will try to begin the unraveling here. First, I shall argue that when Aristotle presents a justification of the *polis* in Book I, he is preoccupied with a certain sort of community. In the opening chapters of Book III, he is engaged in an analysis of the state. But in the later chapters of Book III, the concerns of social philosophy and of political philosophy become confused with each other. This is especially evident in Aristotle's criticisms of an ancient Greek version of libertarianism.

I

The *polis* or city-state, together with its institutions, customs, and laws, came under philosophical fire during the fifth century B. C. The Sophists and their pupils, men such as Antiphon and the Callicles of Plato's *Gorgias*, based their critique of Greek social and political traditions on a contrast between *nomos* (convention) and *physics* (nature). Traditional laws and customs were characterized as strictly conventional without any basis in nature. Callicles asserted, further that the law of the *polis* was in conflict with nature (*para physin*). Against this law he proclaimed the law of nature (*nomos tes physeos*), which is that

the stronger should despoil the weaker, the better rule the worse, and the worthier have more than the feckless (*Gorgias* 483c8-d2, e2-3, 488b2-5). The conservatives committed to tradition were represented by men like Aristophanes, who reacted with slanderous, anti-intellectual broadsides such as the *Clouds*. However, serious minds in Athens met the Sophists on their own terms and sought by means of philosophical analysis to break down the dichotomy between convention and nature.

Aristotle's objective in the first book of the *Politics* is accordingly, to show that the *polis* exists according to nature (*kata physin, physei*). This requires, on the one side, a different view of human nature, the view that man is by nature a *polis*-oriented animal (*politikon zoon*), and, on the other side, a complementary analysis of the *polis* itself. In carrying out this analysis he employs a combination of techniques: the method of analyzing a complex into unanalyzable constituents (I, 1, 1252a18-23) and the method of tracing a growing thing from its origins (1252a24-26). The two methods overlap in this case because the basic constituent of the *polis*—the household (*oikia*)—is also the seed out of which, on Aristotle's account the *polis* historically developed.

The household itself is a complex of relationships, those of husband to wife, parent to child, and master to slave. Aristotle argues that these are all fundamentally *natural* relationships. The first two are due to a natural desire to leave behind another like oneself (1252a28-30). The latter rests on the master's capacity to "look into the future by reasoning" and the slave's physical capacity to carry out his master's orders; while this explains the difference between master and slave, the relationship of slavery exists by nature because "the same thing benefits master and slave" (1252a31-34).¹ The family is a natural association concerned with its members' everyday needs. The next stage in man's social development is the village (*kome*), an association of families. The village aims at a higher level of self-sufficiency (*autarkeia*) in maintaining human existence. Finally the *polis* emerges:

The complete association, formed from several villages, is a *polis*, which should be said to have attained the point of

self-sufficiency: It came into existence for the sake of life, but exists for the sake of the good life. So every *polis* exists by nature, since the basic associations did, too. For it is their end, and nature is an end. For whatever each thing is, when it is completed, we call its nature, e.g. the nature of a man, a horse, or a household (1252b27-34).

The *polis* is the end of human association, since it is the context in which the individual can live the good life. Human relationships find their fulfillment within the *polis*. As their end, it constitutes their nature; and since they exist by nature, it exists by nature also.

The *polis* which Aristotle is defending in Book I is clearly not the state in the narrow, modern sense of an agency possessing a monopoly over the legitimized use of coercive force within the community. Rather, the *polis* is understood as the community itself, a complex system of human relationships, voluntary as well as coercive, personal as well as public. This is evident from the fact that the household or family-unit is the starting-point of his analysis of the *polis*. The community does not consist merely in *political* relationships, although Aristotle values these highly. Within the community individuals can also establish satisfying filial relationships, seek an education², practice a profession, gratify one's spiritual aspirations³, join a fraternal association⁴, and, most importantly for Aristotle, form close personal friendships. The community is thus an intricate web of human relationships, in which the individual can achieve the good life.

It seems worth adding at this point that although Aristotle is thinking specifically of the Greek city-state here, his argument could be applied to any other community in which individuals could achieve their various ends to a comparable extent. The great popularity of the *polis* and the Greek life-style among barbarian populations in the post-Aristotelian era is due largely to the fact that other communities were not able to satisfy the full range of human aspirations in the manner of the *polis*.

II

When, in the third book of the *Politics*, Aristotle undertakes to explain what a *polis* is, he is clearly concerned with a political

entity, the state, rather than with the community. The state is an agency within the community with prescribes a certain set of laws to be applied by means of coercive force throughout the community. That Aristotle is preoccupied with this sense of 'polis' is obvious from the fact that when he applies the method of analysis again in Book III (at 1274b38-41), the basic constituent he arrives at is a citizen (*polites*) rather than a member of a basic social relationship (husband-wife, parent-child, master-slave), as was the case in Book I. Mere residency within the community did not make a man a citizen, since slaves and resident aliens⁵ did not qualify as citizens. The citizen in the strict sense, according to Aristotle, is a man who partakes in judgment and authority, which is to say that he has some role in establishing or applying the laws by which the *polis* is governed (1275a22-23, b17-19). The state (*polis*) is finally defined as "an association of citizens in a constitution" (1276b1-2). It is the function of the constitution to define which offices shall exist for the sake of framing, applying, and coercively enforcing the laws and to spell out which portion of the entire community is eligible to fill these offices and how they may come to fill them (cf. IV, 1, 1289a15-20).

In order for us to see that the *Politics* as a whole is a coherent work we must recognize that in the early chapters of Book III the *polis* discussed by Aristotle is the state, a political entity, and not the full-blooded community described in Book I. For in the third chapter of Book III Aristotle deals with the question of the identity of the *polis* over time. Since he is here defining the *polis* as a collection of citizens under a constitution, it follows that if there is a change of constitutions (e.g. if an oligarchy is overthrown, and a new democratic regime is established), a new *polis* comes into existence. Aristotle's criterion for the continued existence of a *polis* over time is thus identity in constitution rather than identity of territory or persistence of a given tribal stock.

Aristotle has been criticized for taking this stand on the grounds that "the absurd consequence would follow that a city would not change its constitution without committing suicide" and also on the grounds that it "seems quite inharmonious" with the rest of the *Politics*: "It is particularly discordant with the

emphasis in Book I on the city's being a natural growth".⁶ The appearance of discordance between Books I and III disappears, however, once it is recognized that in Book I it is the *polis* in the sense of a community which is treated as a natural growth. In III, 3 the focus is on the *polis* in the sense of the state, which is just one aspect of the total community. This interplay between senses of '*polis*' is what makes the question of identity over time for the *polis* so difficult to resolve. Thus, in connection with the first criticism, it *would* be absurd to say that the *community* could not change its constitution without committing suicide. It would not be at all absurd to say this in regard to the *state*. The question of identity over time for states is, of course, not in the least academic. Revolutionary states are seldom willing to shoulder the obligations assumed by their predecessors, on the grounds that *they* did not originally assume them. According to Aristotle's criterion, this is the correct position for them to take.

