

A Philosophy Reader

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CHARLES CARROLL

COLUMBIA WEST
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Introduction

CHARLES DURNING CARROLL

*Scales of
Justice
background
– legal law
concepts*

This text is intended as an introduction to questions of moral philosophy. While the text itself is a survey, covering many of the topics in a standard philosophy course, the aim here is twofold—first to teach students about the power of stories as a vehicle for understanding moral questions, and second to give students a set of interpretive tools that will allow them to make good ethical decisions in a world that is becoming more ethically complex. At the risk of claiming too much for a course in moral philosophy, the most important skill students need when entering the working world is not so much a knowledge of marketing or accounting, finance, programming, or venture capital, as an understanding of the diverse audiences they will be working with as both colleagues and customers. In essence, the most valuable skills employers need today are *human skills*. In a world where we are all attached to our social media accounts and we live and die by how many pings we receive on our phone, this text attempts to do something more old-fashioned—to tell stories about people—about their feelings, thoughts, desires. This text hopes to show both that each individual is unique and that we are all for better and for worse, separate beings, but at the same time that we share with other creatures on this planet a sense of living, a wish for respect and dignity, and a connection to all that is. In teaching to face head-on the contradiction between being different and yet like everyone

else, I hope that the text will give students the tools to negotiate this difference.

Charles Carroll,
Vancouver, British Columbia, August 2024

PART I

NARRATIVES AND ETHICS

We begin our study of moral philosophy and ethics with a key idea: ethical decisions are expressed in stories. From the fairy tales told to children to modern movies and TV shows for the adult public, stories nearly always involve characters struggling to make ethical choices. Who is good? Who is evil? How do we know? Across cultures, stories have long modelled ethical and unethical behaviour for us. In this section, we will look at imaginary stories and then at the problems such stories sometimes present.

I. Medea

Medea (selections)

by Euripides (c. 431 BC)

Synopsis

After the adventures of the Golden Fleece, the Greek hero [Jason](#) took his wife [Medea](#) into exile at Corinth. However, he then left her, seeking to advance his political ambitions by marrying [Glauce](#), the daughter of [King Creon of Corinth](#).

The play opens with [Medea](#) grieving over the loss of her husband's love. Her elderly nurse and the Chorus of Corinthian women (generally sympathetic to her plight) fear what she might do to herself or her children. [King Creon](#), also fearing what [Medea](#) might do, banishes her, declaring that she and her children must leave Corinth immediately. [Medea](#) begs for mercy, and is granted a reprieve of one day, all she needs to extract her revenge. [Jason](#) arrives and attempts to explain himself. He says that he does not love [Glauce](#) but cannot pass up the opportunity to marry a wealthy and royal princess ([Medea](#) is from Colchis in the Caucasus and is considered a barbarian witch by the Greeks), and claims that he hopes one day to join the two families and keep [Medea](#) as his mistress. [Medea](#) and the Chorus of Corinthian women do not believe him. She reminds him that she left her own people for him, murdering her own brother for his sake, so that she can never now return home. She also reminds him that it was she herself who saved him and slew the dragon which guarded the Golden Fleece, but he is unmoved, merely offering to placate her with gifts. [Medea](#) hints darkly that he may live to regret his decision, and secretly plans to kill both [Glauce](#) and [Creon](#).

[Medea](#) is then visited by [Aegeus](#), the childless king of Athens, who asks the renowned sorceress to help his wife conceive a child. In

return, [Medea](#) asks for his protection and, although [Aegeus](#) is not aware of [Medea](#)'s plans for revenge, he promises to give her refuge if she can escape to Athens.

[Medea](#) tells the Chorus of her plans to poison a golden robe (a family heirloom and gift from the sun god, Helios) which she believes the vain [Glaucé](#) will not be able to resist wearing. She resolves to kill her own children as well, not because the children have done anything wrong, but as the best way her tortured mind can think of to hurt [Jason](#). She calls for [Jason](#) once more, pretends to apologize to him and sends the poisoned robe and crown as a gift to [Glaucé](#), with her children as the gift-bearers.

As [Medea](#) ponders her actions, a messenger arrives to relate the wild success of her plan. [Glaucé](#) has been killed by the poisoned robe, and [Creon](#) has also been killed by the poison while attempting to save her, both daughter and father dying in excruciating pain. She wrestles with herself over whether she can bring herself to kill her own children too, speaking lovingly to them all the while in a moving and chilling scene. After a moment of hesitation, she eventually justifies it as a way of saving them from the retribution of [Jason](#) and [Creon](#)'s family. As the Chorus of women laments her decision, the children are heard screaming. The Chorus considers interfering, but in the end does nothing.

[Jason](#) discovers the murder of [Glaucé](#) and [Creon](#) and rushes to the scene to punish [Medea](#), only to learn that his children too have been killed. [Medea](#) appears in the chariot of Artemis, with the corpses of her children, mocking and gloating over [Jason](#)'s pain. She prophesies a bad end for [Jason](#) too before escaping towards Athens with her children's bodies. The play ends with the Chorus lamenting that such tragic and unexpected evils should result from the will of the gods.

Scene

Before MEDEA's house in Corinth, near the palace Of CREON. The NURSE enters from the house.

