

Jan Narveson

This is Ethical Theory.

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‘This is not quite your ordinary introduction to ethical theory,’ Narveson writes in the opening line to the Preface of his recent book (ix). He’s right, it isn’t. Does it nevertheless succeed as an introduction to ethical theory? I don’t think it does. To see why, we need to begin with the distinction he makes between morality and ethics. Morality, Narveson says, has to do with how we should act *as a member of society*, or how we should act *in relation to one another*, while ethics has to do with the more general question of *how to live* or *the meaning of life* or, more grandly, *a theory of the good life* (31). This division is odd for several reasons. First, most authors don’t make any sharp distinction between moral philosophy and ethics, and those who do usually distinguish between the demands of *professional ethics* and of morality in general (see, e.g., David Resnik, *The Ethics of Science*, Routledge 1998). It’s also odd because ethics, as Narveson defines it, turns out *not* to be the main subject of his book. Given his title, one might reasonably expect that he would talk about theories of the good life, and how to go about living it; but he offers only sketchy musings on that subject in his last chapter. His book is not, therefore, an introduction to *ethical theory* in his sense. Most of it instead follows a standard distinction between metaethics and normative ethics.

Roughly half of Narveson’s book is devoted to issues in metaethics—what it means to say that something is good or right, whether there are objective moral truths, whether anything can be proved in ethics, and the like. These are not the subjects of usual texts on ethical theory, which focus on various normative theories (utilitarianism, Kantianism, and virtue ethics, e.g.) that tell you what you should do (right action theories) or what kind of person you should strive to become (Aristotle). Narveson’s text seeks both to combine a discussion of metaethical issues, some of which require a lot of important distinctions that can be difficult to grasp, with a survey of normative theories of morality in his sense, and to offer a normative theory of his own, a libertarian social contract theory.

This is an ambitious undertaking, which I think is badly flawed. But some of Narveson’s arguments are successful. One is his argument against intuitionism. Intuitionism, roughly, is the metaethical claim that certain things are intuited (‘apprehended’ is the favorite locution of intuitionists) to be good or right. Intuitionism purports to provide a foundational basis for morality/ethics. Narveson argues, convincingly if unoriginally, that it doesn’t, since 1) intuitionists disagree about what moral ‘facts’ can be intuited and 2) there is no rational way to resolve their disagreement. If one simply ‘sees’—never mind how—that certain things/actions are good or bad, right

or wrong, then there *is* no rational basis for adjudicating conflicting claims, and there *can't be* (10-12, 56-7). Narveson humorously recounts G. E. Moore's well-known habit of staring incredulously, plaintively, into the eyes of his critics and shrugging his shoulders in frustration, as if to say 'Why *can't* you just *see* what is *so* obvious!' (32-3).

Narveson's argument against intuitionism seems to me persuasive. What does he offer in its place? This is much less satisfactory. To define goodness, he appeals to an analysis according to which 'To say that X is good is to say that X is such as to satisfy the wants of the person or persons concerned' (106). This is problematic for at least two reasons. First, unless someone is a thoroughgoing relativist, 'good for person or persons P' is a different concept than 'goodness' *simpliciter*. Moreover, even as an analysis of 'good for person or persons P,' the analysis seems inadequate, since it is framed in terms of the satisfaction of wants without any regard to the nature of the wants (see 107-11). If P is ill-informed, or fails to understand the consequences of satisfying his wants, or is cognitively deficient (so that he does appreciate that, e.g., his wants are contradictory), then trying to satisfy his wants is probably *not* good for him. Here I am reminded of the first part of the argument John Stuart Mill offered to 'prove' the Principle of Utility, where he claims that something is desirable because people desire it. But just because someone (a smoker, an excessive drinker, e.g.) desires something, doesn't make it desirable in the sense of *good* for him. Here Narveson would likely argue, as he does later (204-6), that he has in mind rational, self-interested agents; but given the importance of his analysis of goodness to his subsequent theorizing, it seems to me an important oversight that he does not explore fully informed and rational understandings of a person's good, ones that go beyond what he may frivolously or unthinkingly desire.

Narveson's analysis of rightness is more plausible than his analysis of goodness. According to him, rightness is defined by moral rules. Moral rules, in turn, are identified as rules with the following features: they are not legislated (in the sense that no 'central authority' lays them down), they are universal (in the sense that they are intended to be complied with by everyone), and they are reasonable and impartial (197-8). At an abstract level, this analysis is not unreasonable (even if sketchy). Where it runs into difficulties is not in Narveson's metaethical analysis of the *concept* of a moral rule, but in his attempt to derive a normative libertarian social-contract theory of morality from that analysis (201). Central to this derivation is Narveson's interpretation of impartiality (198-200). Very plausibly, he takes impartiality to mean that moral rules are concerned with everyone's good (199). Much less plausibly, he joins this interpretation with his earlier analysis of goodness, so that a rule counts as a genuine moral rule only if it can be shown to satisfy the wants of all who are covered by it (208-10). Following Hobbes (201, 215-16, 220-22), Narveson notes that everyone wants to avoid violent death at the hands of others, so a moral rule prohibiting murder is a rule for everyone's good in his sense; hence, a rule against murder counts as a genuinely moral rule. Likewise, we all want to avoid being victims of theft and fraud, so morality also condemns these acts.