III

Aristotle has, so far, been reasonably clear in what he has been about. Unfortunately, this clarity is not sustained throughout Book III. The muddle becomes most serious in chapter 9, where Aristotle is canvassing different conceptions of justice.

Aristotle criticizes a certain definition of the *polis* which, he maintains, cannot be correct. "It is clear, then, that the *polis* cannot be an association of men in a territory with the aim of preventing them from doing injustice to themselves and of promoting commerce" (1280b29-31). Aristotle clearly regards this as an attempted definition of the just *state*, since he regards it as one account of the objectives of enforceable law (cf. 1280b5-6). This conception of the state, which I shall call the *libertarian* conception of the state, is that the sole purpose of the state is to prevent anyone from doing injustice to another within its jurisdiction. It seeks to prevent individuals from doing physical injury and perpetrating fraud against others as well as to protect its citizenry from foreign invaders. Aristotle argues that such an arrangement is a state (*polis*) in name only, not in reality (1280b6-8). It is merely a "defensive alliance"

between parties residing in the same locality rather than, as is usually the case with defensive alliances, between countries at some distance from each other. The law (*nomos*) becomes a mere covenant for this purpose.

Aristotle associates this theory with the sophist, Lykophron, whom he quotes as calling the law "a guarantee (or guarantor) of mutual rights (*dikaion*)" (1280b10-11). Practically nothing else survives of the political thought of this early libertarian. Fortunately, there is a rather longer discussion in Politics II, 8 of Hippodamus of Miletus, an early urban planner, who also had libertarian tendencies. Commissioned to plan the street-system of the Piraeus, Athens' port, he invented the method of dividing cities into separate quarters. He was a nonconformist in appearance as well as thought. "He had long hair with very expensive ornaments, and yet he wore a garment that was cheap but warm, keeping it on not only in the winter but also in hot weather. He also wanted to be conversant about nature in general" (1276b22-28). What is interesting about Hippodamus' political views is that he believed that there were only three kinds of laws concerning which lawsuits should take place: laws against *hubris* (violent personal assault), *blabe* (damage, as to property); and *thanatos* (homicide) (b37-39).

The emergence of the libertarian idea of political justice was an important development. In the first place, it tends to refute the commonplace view that "the 'limit of state interference' never suggested itself to the Greek philosophers as a problem for their consideration".⁷ For Lykophron and Hippodamus have provided very clear limits for the scope of state power. The theorists Aristotle is attacking clearly want to limit the activity of the state to the protection of rights, and it is for this very reason that he is attacking them. Moreover, the libertarian idea of justice challenges the old alternative between the idea of "natural justice" proclaimed by Callicles in the *Gorgias* and conventional altruism. Plato describes this old alternative as follows at *Laws* 890a2-9:

All these ideas, my friend, belong to the men who seem wise to young men, prose writers and poets, who assert that the greatest justice consists in vanquishing by brute

force. Consequently, irreligion infects our young men, as though there did not exist gods such as the laws command us to believe in; and, consequently, subversive factions arise as they attract men, by these means, to "the right life in accordance with nature (*kata physin*)", which is, in truth, a life of controlling others and not serving others according to law and convention (*kata nomon*).

Lykophron, in effect, exposes this as a false alternative. For libertarian justice consists neither in exploitation of one's fellow citizens by force or fraud nor in self-sacrificial servitude to one's fellow citizens. Rather, it consists in the citizens' mutual respect for one another's rights. Accordingly, the laws are framed so as to protect individuals from other individuals. This is a significant breakthrough in political philosophy.

Unfortunately, this significance is lost on Aristotle. He criticizes the libertarian state on the grounds that it is not concerned with making its citizens good and virtuous:

Whoever thinks about good must be concerned with the virtue and vice of a citizen. So it is clear that a *polis* must be concerned with virtue if it is to be truly called a *polis* and not merely verbally (1280b5-8).

Aristotle's critique of libertarianism rests on the premise that the state and the laws must aim not merely at requiring its citizens to treat one another honestly and justly, but also at making them good men. This paternalistic premise (which is invoked nowadays to justify legal prohibitions against the use of certain drugs, against prostitution, against polygamy, and so forth) is derived from the underlying premise that the *polis* "exists for the sake not merely of life, but of the good life" (1280a31-32). The end of the *polis* is not merely surviving, but living a happy and fine life (1280b39-1281a2). This underlying premise is evidently not intended to be gratuitous. For although there is no explicit cross-reference in III, 9 to Book I, Aristotle's statement of this thesis repeats almost verbatim his statement about the *polis* in Book I (cp. 1252b29-30). Thus Aristotle's critique of the libertarian theory of the *polis* in Book III is derived from his own theory of the *polis* in Book I.

But if this is the case, Lykophron would seem to have a defense against Aristotle's criticism. In Book I, as we have seen, '*polis*' refers to the community as a whole. The end of the *community*, which is the fundamental justification for its existence, is the good and happy life, in the sense that the fundamental reason *individuals* have for living in communities and for engaging in a wide variety of community relations is to lead good and happy lives, i.e. to realize themselves and be virtuous. But it does not follow at all that the function of the *state* is to use coercive force against its citizens so as to *make* them virtuous and happy. Aristotle, in making such an inference, is confusing the two senses of '*polis*', and is assigning to the *polis*, in the sense of 'state', a function which belongs properly to the *polis*, in the sense of 'community'. Lykophron could argue that the proper function of the state is to use force only to prevent its citizens from harming each other. In doing this the state provides a legal framework in which the community can perform its function. But the state should not try to do more than this. Virtue and happiness are attained only by means of voluntary, spontaneous activities, e.g. friendship, career, the pursuit of wisdom. A man cannot be forced to be happy or virtuous. But the pursuit of virtue and happiness in the community by means of voluntary activities would be impossible without the existence of a state dedicated to the protection of individual freedoms.

¹ One wants, of course, to object that while this provides a good reason for engaging in *voluntary* relationships in which one party provides direction and another follows, it is quite irrelevant to slavery or involuntary servitude. The slave is forced to obey his master. He obeys because he will be punished otherwise, not because it is in his interest to do so. If he had good reasons for obeying the master, then, presumably, the gun and the whip would be unnecessary.

² After a careful examination of all the available evidence, John P. Lynch has concluded that the great philosophical schools in Athens were essentially private institutions. "As far as the law of the city was concerned, there is nothing to suggest that the Lyceum, the Academy, and other Athenian institutions of higher learning had any official status at all. The schools appear to have been allowed, or at least not forbidden, to exist without formal sanction or registration" (*Aristotle's School: A Study of a Greek Education Institute* (Berkeley, 1972), p. 128).

³ Religious groups (*thiasoi*) and social clubs (*eranoi*), voluntary groups formed for personal pleasure, are described as among those associations belonging to the community (*politike*) at *Nicomachean Ethics* VIII, 9, 1160a19-21. These associations often, but not always, enjoyed a technical legal status. See Lynch, *op. cit.*, p. 109 n. 5.