NURSE

Ah! Would to Heaven the good ship Argo ne'er had sped its course to the Colchian land through the misty blue Symplegades, nor ever in the glens of Pelion the pine been felled to furnish with oars the chieftain's hands, who went to fetch the golden fleece for Pelias; for then would my own mistress Medea never have sailed to the turrets of Iolcos, her soul with love for Jason smitten, nor would she have beguiled the daughters of Pelias to slay their father and come to live here in the land of Corinth with her husband and children, where her exile found favour with the citizens to whose land she had come, and in all things of her own accord was she at one with Jason, the greatest safeguard this when wife and husband do agree; but now their love is all turned to hate, and tenderest ties are weak. For Jason hath betrayed his own children and my mistress dear for the love of a royal bride, for he hath wedded the daughter of Creon, lord of this land. While Medea, his hapless wife, thus scorned, appeals to the oaths he swore, recalls the strong pledge his right hand gave, and bids heaven be witness what requital she is finding from Jason. And here she lies fasting, yielding her body to her grief, wasting away in tears ever since she learnt that she was wronged by her husband, never lifting her eye nor raising her face from off the ground; and she lends as deaf an ear to her friend's warning as if she were a rock or ocean billow, save when she turns her snow-white neck aside and softly to herself bemoans her father dear, her country and her home, which she gave up to come hither with the man who now holds her in dishonour. She, poor lady, hath by sad experience learnt how good a thing it is never to quit one's native land. And she hates her children now and feels no joy at seeing them; I fear she may contrive some untoward scheme; for her mood is dangerous nor will she brook her cruel treatment; full well I know her, and I much do dread that she will plunge the keen sword through their hearts, stealing without a word into the chamber where their marriage couch is spread, or else that she will slay the prince and bridegroom too, and so find some calamity still more grievous than the present; for dreadful is her wrath; verily the man that doth incur her hate will have no easy task to raise o'er her a

song of triumph. Lo! where her sons come hither from their childish sports; little they reck of their mother's woes, for the soul of the young is no friend to sorrow.

The ATTENDANT leads in MEDEA'S children.

...

As the CHORUS finishes its song, MEDEA enters from the house.

MEDEA

From the house I have come forth, Corinthian ladies, for fear lest you be blaming me; for well I know that amongst men many by showing pride have gotten them an ill name and a reputation for indifference, both those who shun men's gaze and those who move amid the stranger crowd, and likewise they who choose a quiet walk in life. For there is no just discernment in the eyes of men, for they, or ever they have surely learnt their neighbour's heart, loathe him at first sight, though never wronged by him; and so a stranger most of all should adopt a city's views; nor do I commend that citizen, who, in the stubbornness of his heart, from churlishness resents the city's will.

But on me hath fallen this unforeseen disaster, and sapped my life; ruined I am, and long to resign the boon of existence, kind friends, and die. For he who was all the world to me, as well thou knowest, hath turned out the worst of men, my own husband. Of all things that have life and sense we women are the most hapless creatures; first must we buy a husband at a great price, and o'er ourselves a tyrant set which is an evil worse than the first; and herein lies the most important issue, whether our choice be good or bad. For divorce is not honourable to women, nor can we disown our lords. Next must the wife, coming as she does to ways and customs new, since she hath not learnt the lesson in her home, have a diviner's eye to see how best to treat the partner of her life. If haply we perform these tasks with thoroughness and tact, and the husband live with us, without resenting the yoke, our life is a happy one; if not, 'twere best to die. But when a man is vexed with what he finds indoors, he goeth forth and rids his soul of its disgust, betaking

him to some friend or comrade of like age; whilst we must needs regard his single self.

And yet they say we live secure at home, while they are at the wars, with their sorry reasoning, for I would gladly take my stand in battle array three times o'er, than once give birth. But enough! this language suits not thee as it does me; thou hast a city here, a father's house, some joy in life, and friends to share thy thoughts, but I am destitute, without a city, and therefore scorned by my husband, a captive I from a foreign shore, with no mother, brother, or kinsman in whom to find a new haven of refuge from this calamity. Wherefore this one boon and only this I wish to win from thee,—thy silence, if haply I can some way or means devise to avenge me on my husband for this cruel treatment, and on the man who gave to him his daughter, and on her who is his wife. For though woman be timorous enough in all else, and as regards courage, a coward at the mere sight of steel, yet in the moment she finds her honour wronged, no heart is filled with deadlier thoughts than hers.

...

JASON

It is not now I first remark, but oft ere this, how unruly a pest is a harsh temper. For instance, thou, hadst thou but patiently endured the will of thy superiors, mightest have remained here in this land and house, but now for thy idle words wilt thou be banished. Thy words are naught to me. Cease not to call Jason basest of men; but for those words thou hast spoken against our rulers, count it all again that exile is thy only punishment. I ever tried to check the outbursts of the angry monarch, and would have had thee stay, but thou wouldst not forego thy silly rage, always reviling our rulers, and so thou wilt be banished. Yet even after all this I weary not of my goodwill, but am come with thus much forethought, lady, that thou mayst not be destitute nor want for aught, when, with thy sons, thou art cast out. Many an evil doth exile bring in its train with it; for even though thou hatest me, never will I harbour hard thoughts of thee.