But Narveson doesn't want to go beyond this minimalist conception of morality—of rules for maintaining peace, maximizing one's liberty consistent with that granted to others, and keeping promises—since he does not think that human *wants* are uniform enough to say that a non-libertarian moral framework will work to everyone's advantage. This is where wants intersect with rights. There are different views on rights and their basis. Libertarians endorse what are often called 'negative' rights, but reject what are called 'positive' ones. Narveson follows the libertarian on both counts (217-20). Roughly, a negative right is a right to non-interference (within limits), while a positive right is a right to assistance. Associated with the rights that someone has are correlative duties that others have. Narveson does not think that people have positive rights, so we have no moral obligation to help those who are in need—e.g., the poor and otherwise. He concedes that within ethics, as opposed to morality as he understands it, charity may be a virtue (226, 228). But 1) charity is not a matter of justice, of what people are owed, and 2) charity can be hugely misguided. (See his provocative essay, 'Feeding the Hungry', in *Moral Matters*, Broadview 1993). Why don't we have any obligation to help people in distress if we can? Because a positive moral duty on the part of the wealthy to help the poor would require the wealthy to do what many of them do not *want* to do, namely part with some of their wealth. For such folks, Narveson's analysis of goodness says that assisting the poor is not part of their good. Hence, a moral rule that requires assisting the poor is not for *everyone's* good: it is good for those who want and need help, but not good for those who don't want to provide it, even if they can. As such, it fails to be a genuine moral rule.

There are a lot of objections to this position. Let me first try to work within Narveson's framework before briefly stepping outside it. Suppose one were to object that no one is guaranteed never to suffer from poverty, and thus a rule of aid to those in need is, in fact, potentially for everyone's good. Narveson's reply to this is that for many well-off people, such fears are remote enough that the *expected costs* of a rule establishing a positive duty of assistance far outweigh its *expected benefits*, so that the rule fails to count as 'reasonable' (227). Self-interested, instrumental rationality trumps potential human need. Another objection concerns the gap between, on the one hand, the motive that Narveson identifies for being moral (namely, the rational pursuit of one's own good) and, on the other hand, the content of morality (which is supposed to encompass everyone's good.) What happens, though, when I find myself with an opportunity to advance my good, as I see it, by breaking a moral rule? Narveson discusses some cases and tries to disarm them (224-5), but as far as I can see his want-centered account of goodness should force him to conclude that it is sometimes better for exclusively self-interested folks to break than to follow moral rules—even the few rules he allows—as long as they can get away with it.

The 'Why be moral?' worry is even more acute when it is formulated in societal terms rather than individual ones. What prevents people within a powerful majority from agreeing to treat themselves decently while at the same time excluding a despised and

powerless minority from some or all of the protections of the social contract? Of course, Narveson need not conclude that such behavior is moral. Morality, he can insist, should be for everyone's good (his requirement of impartiality), and the good of the people comprising the minority is being ignored here. The challenge, though, is to explain why the members of the majority *should* care about that, if, as Narveson insists, morality is only instrumentally valuable as a device for enhancing the pursuit of one's own advantage (267). If the majority benefits from oppressing a minority, then it looks like moral treatment of the minority is *not* to the advantage of the members of the majority. Why, then, *should they care* if it does them no good?

Allow me to amplify the worry. It might be argued that the potential for social unrest (boycotts, riots, e.g.) ought to sway the majority. But are these possible harms likely enough to outweigh the likely benefits of oppression? Normally, oppressors don't think so—not, at least, within their borders. How about outside them, when an oppressed country has been colonized by a powerful country? Is it so clear that this sort of colonial exploitation by my country is a bad bet for me, given that its dangers *to me* are (quite literally) so distant? Why should I care? Why shouldn't I just go along with it? In fact, why shouldn't I just go along with a lot of other oppression and exploitation, since it doesn't affect me personally or the (reasonably) secure middle class in the US, of which I am a member? Narveson has no plausible answers to these worries. Nor does he have a plausible answer to a standard objection to Hobbesian-style social contract theories, namely, that they offer no guaranteed protection to powerless beings (infants and young children, the severely handicapped, and non-human animals, e.g.) who pose no real threat to others.

In reply, Narveson might say that concerns for the powerless, the disadvantaged, or the oppressed are just 'intuitions' about what is wrong and unjust, about which people differ, and from which he is seeking to free us (186). But such concerns can be defended; they are not simply intuited. It is certainly beyond the scope of my review to argue this in any detail, but permit me to sketch an alternative approach to the basis of morality. For Narveson, morality consists in a minimal set of rules governing behavior that instrumentally rational, self-interested people agree to accept and obey as long as others do. The rules have to be enforced, of course, since self-interested folks will be tempted to violate them otherwise. The egoism of Narveson's Hobbesian contract theory is nicely complemented by the individualism of his libertarian outlook. Suppose, however, we begin from the reasonable assumption that humans are naturally social beings and moderately altruistic, and ask what kind of a society would allow them to flourish? Well, a minimal answer is that people must have their basic needs met (for food, clothing, housing, health care, and education, e.g.) as well as their basic rights to non-interference protected. Otherwise, they are not able to participate in or contribute to the life of the community, which, in consequence, will not flourish. The well being of a society depends on the well being of its members. This, in a nutshell, is why the poor, the disadvantaged, and the oppressed *should* be helped by those who are able. Communities cannot flourish

with oppressed and impoverished classes, and the international community cannot flourish with oppressed and impoverished nations.

Narveson writes in an informal, almost conversational style, and that will be appealing to readers who likely have no interest in many of the technical issues he discusses (e.g., the prisoner's dilemma, 204-8); but his convivial tone doesn't compensate for what I think are the difficulties—narrowness and self-centeredness—inherent in his approach to morality.

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