⁴ The *hetairoi* was a widespread form of voluntary social organization in Aristotle's time, resembling present-day lodges such as the Masons or the Elks. See *Nicomachean Ethics* VIII, 12, 1161b33-1162a1.

⁵ The resident aliens—metics or *metoikoi* as they were called in Athens—were allowed to settle in Athens, generally for the purpose of commerce, in return for payment of a special tax. Since citizenship was generally hereditary in Greece (see *Politics* III, 2), the resident aliens remained without political voice and they enjoyed only rather tenuous legal rights.

⁶ Richard Robinson, *Aristotle's Politics Books III and IV*: Translated with Introduction and Comments (Oxford, 1962), p. 10.

⁷ Ernest Barker, *The Politics of Aristotle*: Translated with an Introduction, Notes and Appendixes (Oxford, 1958), p. li.

ON THE DOING OF MORAL PHILOSOPHY

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THERE is a widespread dissatisfaction with moral philosophy. Some think the source and indeed the ground of the dissatisfaction lies in the way moral philosophy is currently done. Others are inclined to think that it is rooted in the very activity itself. I want to exhibit, for those who warily start on a study of ethics, some viable conceptions of the proper office and function of moral philosophy, to relate those conceptions to moral perplexities we actually feel and, in doing this, show something of the rationale for seriously engaging in moral philosophy as well as some of the most serious challenges to that rationale. My hope is to bring out something of the grounds for the dissatisfaction with the subject and to do something to show what moral philosophers must do to meet that dissatisfaction, if, indeed, it can be met.

I

Many people believe that we live in an age of moral crisis. Nietzsche long ago proclaimed the death of God and said that the old morality was in shambles and that we must create new tablets. Today even the mass media on occasion tell us that we are witnessing the death of the old morality, that the established moral guidelines have been yanked from our hands and that we must, self-consciously and with 'struggle of soul' forge a new morality.

It is indeed true that in one guise or another we repeatedly ask moral questions, engage in moral arguments and experience moral perplexity. People disagree heatedly and intensely over moral questions. They are anxiety-arousing and they are troubling. In the heat of argument we may clearly feel that we are right, that we know without any doubt at all what should

be done. But when the dispute is over, when we are alone with ourselves in 'a cool hour', we are most often less sure that we were so right. And even where we do feel very confident about some live moral issue, we are faced with the fact that others on the opposite side of the argument—often people we have reason to believe are as conscientious as ourselves—feel equally confident about what ought to be done. Faced with a plethora of such cases, we come to wonder if there is any way whereby either party could show the other that they were mistaken. Can we rationally resolve such disputes? And can we answer the questions we put to ourselves in our own hearts?

Philosophers are apt to get too abstract too quickly. Already some may feel they are being led down easy street. Well, let us consider some specific moral problems that are repeatedly asked by plain people. We *may* agree about the correct answers to some of them, but the fact remains that people do very fundamentally disagree about what, if anything, counts as correct answers to them. Let us simply list some. And as I list them ask yourselves how you would answer them, how you would defend your answer and further ask if you think you could give an objective answer to such questions:

1. Our society is extremely competitive in school, in sports, for a mate, over a profession. What has been called 'possessive individualism' pervades our life. Is this a desirable thing? Is it even a necessary evil in order to enable us to have a tolerable standard of living or is it something we should get rid of as fast as we can or at least radically de-emphasize?
2. Given the fact that we now have such a competitive society, we can be quite confident that there are going to be losers and 'psychological casualties'. What obligations, if any, do those of us who are not losers have to them.
3. Some economists predict that in ten years we will be able to produce all of life's necessities with very few men on the assembly line. If these predictions are accurate, how are men to live without work? We, or at least those of us who have been caught up by the spirit of the Puritan work ethic, believe men ought to work. Should we reverse this judgment? Should we say instead that many at least ought to have a good income even though they do not work? Should it be the case that two representative men

- A and B—A with a job and B without a job—should have an equal income?
4. Should we develop a loyalty to the human race as a whole or should we still think of our country, our culture, our region or our religion as somehow coming first?
 5. Should we here in Canada resist what has been called American imperialism, cultural and economic, or should we put aside such nationalistic considerations?
 6. Is it immoral of us to develop a taste for sports cars and coloured T.V.'s while there is mass starvation in other parts of the world?
 7. Are our old sexual codes repressive and outmoded? Should we be utterly permissive about sexuality? Or should we rather seek a new and better sexual morality? But what is our criteria for 'better' here?
 8. Is it a good thing to divorce sexuality from love and treat it as a kind of entertainment and/or technique for tension reduction?
 9. Is it the case that our society is a male dominated society in which women are exploited? If this is so or even partly so what should we do to alter the situation? Should there be a complete equality in every respect between the sexes?
 10. What about egalitarianism in general? Should we work for a complete equality in every respect? Should we make no differentiations at all between people? If we reject this radical egalitarianism and *alternatively* say that there are certain respects in which all human beings, irrespective of their merit, should be treated alike, we should ask: a) how do we know that is true and b) what are the respects in which all people should be treated equally?
 11. What about keeping up life? With modern medicine we can keep a person alive longer and longer. How far, and under what conditions, should we keep this up?
 12. In many cases judges can hardly avoid interpreting 'the moral intentions of our laws'. Ought they to do so without making their own moral preconceptions quite explicit?
 13. If you go into a bank and the teller gives you ten dollars too much, is it your *obligation* to give it back?
 14. Should Indians in Canada have complete control over their own systems of education or should the federal and/or provincial governments keep a partial control?
 15. What about the use of violence to attain political change? When, if ever, is it justified? Are terrorist methods ever justified?

These questions—if we really consider them—give us a kind of vertigo. How can we answer them? Is any 'answer' in reality a *purely personal* answer? But if we say that any answer to such questions must be purely personal, isn't that to say in effect that there are no answers to such questions? If the answer is *purely personal*—if it is just an expression of how one happens to feel—then no one could give a *right* answer or for that matter a *wrong* answer. To say *any* answer can only be a personal one is to give one to understand that it is all a matter of 'you pays your money, you takes your choice' and that there really are no answers to such 'questions'. But why say that such answers are purely personal? Well consider how with modern medicine we can keep human beings alive longer and longer. How far and under what conditions should we keep this up? We make heart transplants now and we will learn to make workable synthetic hearts and solve problems of rejection; we will, as time goes on, learn to replace old organs so that they will become replaceable like old automobile parts. Indeed, after many a summer dies the swan can become a social reality. In short, it is becoming quite possible to keep human beings alive in some form or another much longer than we ever did before. But even without this and with expected population expansions, our globe will become more and more crowded and quite possibly more and more polluted. The lonely crowd will be more and more crowded together. Most of us do not want to die, but should we go on living indefinitely, most particularly when we become 'battered old machines'? Yet isn't it a doctor's job to prolong life, to heal the sick and mend the wounded? Should we let anyone die when he doesn't have to and doesn't want to? Yet it's hardly murder, even from a Catholic point of view, if we don't develop synthetic hearts. What are we to do? Wouldn't any moral decision here be a decision that each person must take individually? Is this too Protestant a view or is the necessity for decision in such a context something that is part of the very *nature* of morality? Perhaps moral questions in the very nature of the case are questions that each man must decide for himself.