MEDEA

Thou craven villain (for that is the only name my tongue can find for thee, a foul reproach on thy unmanliness), comest thou to me, thou, most hated foe of gods, of me, and of all mankind? 'Tis no proof of courage or hardihood to confront thy friends after injuring them, but that worst of all human diseases—loss of shame. Yet hast thou done well to come; for I shall ease my soul by reviling thee, and thou wilt be vexed at my recital. I will begin at the very beginning. I saved thy life, as every Hellene knows who sailed with thee aboard the good ship Argo, when thou wert sent to tame and yoke fire-breathing bulls, and to sow the deadly tilth. Yea, and I slew the dragon which guarded the golden fleece, keeping sleepless watch o'er it with many a wreathed coil, and I raised for thee a beacon of deliverance. Father and home of my free will I left and came with the to Iolcos, beneath Pelion's hills, for my love was stronger than my prudence. Next I caused the death of Pelias by a doom most grievous, even by his own children's hand, beguiling them of all their fear. All this have I done for thee, thou traitor! and thou hast cast me over, taking to thyself another wife, though children have been born to us. Hadst thou been childless still, I could have pardoned thy desire for this new union. Gone is now the trust I put in oaths. I cannot even understand whether thou thinkest that the gods of old no longer rule, or that fresh decrees are now in vogue amongst mankind, for thy conscience must tell thee thou hast not kept faith with me. Ah! poor right hand, which thou didst often grasp. These knees thou didst embrace! All in vain, I suffered a traitor to touch me! How short of my hopes I am fallen! But come, I will deal with the as though thou wert my friend. Yet what kindness can I expect from one so base as thee? But yet I will do it, for my questioning will show thee yet more base. Whither can I turn me now? to my father's house, to my own country, which I for thee deserted to come hither? to the hapless daughters of Pelias? A glad welcome, I trow, would they give me in their home, whose father's death I compassed! My case stands even thus: I am become the bitter foe to those of mine own home, and those whom I need ne'er have

wronged I have made mine enemies to pleasure thee. Wherefore to reward me for this thou hast made me doubly blest in the eyes of many wife in Hellas; and in thee I own a peerless, trusty lord. O woe is me, if indeed I am to be cast forth an exile from the land, without one friend; one lone woman with her babes forlorn! Yea, a fine reproach to thee in thy bridal hour, that thy children and the wife who saved thy life are beggars and vagabonds! O Zeus! why hast thou granted unto man clear signs to know the sham in gold, while on man's brow no brand is stamped whereby to gauge the villain's heart?

...

MEDEA

I am undone, and more than that, am banished from the land.

AEGEUS

By whom? fresh woe this word of thine unfolds.

MEDEA

Creon drives me forth in exile from Corinth.

AEGEUS

Doth Jason allow it? This too I blame him for.

MEDEA

Not in words, but he will not stand out against it. O, I implore thee by this beard and by thy knees, in suppliant posture, pity, O pity my sorrows; do not see me cast forth forlorn, but receive me in thy country, to a seat within thy halls. So may thy wish by heaven's grace be crowned with a full harvest of offspring, and may thy life close in happiness! Thou knowest not the rare good luck thou findest here, for I will make thy childlessness to cease and cause thee to beget fair issue; so potent are the spells I know.

AEGEUS

Lady, on many grounds I am most fain to grant thee this thy boon, first for the gods' sake, next for the children whom thou dost

promise I shall beget; for in respect of this I am completely lost. 'Tis thus with me; if e'er thou reach my land, I will attempt to champion thee as I am bound to do. Only one warning I do give thee first, lady; I will not from this land bear thee away, yet if of thyself thou reach my halls, there shalt thou bide in safety and I will never yield thee up to any man. But from this land escape without my aid, for I have no wish to incur the blame of my allies as well.

MEDEA

It shall be even so; but wouldst thou pledge thy word to this, I should in all be well content with thee.

AEGEUS

Surely thou dost trust me? or is there aught that troubles thee?

MEDEA

Thee I trust; but Pelias' house and Creon are my foes. Wherefore, if thou art bound by an oath, thou wilt not give me up to them when they come to drag me from the land, but, having entered into a compact and sworn by heaven as well, thou wilt become my friend and disregard their overtures. Weak is any aid of mine, whilst they have wealth and a princely house.

AEGEUS

Lady, thy words show much foresight, so if this is thy will, I do not, refuse. For I shall feel secure and safe if I have some pretext to offer to thy foes, and thy case too the firmer stands. Now name thy gods.

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ATTENDANT

Thou art not the only mother from thy children bereft. Bear patiently thy troubles as a mortal must.

MEDEA

I will obey; go thou within the house and make the day's provision for the children.

The ATTENDANT enters the house. MEDEA turns to the children.

O my babes, my babes, ye have still a city and a home, where far from me and my sad lot you will live your lives, reft of your mother for ever; while I must to another land in banishment, or ever I have had my joy of you, or lived to see you happy, or ever I have graced your marriage couch, your bride, your bridal bower, or lifted high the wedding torch. Ah me! a victim of my own self-will. So it was all in vain I reared you, O my sons; in vain did suffer, racked with anguish, enduring the cruel pangs of childbirth. 'Fore Heaven I once had hope, poor me! high hope of ye that you would nurse me in my age and deck my corpse with loving hands, a boon we mortals covet; but now is my sweet fancy dead and gone; for I must lose you both and in bitterness and sorrow drag through life. And ye shall never with fond eyes see your mother more for o'er your life there comes a change. Ah me! ah me! why do ye look at me so, my children? why smile that last sweet smile? Ah me! what am I to do? My heart gives way when I behold my children's laughing eyes. O, I cannot; farewell to all my former schemes; I will take the children from the land, the babes I bore. Why should I wound their sire by wounding them, and get me a twofold measure of sorrow? No, no, I will not do it. Farewell my scheming! And yet what possesses me? Can I consent to let those foes of mine escape from punishment, and incur their mockery? I must face this deed. Out upon my craven heart! to think that I should even have let the soft words escape my soul. Into the house, children!

The children go into the house.

And whoso feels he must not be present at my sacrifice, must see to it himself; I will not spoil my handiwork. Ah! ah! do not, my heart, O do not do this deed! Let the children go, unhappy one, spare the babes! For if they live, they will cheer thee in our exile there. Nay, by the fiends of hell's abyss, never, never will I hand my children over to their foes to mock and flout. Die they must in any case, and since 'tis so, why I, the mother who bore them, will give the fatal blow. In any case their doom is fixed and there is no escape. Already the crown is on her head, the robe is round her, and she is dying, the royal bride;

that do I know full well. But now since I have a piteous path to tread, and yet more piteous still the path I send my children on, fain would I say farewell to them.