Perhaps they aren't! The rights and wrongs of this general philosophical claim will surely be one of the things to investigate in moral philosophy, but we must be clear about this: if moral

questions are '*purely personal* questions', then it is very questionable whether they can be genuine questions at all. But if this is so, what then is the point of doing moral philosophy? There is at least this much point: we will want to see if such 'questions' can be answered. We will want to see if they do admit of anything other than a purely personal 'answer'—an 'answer' which seems at least to be no answer at all. We want to know whether we can reason about and decide live moral issues with *any objectivity at all*. This, after all, is certainly a very fundamental question about the nature of morality.

To put it this way, however, is to neglect the important fact that there is, if you will, an existential urgency about such questions. Intellectual curiosity aside, we very much want to know, as human beings, if our moral convictions are at bottom *simply* a matter of feeling.

II

Let us take a look at what we are trying to do from a different direction. We all—given present technology and barring some not utterly unlikely holocaust—have some 40 to 100 years to get through. How should we live out our grubby lives? What things are finally *worth* seeking? Many things we think will satisfy us really won't. What then should we seek? Again we feel a kind of vertigo. These questions raise questions that call themselves into question. How (if at all)—we can hardly help asking—can such questions be answered? They are certainly desperately vague questions. Perhaps there is no answer to them. Perhaps they are in reality pseudo-questions; questions differing from 'What is the temperature of virtue?' only in that their senseless nature is disguised. Yet it remains the case that we all in certain moments pose them to ourselves. When we are in the grip of the stresses and strains of life, we all very much want to see if we can find any answers to them? Before we rest content in the belief that they are pseudo-questions obliquely expressing emotional harrassments, we should try most persistently to see if we can ascertain whether they are such pseudo-questions.

What, we ask, do we *really want*, what is *truly admirable*, what ultimate loyalties—if any—should we develop? Moreover, and

this moves us in a slightly different but still related direction, whether we like it or not we must live with people. Parents have duties to their children; children have duties to their parents; husbands have duties to their wives and wives to their husbands. Teachers and students have complex relations of this sort with each other. But just what are these duties and obligations and what weight should we give them?

Here again we are led into moral philosophy. In trying to answer these questions or in trying to find out if they are really questions rather than emotional harrassments or conceptual muddles that admit of no answer, we must engage in moral philosophy. *Asked what moral philosophy is, we could sensibly reply that moral philosophy is the attempt to get clear about and perspicuously display the foundations of—or, in case it has no foundations—the nature of the moral life. Beyond that, and revealing something of its complexity, moral philosophy is an attempt to systematically and comprehensively face and rationally examine the fundamental conflicts and dilemmas of the moral life.* (Part of our feeling for the complexity of the problem will lie in our recognition of the ambiguity and indeterminateness in such a context of the phrase 'rationally examine'.)

In trying to get clear about those opaque but strangely compelling moral questions, we, in effect at least, ask some very general questions. We ask, what if anything, is really worthwhile? What obligations, if any, must we recognize? And in asking such questions we may in turn find ourselves obliged, whether we like it or not, to ask what is *meant* by 'good', 'worthwhile', 'obligatory' and the like. Are these words but labels for emotions and do we, when we use them to make moral utterances, merely express our emotions—give voice to either our private or culturally defined upsets? Are all questions about what is good, obligatory, worthwhile and the like utterly subjective? Are they all a matter of where we were brought up? Are we in taking a moral stance simply *obliquely* exhibiting that we have certain customs? Or can we say that some moral claims are objective claims which bind all properly informed and reasonable human beings in ways such that there are some general constraints on what they rightly can and cannot do?

In moral philosophy we try to get clear about the nature of

these questions and we try to find answers to them. We try to gain some understanding of the nature of morality and we try to examine the rationale behind moral claims, if indeed there is such a rationale.

III

There have, however, been other characterizations of moral philosophy. Some have thought that a fundamental task, if not the fundamental task, of moral philosophy should be to provide us with a *moral critique of society*. Philosophy in general should provide us with the rationale for a critical theory which will help us unmask *destructive* and irrational ideologies and to see through cultural myths. In such a critical theory moral philosophy has a key role to play.

There are many philosophers—particularly many contemporary Anglo-American philosophers—who believe this is giving philosophy a task which is not its own. Philosophy can clarify concepts but it cannot provide a critique of society. It is understandable that this should be claimed, for if we reflect a bit, we can see that it is surely the case that the more traditional and the securer role of the philosopher has been that of a clarifier rather than a direct challenger of traditional values. Moreover, we also can see, if we reflect, that it is not so evident just how philosophy is to play this critical, vivisectional role.¹

I am frankly ambivalent about what we should say about this critical role of the moral philosopher. On the one hand, I recognize the value of, indeed the human necessity of, social criticism and of developing carefully reasoned techniques for systematically doing this. These questions of a critical theory of society are questions which are close to my heart. Concern with them led me into philosophy in the first place. Yet, on the other hand, as I have come to understand more about philosophy, I am less sure and less happy about its role here. That is I wonder and worry whether philosophy can really do anything very significant here.

Why there is a problem here for philosophy in general and for moral philosophy in particular can be made evident by reflecting on some remarks of that often perceptive but non-

philosophical critic of our society, Paul Goodman. Goodman remarks that "contemporary conditions of life have certainly deprived people, and especially young people, of a meaningful world in which they can act and find themselves".² This may be in a way hyperbolic—but hyperbolic or not—it has considerable force when we consider the quality of our social life. Our social priorities are insane and when we look to our figures of authority—the people who mold and direct this culture—we find again and again that we have people in key positions who are incompetent to cope with modern times or even to see the madness around them. Yet these are the people who are making the key decisions. But they are people who have allowed things to get into such a state that we are in danger of becoming extinct—the biosphere is being destroyed and, unless something fairly radical is done, two-thirds of humankind in the not too distant future will not be far from starvation. And even in our generally well-fed (often overstuffed) part of the globe, there is an acceleration of the way human beings are becoming useless and there remains incredible poverty in the midst of plenty. "Old people", as Goodman puts it, are "shunted out of sight at an increasingly early age" while at the very same time "young people are kept on ice till an increasingly later age".³ And while this goes on, along with all the exploitation of some men by others—indeed a tiny minority of men exploit, in one way or another, the vast majority—there is a spreading ugliness, filth and tension in our environment.

With many, Goodman points out, this rotten state of affairs provokes a revolt against science and rationality. Even the core ideals, generally accepted from the Enlightenment, come under serious question. What, it is natural to ask, is the use of patience and reason when in the meantime millions are being killed and starved and when nuclear weapons and nerve gas are being stockpiled. Moreover, the prevalence of phonies and Yesmen in Academia—along with entrepreneurial types—make blatantly evident the fake quality of much of the traditional appeal to reason and intelligence. We have, for example, the formation of so-called "University Centres for Rational Alternatives" which are in reality centres of reaction, and apology for those very forces which have allowed us to mire in such an absurd and

(in some countries) inhuman predicament in the first place. Such an abuse of rationality has put rationality at a discount among the young. That is to say, the standard authorities are discredited and we live in a time of massive social scepticism.

Goodman and many other critics of our society have pointed these things out to us. But it has not taken them into moral philosophy and indeed the moral ills that dehumanize our lives are so obvious that one hardly needs philosophy to point them out. They are just ills to be relentlessly fought against. (Does not a recognition of this in effect bring out that the moral scepticism I mentioned in the first two sections has something of an artificial quality?) But what then is the role of moral philosophy here or of philosophy period? Indeed does it even have a role?

I think one role is this. Philosophers can at least be of value in refuting some subtle apologist for the *status quo* or in exposing absurd and nonsensical formulations from political commentators or showing the senselessness of certain political fantasies. It can help us see through various dominant mystifications. But we are tempted to ask more of philosophy. Yet when we consider the 1) grave ills of society and 2) questions concerning what is the lever by which one can change that society to something more humane and less absurd, it is not evident how philosophy can be of any *direct* help in these most crucial undertakings. How can it, for example, figure out the best way to fight against these ills? Is this something we can legitimately expect of philosophy?

One thing, at least, that philosophers and philosophy can do is to remain concerned about the intellectual culture of our society and remain concerned in such a way that we repeatedly and continually examine critically this intellectual culture. We do possess the tools for the analysis of ideology and the critique of social knowledge and its use. We can, as Chomsky has done so effectively, challenge the New Mandarins with their claims to technical expertise and to beneficial human engineering.

Yet it is also true that 1) this negative and unmasking role is hardly a characteristic philosophical activity and it is not an activity at all distinctive of philosophers—that is, it does not distinguish them from social scientists or literary critics—and 2) we tend to want more of philosophers and indeed moral

philosophers in particular than just this negative unmasking role. Yet we must be sober-minded here, for it is not so evident that philosophy can even fulfil this negative and unmasking role. Indeed with a heightened sense of the confusion in them and around them and suffering from boredom and disgust with what we have, many people are trying to forge a new way of life—a 'new life style' as the idiom has it. And, as one might expect, we cannot but falter in such a staggering activity. Philosophers of extraordinary genius and imagination have said things of value for men in such crises, but usually either too early or more commonly too late. It is surely not a staple of everyday work in philosophy, though philosophy can show that simplistic solutions are delusions. The role of moral philosophers as critics of our society, important as it is, is at present at least a problematic one; and, yet demanding and puzzling as this role for moral philosophy is, it is *not* one we should put aside, though we should realize that historically speaking it is not its most typical activity.

IV

A third and somewhat more typical conception of the task of moral philosophy is to conceive of it as the criticism of our moral categories, i.e. those fundamental moral concepts in terms of which all our other moral concepts are definable. I have in mind the concepts of good and evil, right and wrong, justice and injustice, duty and obligation, and freedom and responsibility. These are our fundamental concepts and it is not unnatural—though perhaps mistaken—to think that such concepts as what it is to be nasty, inauthentic, inconsiderate, cruel, base and beastly as well as kind, considerate, understanding and generous could be defined or at least characterized by reference back to these more fundamental concepts.

To conceive of moral philosophy as the criticism of our moral categories is to give it a more generalized and abstract task than we have given it in conceiving of it as a moral criticism of society. But in viewing moral philosophy as a criticism of our moral categories, I am also saying something that includes but still goes beyond my earlier characterization of moral philosophy

as an attempt to get clear about and perspicuously display the foundations of or the nature of the moral life. Criticism includes analysis and clarification, but it also involves *assessment* of these categories. What we want to ask are questions like these: is the continued use of these categories in just the way we have them in our actual moralities compatible with what we know about man and the world? Do these sets of moral categories form a consistent and reasonable whole or are there elements of incoherence and irrationality in them? Can we replace them with better categories?

There is considerable sorting out that needs to go on here but at least this much can safely be said: moral philosophy involves the attempt to elucidate and clarify fundamental moral conceptions and beliefs, and to systematically and comprehensively face and rationally examine the conflicts and perplexities of the moral life, including those involved in any fundamental moral criticism of society.

Someone might well demur concerning whether we need philosophy to answer such very general questions about the nature of good and evil. They might indeed be sceptical about the necessity of asking such mindbreakers to meet intelligently the specific moral problems which we first enumerated. We do not need, it has been argued, a moral theory to come to grips with them.

This contention about the lack of a cutting edge in moral philosophy may be justified, but surely it is not obviously justified. To see something of what is at issue consider the problem of nuclear warfare. Reflect first on the following snatch of a dialogue:

- A. If one really studies about what a nuclear war can do, one will clearly see that under no circumstances should we fight a nuclear war. If it comes to that, better any kind of tyranny than millions killed and the earth contaminated.
- B. Better the risk of a nuclear holocaust than the destruction of human freedom and Western ideals.

Certainly it is plain that factual considerations enter in here. That is to say: there are many relevant questions in such a context that could be answered without taking any ethical stance at all. For example, is there any such intent on the part

of the U.S.S.R. and even assuming such an intent would a takeover by the U.S.S.R. actually lead to an annihilation of human freedom and to a destruction of Western ideals or would life in the West, after a time at least, go on much as it did before? Or would such a takeover in the long run actually enhance freedom? These questions—difficult as they are to answer—are factual, empirical questions. But there also remain around this issue very difficult to resolve moral questions and indeed what philosophers like to call conceptual questions, e.g. just what counts as 'enhancing freedom'. Moreover, fundamental philosophical questions are also involved. Even if we assume that the picture of the world of the most inflexible of Cold War warriors is a realistic one, we still need to ask whether, even so, it still would not be better to avoid nuclear war and to accept a Soviet takeover should this become a realistic possibility. (I am accepting for the discussion the paranoid mentality of Cold Warriors and treating this as something that might happen.) Would it not be the case that the loss of such central freedoms would still be a lesser evil than the death of millions of people resulting from nuclear warfare? As precious as freedom is—the argument would run—it is not as precious as life itself. Freedom is a very great good, but its value is still instrumental. When a defense of freedom would produce all around and everything considered more unhappiness than happiness, then it is not to be fought for. But not everyone would say this. Some would say that freedom, as well as happiness, is intrinsically good—is worth having for its own sake. They would not accept the claim that pleasure and happiness and only pleasure and happiness are intrinsically good. But whatever stance we take here we are involved in philosophy.

In sum, it seems to me that practical questions such as the one about nuclear warfare or questions about demography—questions that in some form or another exercise all of us—lead quite naturally to the posing of these bedeviling philosophical questions.⁴

To answer many of the questions boiling up out of our practical life, do we need some genuine insight into what is good, what is just and into what is ultimately worth seeking? But these questions seem staggering. How would we begin to answer

them? What would such an answer look like? How, if at all, could we decide such questions? Again we are led to ask: is it all just a matter of how we happen to feel?