The children come out at her call. She takes them in her arms.

O my babes, my babes, let your mother kiss your hands. Ah! hands I love so well, O lips most dear to me! O noble form and features of my children, I wish ye joy, but in that other land, for here your father robs you of your home. O the sweet embrace, the soft young cheek, the fragrant breath! my children! Go, leave me; I cannot bear to longer look upon ye; my sorrow wins the day. At last I understand the awful deed I am to do; but passion, that cause of direst woes to mortal man, hath triumphed o'er my sober thoughts.

She goes into the house with the children.

2. Plato on Poetry

From The Republic

In this selection Socrates and Glaucon talk about *drama* and its role in the ideal republic.

Socrates & Glaucon

Of the many excellences which I perceive in the order of our State, there is none which upon reflection pleases me better than the rule about poetry.

To what do you refer?

To the rejection of imitative poetry, which certainly ought not to be received; as I see far more clearly now that the parts of the soul have been distinguished.

What do you mean?

Speaking in confidence, for I should not like to have my words repeated to the tragedians and the rest of the imitative tribe—but I do not mind saying to you, that all poetical imitations are ruinous to the understanding of the hearers, and that the knowledge of their true nature is the only antidote to them.

Explain the purport of your remark.

Well, I will tell you, although I have always from my earliest youth had an awe and love of Homer, which even now makes the words falter on my lips, for he is the great captain and teacher of the whole of that charming tragic company; but a man is not to be revered more than the truth, and therefore I will speak out.

Very good, he said.

Listen to me then, or rather, answer me.

Put your question.

Can you tell me what imitation is? for I really do not know.

A likely thing, then, that I should know.

Why not? for the duller eye may often see a thing sooner than the keener.

Very true, he said; but in your presence, even if I had any faint notion, I could not muster courage to utter it. Will you enquire yourself?

Well then, shall we begin the enquiry in our usual manner: Whenever a number of individuals have a common name, we assume them to have also a corresponding idea or form. Do you understand me?

I do.

Let us take any common instance; there are beds and tables in the world –plenty of them, are there not?

Yes.

But there are only two ideas or forms of them –one the idea of a bed, the other of a table.

True.

And the maker of either of them makes a bed or he makes a table for our use, in accordance with the idea—that is our way of speaking in this and similar instances—but no artificer makes the ideas themselves: how could he?

Impossible.

And there is another artist, –I should like to know what you would say of him.

Who is he?

One who is the maker of all the works of all other workmen.

What an extraordinary man!

Wait a little, and there will be more reason for your saying so. For this is he who is able to make not only vessels of every kind, but plants and animals, himself and all other things—the earth and heaven, and the things which are in heaven or under the earth; he makes the gods also.

He must be a wizard and no mistake.

Oh! you are incredulous, are you? Do you mean that there is no such maker or creator, or that in one sense there might be a maker

of all these things but in another not? Do you see that there is a way in which you could make them all yourself?

What way?

An easy way enough; or rather, there are many ways in which the feat might be quickly and easily accomplished, none quicker than that of turning a mirror round and round—you would soon enough make the sun and the heavens, and the earth and yourself, and other animals and plants, and all the, other things of which we were just now speaking, in the mirror.

Yes, he said; but they would be appearances only.

Very good, I said, you are coming to the point now. And the painter too is, as I conceive, just such another—a creator of appearances, is he not?

Of course.

But then I suppose you will say that what he creates is untrue. And yet there is a sense in which the painter also creates a bed?

Yes, he said, but not a real bed.

And what of the maker of the bed? Were you not saying that he too makes, not the idea which, according to our view, is the essence of the bed, but only a particular bed?

Yes, I did.

Then if he does not make that which exists he cannot make true existence, but only some semblance of existence; and if any one were to say that the work of the maker of the bed, or of any other workman, has real existence, he could hardly be supposed to be speaking the truth.

At any rate, he replied, philosophers would say that he was not speaking the truth.

No wonder, then, that his work too is an indistinct expression of truth.

No wonder.

Suppose now that by the light of the examples just offered we enquire who this imitator is?

If you please.

Well then, here are three beds: one existing in nature, which is

made by God, as I think that we may say—for no one else can be the maker?

No.

There is another which is the work of the carpenter?

Yes.

And the work of the painter is a third?

Yes.

Beds, then, are of three kinds, and there are three artists who superintend them: God, the maker of the bed, and the painter?

Yes, there are three of them.

God, whether from choice or from necessity, made one bed in nature and one only; two or more such ideal beds neither ever have been nor ever will be made by God.

Why is that?

Because even if He had made but two, a third would still appear behind them which both of them would have for their idea, and that would be the ideal bed and the two others.

Very true, he said.

God knew this, and He desired to be the real maker of a real bed, not a particular maker of a particular bed, and therefore He created a bed which is essentially and by nature one only.

So we believe.

Shall we, then, speak of Him as the natural author or maker of the bed?

Yes, he replied; inasmuch as by the natural process of creation He is the author of this and of all other things.

And what shall we say of the carpenter—is not he also the maker of the bed?

Yes.

But would you call the painter a creator and maker?

Certainly not.

Yet if he is not the maker, what is he in relation to the bed?

I think, he said, that we may fairly designate him as the imitator of that which the others make.

Good, I said; then you call him who is third in the descent from nature an imitator?

Certainly, he said.