V

Many might agree that a careful consideration of the practical moral problems that face us in everyday life will indeed force us to consider the bases of our moral beliefs. But they will then go on to argue that when we do so consider such questions we should come to see, if we reason carefully and objectively, that our moral beliefs *cannot* be shown to rest on firm foundations. It is not just that Catholic morality or Communist morality or liberal morality is myth-eaten, but that no philosophical or theological ethic or 'rationalistic scientific ethic' has been able to show that its foundations are firm. Moreover, it will be argued, that the very notion of 'foundations' here, firm or otherwise, is just a useless metaphor.

There is in our time a vast amount of scepticism about the very possibility or any knowledge of good and evil. It comes from many sources and it needs to be faced with intellectual candor and seriousness. There are those who will say that since moral ideas are in the last analysis simply expressions of feelings or attitudes, moral judgments can have no objective ground. They simply express the whims of anguished mortal will. When someone lays moral claim on us, he simply evokes the attitudes generated by our tribe and, perhaps, our viscera. We ask what is good, what we should do, but when we try to find *goodness* or *oughtness* or *value* in the world, we discover instead only a neutral world in which humans strive endlessly, often voraciously, after one damn thing after another until their striving finally 'ceaseth in death'. This, it is sometimes argued, is exemplified in the very predicament of our desiring. When we get what we want, we don't want it anymore. Nothing would make us more miserable than to have everything we desire. We don't know what is good. We don't even know how we want to live and we haven't any idea how we would go about discovering what is good or how we ought to live. Some of you may indeed *think* you know, but just what would it be like to determine,

with any objectivity at all, that something is good or bad or right or wrong? It may well be that 'moral knowledge' like 'round square' is a contradiction in terms. Man is without a knowledge of good and evil.

Some would try to meet such a sceptical challenge by arguing that in every culture there are certain 'do's and don'ts' that in reality give a moral agent in that culture adequate guide lines for moral action. We need not embrace some highly speculative and highly utopian philosophical theory to discover such guide lines. Such rationalist theories, it is claimed, will always oversimplify the rich texture of moral experience. Human beings have lived together for a long time and they have slowly amassed a set of rules and guides for moral action that are much more reliable than anything a philosopher or anyone else might think up on a Sunday afternoon.

There is wisdom and hard-headed realism in much of this. But if we actually look at these rules, these 'do's and don'ts', will they turn out to be sufficient? The most obvious difficulty with such an appeal to the *de facto* moral rules of our culture or any culture is that the various rules in certain contexts give conflicting directives and there are no agreed-on priority rules to follow in such circumstances. Where two rules conflict, people can't follow them both. In their resultant perplexity about what to do, they are led to question the moral rules of their respective tribes or at least to realize that they, in certain circumstances at least, are inadequate action-guides. In reflecting on these quite understandable reactions, we need also to ask if any of these rules are rules which actually, always hold—rules which have no exceptions so that we should act in accordance with them come what may?

That our actual rules are so exceptionless seems very questionable and indeed questionable even from a thoroughly common-sensical point of view. Consider such rules as 'Never lie', 'Never break a promise' and 'Do not kill.' Suppose you are going to have a surprise party for P. And L—the dorm gossip—asks you if you are going to have a surprise party for P. You know that if you tell L that everyone in the dorm, including P, will soon know about it and that even if you keep quiet that everyone in the dorm will know about it, for L is sufficiently

shrewd to take your silence as a tacit assent. Should you not lie to L in such a circumstance? Or suppose—to take another example—I promise you to let you borrow a book and further promise that I will bring it to the next lecture. On my way to class, I suddenly remember that I have promised you the book but I also know that if I now go back to get it I shall be twenty minutes late for class. Is it not evident that in such a circumstance I should break my promise? Consider—to take still another example—the rule against killing. Indeed we should all respect the injunction not to kill, but does this mean in all circumstances? Isn't it really evident enough that the attempt on Hitler's life in 1944 was quite justified—even though five thousand people were executed by Hitler's henchmen as a result—and that it would have been a good thing if he had been killed?

Can you—to generalize quickly from this—think of any moral rule to which there are absolutely no exceptions? In asking that question I am asking whether there are any substantive, non-tautologous, non-analytic moral rules which are self-evidently certain moral directives in accordance with which we must always act. To explain what I mean here I should work with an example. Compare 'Killing is wrong' and 'Murder is wrong.' The first is a substantive moral rule of the kind I have in mind. The second, I shall argue, is analytic and non-substantive. (What the difference is here will come out as we examine them.) Compare these two rules. There clearly are, most people would agree, situations in which killing, everything considered, is *not* wrong. That is to say, there are tragic or horrible situations where, given the alternatives open to us, it is the thing we must do or at least forebear from preventing. But, to this it may be replied, 'It isn't killing *per se* but murder which is always wrong.' It in turn is surely natural, in asking for the rationale for that claim, to ask what the person making that claim intends by 'murder' and how he distinguishes it from 'non-murderous killing'. Suppose he says that to say Y murdered X is to say that Y deliberately killed X and Y didn't do it in self-defense or X was not an enemy national of a country with which Y's country was at war. But that clearly will not do, for on that definition *if* those German generals who made the famous

attempt on Hitler's life would have succeeded, we would have to say that they had murdered him *and* that they did something wrong, since murder is something which is by definition wrong. It is, however, questionable whether we should want to describe such an act as murder, but even if we do, it is surely questionable whether we should want to characterize it as wrong. That is to say, if we call such killings 'murders', we will then come to wonder whether we should persist in saying that murder is *by definition* wrong.

To avoid such complexities and to find a definition such that we would be able rightly to regard 'Murder is wrong' as an exceptionless and indeed a self-evidently true moral rule, we might try characterizing 'murder' as 'unjustified killing'. But now 'Murder is wrong' is plainly a tautology, for 'unjustified killing' is 'wrong killing' and—since 'murder' means 'unjustified killing'—in saying 'Unjustified killing is wrong' we are merely saying 'Wrong killing is wrong' and that is hardly news. Moreover, it is not only not news, but such a self-evidently true and tautologous moral principle is utterly useless and empty for it does not tell us what to do. For we still are not told *which* killing is unjustified killing or wrong killing. Has, for example, a soldier murdered his comrade-in-arms when he kills a fellow soldier who is a) trapped in a burning tank which will explode in minutes and b) when this soldier begs him to kill him? There is (legal contexts aside) surely no universal agreement about whether such killing is unjustified killing or murder.

There are moral utterances other than 'Murder (wrong killing) is wrong,' such as 'You ought to do what is right,' 'What is good is desirable,' 'You should always do what is your duty,' or 'Do good and avoid evil,' which are also self-evidently true. But it is also the case that like 'Murder is wrong' they are empty—devoid of substance. That is to say, they do not tell us what we are to do. We do not know from them what actions to undertake or avoid.