And the tragic poet is an imitator, and therefore, like all other imitators, he is thrice removed from the king and from the truth?

That appears to be so.

Then about the imitator we are agreed. And what about the painter?—I would like to know whether he may be thought to imitate that which originally exists in nature, or only the creations of artists?

The latter.

As they are or as they appear? You have still to determine this.

What do you mean?

I mean, that you may look at a bed from different points of view, obliquely or directly or from any other point of view, and the bed will appear different, but there is no difference in reality. And the same of all things.

Yes, he said, the difference is only apparent.

Now let me ask you another question: Which is the art of painting designed to be—an imitation of things as they are, or as they appear—of appearance or of reality?

Of appearance.

Then the imitator, I said, is a long way off the truth, and can do all things because he lightly touches on a small part of them, and that part an image. For example: A painter will paint a cobbler, carpenter, or any other artist, though he knows nothing of their arts; and, if he is a good artist, he may deceive children or simple persons, when he shows them his picture of a carpenter from a distance, and they will fancy that they are looking at a real carpenter.

Certainly.

And whenever any one informs us that he has found a man knows all the arts, and all things else that anybody knows, and every single thing with a higher degree of accuracy than any other man—whoever tells us this, I think that we can only imagine to be a simple creature who is likely to have been deceived by some

wizard or actor whom he met, and whom he thought all-knowing, because he himself was unable to analyse the nature of knowledge and ignorance and imitation.

Most true.

And so, when we hear persons saying that the tragedians, and Homer, who is at their head, know all the arts and all things human, virtue as well as vice, and divine things too, for that the good poet cannot compose well unless he knows his subject, and that he who has not this knowledge can never be a poet, we ought to consider whether here also there may not be a similar illusion. Perhaps they may have come across imitators and been deceived by them; they may not have remembered when they saw their works that these were but imitations thrice removed from the truth, and could easily be made without any knowledge of the truth, because they are appearances only and not realities? Or, after all, they may be in the right, and poets do really know the things about which they seem to the many to speak so well?

The question, he said, should by all means be considered.

Now do you suppose that if a person were able to make the original as well as the image, he would seriously devote himself to the image-making branch? Would he allow imitation to be the ruling principle of his life, as if he had nothing higher in him?

I should say not.

The real artist, who knew what he was imitating, would be interested in realities and not in imitations; and would desire to leave as memorials of himself works many and fair; and, instead of being the author of encomiums, he would prefer to be the theme of them.

Yes, he said, that would be to him a source of much greater honour and profit.

Then, I said, we must put a question to Homer; not about medicine, or any of the arts to which his poems only incidentally refer: we are not going to ask him, or any other poet, whether he has cured patients like Asclepius, or left behind him a school of medicine such as the Asclepiads were, or whether he only talks

about medicine and other arts at second hand; but we have a right to know respecting military tactics, politics, education, which are the chiefest and noblest subjects of his poems, and we may fairly ask him about them. "Friend Homer," then we say to him, "if you are only in the second remove from truth in what you say of virtue, and not in the third—not an image maker or imitator—and if you are able to discern what pursuits make men better or worse in private or public life, tell us what State was ever better governed by your help? The good order of Lacedaemon is due to Lycurgus, and many other cities great and small have been similarly benefited by others; but who says that you have been a good legislator to them and have done them any good? Italy and Sicily boast of Charondas, and there is Solon who is renowned among us; but what city has anything to say about you?" Is there any city which he might name?

I think not, said Glaucon; not even the Homerids themselves pretend that he was a legislator.

Well, but is there any war on record which was carried on successfully by him, or aided by his counsels, when he was alive?

There is not.

Or is there any invention of his, applicable to the arts or to human life, such as Thales the Milesian or Anacharsis the Scythian, and other ingenious men have conceived, which is attributed to him?

There is absolutely nothing of the kind.

But, if Homer never did any public service, was he privately a guide or teacher of any? Had he in his lifetime friends who loved to associate with him, and who handed down to posterity an Homeric way of life, such as was established by Pythagoras who was so greatly beloved for his wisdom, and whose followers are to this day quite celebrated for the order which was named after him?

Nothing of the kind is recorded of him. For surely, Socrates, Creophylus, the companion of Homer, that child of flesh, whose name always makes us laugh, might be more justly ridiculed for his stupidity, if, as is said, Homer was greatly neglected by him and others in his own day when he was alive?

Yes, I replied, that is the tradition. But can you imagine, Glaucon,

that if Homer had really been able to educate and improve mankind—if he had possessed knowledge and not been a mere imitator—can you imagine, I say, that he would not have had many followers, and been honoured and loved by them? Protagoras of Abdera, and Prodicus of Ceos, and a host of others, have only to whisper to their contemporaries: ‘You will never be able to manage either your own house or your own State until you appoint us to be your ministers of education’—and this ingenious device of theirs has such an effect in making them love them that their companions all but carry them about on their shoulders. And is it conceivable that the contemporaries of Homer, or again of Hesiod, would have allowed either of them to go about as rhapsodists, if they had really been able to make mankind virtuous? Would they not have been as unwilling to part with them as with gold, and have compelled them to stay at home with them? Or, if the master would not stay, then the disciples would have followed him about everywhere, until they had got education enough?

Yes, Socrates, that, I think, is quite true.

Then must we not infer that all these poetical individuals, beginning with Homer, are only imitators; they copy images of virtue and the like, but the truth they never reach? The poet is like a painter who, as we have already observed, will make a likeness of a cobbler though he understands nothing of cobbling; and his picture is good enough for those who know no more than he does, and judge only by colours and figures.

Quite so.

In like manner the poet with his words and phrases may be said to lay on the colours of the several arts, himself understanding their nature only enough to imitate them; and other people, who are as ignorant as he is, and judge only from his words, imagine that if he speaks of cobbling, or of military tactics, or of anything else, in metre and harmony and rhythm, he speaks very well—such is the sweet influence which melody and rhythm by nature have. And I think that you must have observed again and again what a poor

appearance the tales of poets make when stripped of the colours which music puts upon them, and recited in simple prose.

Yes, he said.

They are like faces which were never really beautiful, but only blooming; and now the bloom of youth has passed away from them?

Exactly.

Here is another point: The imitator or maker of the image knows nothing of true existence; he knows appearances only. Am I not right?

Yes.

Then let us have a clear understanding, and not be satisfied with half an explanation.

Proceed.

Of the painter we say that he will paint reins, and he will paint a bit?

Yes.

And the worker in leather and brass will make them?

Certainly.

But does the painter know the right form of the bit and reins? Nay, hardly even the workers in brass and leather who make them; only the horseman who knows how to use them –he knows their right form.

Most true.

And may we not say the same of all things?

What?

That there are three arts which are concerned with all things: one which uses, another which makes, a third which imitates them?

Yes.

And the excellence or beauty or truth of every structure, animate or inanimate, and of every action of man, is relative to the use for which nature or the artist has intended them.

True.

Then the user of them must have the greatest experience of them, and he must indicate to the maker the good or bad qualities which develop themselves in use; for example, the flute-player will tell the

flute-maker which of his flutes is satisfactory to the performer; he will tell him how he ought to make them, and the other will attend to his instructions?

Of course.

The one knows and therefore speaks with authority about the goodness and badness of flutes, while the other, confiding in him, will do what he is told by him?

True.

The instrument is the same, but about the excellence or badness of it the maker will only attain to a correct belief; and this he will gain from him who knows, by talking to him and being compelled to hear what he has to say, whereas the user will have knowledge?

True.

But will the imitator have either? Will he know from use whether or no his drawing is correct or beautiful? Or will he have right opinion from being compelled to associate with another who knows and gives him instructions about what he should draw?

Neither.

Then he will no more have true opinion than he will have knowledge about the goodness or badness of his imitations?

I suppose not.

The imitative artist will be in a brilliant state of intelligence about his own creations?

Nay, very much the reverse.

And still he will go on imitating without knowing what makes a thing good or bad, and may be expected therefore to imitate only that which appears to be good to the ignorant multitude?

Just so.

Thus far then we are pretty well agreed that the imitator has no knowledge worth mentioning of what he imitates. Imitation is only a kind of play or sport, and the tragic poets, whether they write in iambic or in Heroic verse, are imitators in the highest degree?

Very true.

And now tell me, I conjure you, has not imitation been shown

by us to be concerned with that which is thrice removed from the truth?

Certainly.

And what is the faculty in man to which imitation is addressed?

What do you mean?

I will explain: The body which is large when seen near, appears small when seen at a distance?

True.

And the same object appears straight when looked at out of the water, and crooked when in the water; and the concave becomes convex, owing to the illusion about colours to which the sight is liable. Thus every sort of confusion is revealed within us; and this is that weakness of the human mind on which the art of conjuring and of deceiving by light and shadow and other ingenious devices imposes, having an effect upon us like magic.

True.

And the arts of measuring and numbering and weighing come to the rescue of the human understanding-there is the beauty of them -and the apparent greater or less, or more or heavier, no longer have the mastery over us, but give way before calculation and measure and weight?

Most true.

And this, surely, must be the work of the calculating and rational principle in the soul

To be sure.

And when this principle measures and certifies that some things are equal, or that some are greater or less than others, there occurs an apparent contradiction?

True.

But were we not saying that such a contradiction is the same faculty cannot have contrary opinions at the same time about the same thing?

Very true.

Then that part of the soul which has an opinion contrary to

measure is not the same with that which has an opinion in accordance with measure?

True.

And the better part of the soul is likely to be that which trusts to measure and calculation?

Certainly.

And that which is opposed to them is one of the inferior principles of the soul?

No doubt.

This was the conclusion at which I was seeking to arrive when I said that painting or drawing, and imitation in general, when doing their own proper work, are far removed from truth, and the companions and friends and associates of a principle within us which is equally removed from reason, and that they have no true or healthy aim.

Exactly.

The imitative art is an inferior who marries an inferior, and has inferior offspring.

Very true.

And is this confined to the sight only, or does it extend to the hearing also, relating in fact to what we term poetry?

Probably the same would be true of poetry.

Do not rely, I said, on a probability derived from the analogy of painting; but let us examine further and see whether the faculty with which poetical imitation is concerned is good or bad.

By all means.

We may state the question thus: –Imitation imitates the actions of men, whether voluntary or involuntary, on which, as they imagine, a good or bad result has ensued, and they rejoice or sorrow accordingly. Is there anything more?

No, there is nothing else.

But in all this variety of circumstances is the man at unity with himself—or rather, as in the instance of sight there was confusion and opposition in his opinions about the same things, so here also is there not strife and inconsistency in his life? Though I need

hardly raise the question again, for I remember that all this has been already admitted; and the soul has been acknowledged by us to be full of these and ten thousand similar oppositions occurring at the same moment?

And we were right, he said.

Yes, I said, thus far we were right; but there was an omission which must now be supplied.

What was the omission?

Were we not saying that a good man, who has the misfortune to lose his son or anything else which is most dear to him, will bear the loss with more equanimity than another?

Yes.

But will he have no sorrow, or shall we say that although he cannot help sorrowing, he will moderate his sorrow?