Consider another, rather different example of an allegedly substantive but still self-evident moral rule: 'Do unto others as you would have them do unto you.' But this as it stands is not, to put it mildly, self-evident at all. As George Bernard Shaw observed: people are different with different desires, needs and

interests. They—or at least many of them—may not at all want me to do unto them what I would have them do unto me. Suppose a given individual is the sort of person who very much wants to be left alone so that she can work and study. If she goes to the country for a few weeks, she does not want people dropping by or bringing her their spare T.V. so that she can watch the late show, even in that remote cabin. But other people are more gregarious. They may want plenty of company and a T.V. so they can see the late show. One must find out something about the persons involved before it is reasonable to decide that we should do unto others as we would have them do unto us.

Someone might respond that that is reading the golden rule too literally and woodenly. What is really intended by it is the following and that is self-evidently true: 'If A is right for B to do in situation C, it is right for anyone exactly like B to do in another situation of exactly the same type.' Here, we indeed have something which may be self-evidently true, but again it is something which is utterly empty and probably inapplicable to boot. Situations and people are never exactly alike. If we retreat to '*relevantly* similar' then we leave room for differing judgments and areas of disagreement. In short, we no longer have something which is self-evident. Moreover, we are only told '*If* A is right for B . . .', but then we cannot know, from assenting to that rule, that A actually is right for B, so we still cannot know from the golden rule categorically and certainly what it is that we should do in any given situation.

Finally, consider an example of a quite different type: 'Any kind of thing is bad if it, or the pursuit of it, increases the misery of living beings upon the whole.' Suppose someone claimed that that rule is a rule which self-evidently and categorically holds. Someone might respond: 'Well, how do we know that misery is always bad? Suffering is a source of misery but sometimes at least it is also the source of creativity.' It might be hard for us to know how to respond to this claim, but we feel it to be either somehow sophistical or a claim resting on a confusion between something's being good as an end and good as a means. But, that apart, there are other contentions, standing in opposition to that general ethical contention, which we may feel are less sophistical and less easily disposed of, though we will, conside-

ring our own moral feelings, find such contentions very distasteful. I have in mind contentions to the effect that there are some people or some living beings which exist to serve an elite culture of superior men who are the preservers of the values of civilization. Finally, there is the quite different objection that what constitutes the misery of all living things upon the whole is something extremely difficult if not impossible to assess. Indeed it is not something which is independent of the distinctive social structures and of the other moral conceptions of different human groups. There are in sum simply too many incommensurables here for that general rule to be self-evidently certain and exceptionless.

I could multiply examples of allegedly self-evidently certain moral rules. Work out for yourselves what should be said about 'We are never justified in killing the innocent,' 'A mother ought never to maltreat her child', or 'No amount of good to be achieved is worth a human life.' And these examples apart, what I am asking you here is: Are there any substantive, non-tautological moral rules which are self-evidently true and exceptionless? Try very carefully to see if you can think of any. I predict that you will fail.

VI

What generalizations do our consideration of these examples suggest? First, they give us some reason to believe that ordinary substantive rules such as 'Never tell a lie,' 'Do not break promises,' 'Do not steal,' 'Do not kill' and the like all have exceptions. That is to say, circumstances can arise when we should not act in accordance with these rules. Our definitive cases of exceptionless rules appear to be rules—assuming, what is questionable, that we should even call them 'rules'—which are analytic and empty. There are indeed some very general and abstract rules such as 'Misery is bad' and 'Happiness is good' which appear at least to be exceptionless and non-analytic—though they are hardly paradigmatic cases of exceptionless and self-evident rules. But they are very vague and indefinite action-guides; they do not tell us specifically what to do. What

seems to be the case is that we do not have any definite, clear-cut action-guides which are also self-evident, substantive and exceptionless.

Thus, it appears at least to be the case: a) that there are no substantive moral rules which are plainly and evidently exceptionless and b) that, certain determinate circumstances apart, there are no moral rules with which we should always act in accordance. But this does not mean that we cannot describe situations in which it would be correct to say that doing a certain thing was categorically and unequivocally wrong, that in such situations there simply is no sound reason for being sceptical about what we ought to do. We can, that is, quite definitely know in such situations that we ought not to do a certain thing or, as the case may be, that we ought to do a certain thing. Consider these examples:

1. "Two youths with a car offered a girl a lift home from a dance. They turned off the route to a desolate spot where each took it in turn to rape her while the other held her down, after which they robbed her of her money—that is to say, of the three shillings or so which was all she had in her purse. Then they threw her out of the car to find her way home."⁵
2. Nazi doctors in a concentration camp performed 'medical experiments' on live human beings transferring male sexual organs to females and *vice-versa* without the use of any anaesthesia and to no known scientific purpose.

Such actions are quite plainly and unequivocally wrong and totally without even the simulacrum of being justified or even being tolerable. In short, we know quite definitely and unequivocally that these acts are wrong and any ethical theory which cannot account for this is in this respect at least sadly defective. And here I am not merely moralizing or expressing my emotions but I am reminding you of something that you quite definitely know.

However, while this is true, it still remains the case that we are talking about definite actions in certain situations and not about rules. The recognition that these actions are quite unequivocally and categorically wrong is not the same thing as the recognition

that there are substantive moral rules which we should invariably follow no matter what the circumstances. That is, in accepting 1 and 2 above as characterizing situations which never ought to be tolerated, we are not saying that the rules 'Never force a girl to have intercourse against her will' or 'Never perform medical experiments on people' always hold. (The above rules must not be confused with the empty but invariable [exceptionless] 'Never perform *bestial* medical experiments' and 'Never *senselessly* and *brutally* rape'. The italicized terms function in such a manner that when they are used in such utterances it is by definition true that what is talked about is the wrong thing to do. In characterizing an act as 'a *bestial* act' we have already implied that it is wrong to do it. Saying 'Never do it' adds nothing here, for it is analytically true that 'What is, everything considered, wrong to do ought never to be done.'

It might be objected that since the acts described in 1 and 2 are always in those situations, wrong, it would be possible to characterize those situations in the form of very complicated rules which are substantive and, since it is always wrong to so act, exceptionless. But even if it is possible to do so without using terms such as 'bestial', which function in the rule in question to make the rule empty in the way 'Murder is wrong' is empty, we would still have very odd rules, for they would not function like actual workaday moral rules, e.g. 'Promises are to be kept' and 'Do not simply use people for your own ends'. This is so because they are so detailed and so specific that they in fact simply recount in something like a rule-form the situation in question. They do not function as fairly generalized action-guides and so hardly function as rules at all!

However, what we can see from the above is that there are these tolerably concrete moral situations in which, if people behave in a certain way, we can quite categorically and justifiably claim that what they did was wrong: was something that through and through ought not to be done. Thus there is plainly some limitation to the subjectivity of moral beliefs.

This last claim seems to me a reasonable and correct claim to make, but all the same it has at least these problems connected with it. a) Though we may *feel* quite certain that the things described in 1 and 2 above are wrong, can we prove—in some

way rationally demonstrate or establish—that what we feel to be wrong and indeed believe we know to be wrong is wrong? (Beware of this question, it may be taking us down the garden path. Yet, if it is a mistaken question to ask, we need to know exactly why it is mistaken and if it is not mistaken we very much need to know the answer to it.) b) What if there are cultures or subcultures in which people do not feel the way we do about 1 and 2—do not share with us even these very basic moral convictions—can we establish, i.e. in *some way* prove or show, that they are wrong (mistaken) and that we are right? Or are we somehow being ethnocentric? (But is 'ethnocentric' even the right word here?) Even within a rather atypical subculture of our culture, such as the one Robert Selby brings alive in his *Last Exit to Brooklyn*, we have people quite capable of doing things of the sort characterized in 1 above without the slightest pang of guilt or even regret. Perhaps this shows that it is simply the case that there are some callous and indeed irrational people who are indifferent to morals and indeed even to their own welfare. (Consider Selby's unforgettable character Tralala.)

Given the diversity of moral beliefs from tribe to tribe and even within certain tribes and given the complexity of moral claims, we should not rest easy that such paradigm cases of certainty about what we ought to do settles much. For even if we are really justified in having that certainty in such situations, even if we attain cross-cultural agreement about such cases, we are still not carried very far *vis-a-vis* establishing the objectivity of moral claims and undermining the lament that *alles ist relativ*, for we have at best shown that there are *some limiting cases* concerning which all representative members of all tribes agree. But this leaves us with vast areas of disagreement without pointing to any method for rationally resolving that disagreement. Moreover, we have not been given grounds for believing that we have established that there are any moral rules, let alone a system or even a coherent cluster of moral rules, which will definitively guide our actions so that in every situation we will know what it is that we ought to do.

We indeed might be able to make out a case for claiming that it is always true that good is to be done and evil is to be avoided or that we ought always try to do the best thing possible under

the circumstances. The rationale of this is very plain, for, as one author puts it, "it is good to do what is good; it is better to do what is better; and it is best to what is best." But while all this may be true, it is perfectly vacuous, for we still do not know from any such rule, rules or principles *what* we are actually to do in any living situation. Where we get certainty, we get emptiness. Where we have some content—some substance—and a normal generality to our moral rules, we do *not* get certainty.

VII

At this point we ought to take note of three different ways philosophers have often taken the phrase 'ethical absolutism.'⁶ Sometimes the term is meant to designate the affirmation of what we have been denying above, namely to be an ethical absolutist is to believe that there are moral rules or principles of conduct which are substantive and yet admit of no exceptions. That is to say, what these moral rules enjoin—if indeed they are 'true' or correct at all—always holds no matter what the circumstances or situation. Such an ethical absolutist would maintain that there are some rules, such as the rule that it is always wrong to break a promise or that it is always wrong to steal, which are always true or (if it does not make sense to say rules are true) always to be followed no matter what the circumstances. If my above arguments are correct such a form of ethical absolutism is mistaken.

However, that is only one way 'ethical absolutism' is taken; and, it has been pointed out, that it is doubtful whether any philosophers of note, with the possible exception of Kant, have ever been ethical absolutists in that sense. But, there are two distinct and more plausible senses in which 'ethical absolutism' can be taken which have many defenders.

First it has been claimed that to be an 'ethical absolutist' is to maintain that there is a set or cluster of moral norms valid for all mankind. This presupposes that there is some way of showing that there is a rational cross-cultural method for finding out which moral beliefs are justified and which are not. But, in believing that there is a set of moral norms valid for all

mankind, this second kind of ethical absolutist need not at all commit himself to the belief that there are any substantive moral rules which are exceptionless and should always be acted on no matter what the circumstances. Rather in asserting, as this second kind of absolutist actually does, that there are moral norms correctly applicable to all mankind, he does not give one to understand or in any way commit himself to the belief that these universally valid norms have such specifications that there is a certain definite kind of act which is always right or always wrong to do.

Rejecting ethical absolutism in that first sense does not mean or give us good grounds for believing that we should reject the ethical absolutism propounded in the second sense I just characterized. Many philosophers would reject ethical absolutism taken as the claim that there are substantive moral rules to which there are no exceptions and accept it as the denial of normative ethical relativism; that is, accept it as the claim that there is a universally valid system of moral norms generally, though not exceptionlessly, applicable in varying ways, given the differing conditions of human life, to all men everywhere. Such an absolutist might be (though he need not be) a utilitarian operating on the general principle that we should seek to maximize human welfare and minimize human illfare, e.g. pain, misery, suffering and degradation. But he could all the same reject the belief that there are universally valid, specific 'do's and don'ts' serving as correct action-guides that must always be acted on no matter what the consequences. His claim is: a) that we have a general, rational cross-cultural method for ascertaining how we should act and b) that there are generally applicable moral norms which are reasonable action-guides, though this should not be taken to imply that we should always act in accordance with them in every circumstance.

There is a third way of construing 'ethical absolutism' which is distinct from the two senses just discussed yet compatible with either of them. It can best be understood if we attend to a distinction drawn by Ludwig Wittgenstein between *judgments of relative value* and *judgments of absolute value*. Wittgenstein maintains that in ethics we are most fundamentally concerned with judgments of absolute value. In asking about the right way

of living, about what is ultimately worth seeking and having and about what is morally speaking good, we are using these phrases in ways such that they are expressions of absolute value. Wittgenstein explains his distinction this way:

If for instance I say that this is a good chair this means that the chair serves a certain predetermined purpose and the word good here has only meaning so far as this purpose has been previously fixed upon. In fact the word good in the relative sense simply means coming up to a certain predetermined standard. Thus when we say that this man is a good pianist we mean that he can play pieces of a certain degree of difficulty with a certain degree of dexterity. And similarly if I say that it is *important* for me not to catch cold I mean that catching a cold produces certain describable disturbances in my life and if I say that this is the right road I mean that it's the *right* road relative to a certain goal. Used in this way these expressions don't present any difficult or deep problems. But this is not how Ethics uses them. Supposing that I could play tennis and one of you saw me playing and said "Well, you play pretty badly" and suppose I answered "I know, I'm playing badly but I don't want to play any better," all the other man could say would be "Ah then that's all right." But suppose I had told one of you a preposterous lie and he came up to me and said "You're behaving like a beast" and then I were to say "I know I behave badly, but then I don't want to behave any better," could he then say "Ah, then that's all right"? Certainly not; he would say "Well, you *ought* to want to behave better." Here you have an absolute judgment of value, whereas the first instance was one of a relative judgment.⁷

The difference comes out sharply when we consider what would naturally bring an argument to an end or at least could reasonably bring it to an end. To say someone does something badly or that so and so is evil is to criticize them but if you say to me 'You play ping-pong badly' and I reply 'I know I do. I don't care if I do not play very well. I only do it for enjoyment' that would naturally end the matter. My wants, desires, enjoyments here are in the normal case king and, where this is so, we have a judgment of relative value. It takes the form: if you want to do such and such or have such and such or if such and such is your goal, then do so and so or then so and so is the thing to have or experience. But it says nothing about what you *ought* to want or what *should* be your goals. However, and by contrast, if you say to me 'Treating her that way is evil. She has her rights and