The latter, he said, is the truer statement.

Tell me: will he be more likely to struggle and hold out against his sorrow when he is seen by his equals, or when he is alone?

It will make a great difference whether he is seen or not.

When he is by himself he will not mind saying or doing many things which he would be ashamed of any one hearing or seeing him do?

True.

There is a principle of law and reason in him which bids him resist, as well as a feeling of his misfortune which is forcing him to indulge his sorrow?

True.

But when a man is drawn in two opposite directions, to and from the same object, this, as we affirm, necessarily implies two distinct principles in him?

Certainly.

One of them is ready to follow the guidance of the law?

How do you mean?

The law would say that to be patient under suffering is best, and that we should not give way to impatience, as there is no knowing whether such things are good or evil; and nothing is gained by

impatience; also, because no human thing is of serious importance, and grief stands in the way of that which at the moment is most required.

What is most required? he asked.

That we should take counsel about what has happened, and when the dice have been thrown order our affairs in the way which reason deems best; not, like children who have had a fall, keeping hold of the part struck and wasting time in setting up a howl, but always accustoming the soul forthwith to apply a remedy, raising up that which is sickly and fallen, banishing the cry of sorrow by the healing art.

Yes, he said, that is the true way of meeting the attacks of fortune.

Yes, I said; and the higher principle is ready to follow this suggestion of reason?

Clearly.

And the other principle, which inclines us to recollection of our troubles and to lamentation, and can never have enough of them, we may call irrational, useless, and cowardly?

Indeed, we may.

And does not the latter –I mean the rebellious principle –furnish a great variety of materials for imitation? Whereas the wise and calm temperament, being always nearly equable, is not easy to imitate or to appreciate when imitated, especially at a public festival when a promiscuous crowd is assembled in a theatre. For the feeling represented is one to which they are strangers.

Certainly.

Then the imitative poet who aims at being popular is not by nature made, nor is his art intended, to please or to affect the principle in the soul; but he will prefer the passionate and fitful temper, which is easily imitated?

Clearly.

And now we may fairly take him and place him by the side of the painter, for he is like him in two ways: first, inasmuch as his creations have an inferior degree of truth –in this, I say, he is like him; and he is also like him in being concerned with an inferior part

of the soul; and therefore we shall be right in refusing to admit him into a well-ordered State, because he awakens and nourishes and strengthens the feelings and impairs the reason. As in a city when the evil are permitted to have authority and the good are put out of the way, so in the soul of man, as we maintain, the imitative poet implants an evil constitution, for he indulges the irrational nature which has no discernment of greater and less, but thinks the same thing at one time great and at another small-he is a manufacturer of images and is very far removed from the truth.

3. Aristotle's Poetics

Aristotle

from Poetics

Book VI

Of the poetry which imitates in hexameter verse, and of Comedy, we will speak hereafter. Let us now discuss Tragedy, resuming its formal definition, as resulting from what has been already said.

Tragedy, then, is an imitation of an action that is serious, complete, and of a certain magnitude; in language embellished with each kind of artistic ornament, the several kinds being found in separate parts of the play; in the form of action, not of narrative; through pity and fear effecting the proper purgation of these emotions. By 'language embellished,' I mean language into which rhythm, 'harmony,' and song enter. By 'the several kinds in separate parts,' I mean, that some parts are rendered through the medium of verse alone, others again with the aid of song.

Now as tragic imitation implies persons acting, it necessarily follows, in the first place, that Spectacular equipment will be a part of Tragedy. Next, Song and Diction, for these are the medium of imitation. By "Diction" I mean the mere metrical arrangement of the words: as for 'Song,' it is a term whose sense every one understands.

Again, Tragedy is the imitation of an action; and an action implies personal agents, who necessarily possess certain distinctive qualities both of character and thought; for it is by these that we qualify actions themselves, and these—thought and character—are the two natural causes from which actions spring, and on actions again all success or failure depends. Hence, the Plot is the imitation of the action: for by plot I here mean the arrangement of the

incidents. By Character I mean that in virtue of which we ascribe certain qualities to the agents. Thought is required wherever a statement is proved, or, it may be, a general truth enunciated. Every Tragedy, therefore, must have six parts, which parts determine its quality—namely, Plot, Character, Diction, Thought, Spectacle, Song. Two of the parts constitute the medium of imitation, one the manner, and three the objects of imitation. And these complete the list. These elements have been employed, we may say, by the poets to a man; in fact, every play contains Spectacular elements as well as Character, Plot, Diction, Song, and Thought.

But most important of all is the structure of the incidents. For Tragedy is an imitation, not of men, but of an action and of life, and life consists in action, and its end is a mode of action, not a quality. Now character determines men's qualities, but it is by their actions that they are happy or the reverse. Dramatic action, therefore, is not with a view to the representation of character: character comes in as subsidiary to the actions. Hence the incidents and the plot are the end of a tragedy; and the end is the chief thing of all. Again, without action there cannot be a tragedy; there may be without character. The tragedies of most of our modern poets fail in the rendering of character; and of poets in general this is often true. It is the same in painting; and here lies the difference between Zeuxis and Polygnotus. Polygnotus delineates character well: the style of Zeuxis is devoid of ethical quality. Again, if you string together a set of speeches expressive of character, and well finished in point of diction and thought, you will not produce the essential tragic effect nearly so well as with a play which, however deficient in these respects, yet has a plot and artistically constructed incidents. Besides which, the most powerful elements of emotional interest in Tragedy Peripeteia or Reversal of the Situation, and Recognition scenes—are parts of the plot. A further proof is, that novices in the art attain to finish: of diction and precision of portraiture before they can construct the plot. It is the same with almost all the early poets.

The Plot, then, is the first principle, and, as it were, the soul of a

tragedy: Character holds the second place. A similar fact is seen in painting. The most beautiful colours, laid on confusedly, will not give as much pleasure as the chalk outline of a portrait. Thus Tragedy is the imitation of an action, and of the agents mainly with a view to the action.

Third in order is Thought,—that is, the faculty of saying what is possible and pertinent in given circumstances. In the case of oratory, this is the function of the Political art and of the art of rhetoric: and so indeed the older poets make their characters speak the language of civic life; the poets of our time, the language of the rhetoricians. Character is that which reveals moral purpose, showing what kind of things a man chooses or avoids. Speeches, therefore, which do not make this manifest, or in which the speaker does not choose or avoid anything whatever, are not expressive of character. Thought, on the other hand, is found where something is proved to be, or not to be, or a general maxim is enunciated.

Fourth among the elements enumerated comes Diction; by which I mean, as has been already said, the expression of the meaning in words; and its essence is the same both in verse and prose.

Of the remaining elements Song holds the chief place among the embellishments.

The Spectacle has, indeed, an emotional attraction of its own, but, of all the parts, it is the least artistic, and connected least with the art of poetry. For the power of Tragedy, we may be sure, is felt even apart from representation and actors. Besides, the production of spectacular effects depends more on the art of the stage machinist than on that of the poet.

Book XIII

As the sequel to what has already been said, we must proceed to consider what the poet should aim at, and what he should avoid, in constructing his plots; and by what means the specific effect of Tragedy will be produced.

A perfect tragedy should, as we have seen, be arranged not on the simple but on the complex plan. It should, moreover, imitate actions which excite pity and fear, this being the distinctive mark of tragic imitation. It follows plainly, in the first place, that the change, of fortune presented must not be the spectacle of a virtuous man brought from prosperity to adversity: for this moves neither pity nor fear; it merely shocks us. Nor, again, that of a bad man passing from adversity to prosperity: for nothing can be more alien to the spirit of Tragedy; it possesses no single tragic quality; it neither satisfies the moral sense nor calls forth pity or fear. Nor, again, should the downfall of the utter villain be exhibited. A plot of this kind would, doubtless, satisfy the moral sense, but it would inspire neither pity nor fear; for pity is aroused by unmerited misfortune, fear by the misfortune of a man like ourselves. Such an event, therefore, will be neither pitiful nor terrible. There remains, then, the character between these two extremes,—that of a man who is not eminently good and just,—yet whose misfortune is brought about not by vice or depravity, but by some error or frailty. He must be one who is highly renowned and prosperous,—a personage like Oedipus, Thyestes, or other illustrious men of such families.

A well constructed plot should, therefore, be single in its issue, rather than double as some maintain. The change of fortune should be not from bad to good, but, reversely, from good to bad. It should come about as the result not of vice, but of some great error or frailty, in a character either such as we have described, or better rather than worse. The practice of the stage bears out our view. At first the poets recounted any legend that came in their way. Now, the best tragedies are founded on the story of a few houses, on the fortunes of Alcmaeon, Oedipus, Orestes, Meleager, Thyestes, Telephus, and those others who have done or suffered something terrible. A tragedy, then, to be perfect according to the rules of art should be of this construction. Hence they are in error who censure Euripides just because he follows this principle in his plays, many of which end unhappily. It is, as we have said, the right ending. The best proof is that on the stage and in dramatic competition, such

plays, if well worked out, are the most tragic in effect; and Euripides, faulty though he may be in the general management of his subject, yet is felt to be the most tragic of the poets.

In the second rank comes the kind of tragedy which some place first. Like the *Odyssey*, it has a double thread of plot, and also an opposite catastrophe for the good and for the bad. It is accounted the best because of the weakness of the spectators; for the poet is guided in what he writes by the wishes of his audience. The pleasure, however, thence derived is not the true tragic pleasure. It is proper rather to Comedy, where those who, in the piece, are the deadliest enemies—like Orestes and Aegisthus—quit the stage as friends at the close, and no one slays or is slain.

Book XIV

Fear and pity may be aroused by spectacular means; but they may also result from the inner structure of the piece, which is the better way, and indicates a superior poet. For the plot ought to be so constructed that, even without the aid of the eye, he who hears the tale told will thrill with horror and melt to pity at what takes place. This is the impression we should receive from hearing the story of the *Oedipus*. But to produce this effect by the mere spectacle is a less artistic method, and dependent on extraneous aids. Those who employ spectacular means to create a sense not of the terrible but only of the monstrous, are strangers to the purpose of Tragedy; for we must not demand of Tragedy any and every kind of pleasure, but only that which is proper to it. And since the pleasure which the poet should afford is that which comes from pity and fear through imitation, it is evident that this quality must be impressed upon the incidents.

Let us then determine what are the circumstances which strike us as terrible or pitiful.

Actions capable of this effect must happen between persons who are either friends or enemies or indifferent to one another. If an

enemy kills an enemy, there is nothing to excite pity either in the act or the intention,—except so far as the suffering in itself is pitiful. So again with indifferent persons. But when the tragic incident occurs between those who are near or dear to one another—if, for example, a brother kills, or intends to kill, a brother, a son his father, a mother her son, a son his mother, or any other deed of the kind is done—these are the situations to be looked for by the poet. He may not indeed destroy the framework of the received legends—the fact, for instance, that Clytemnestra was slain by Orestes and Eriphyle by Alcmaeon but he ought to show invention of his own, and skilfully handle the traditional material. Let us explain more clearly what is meant by skilful handling.

The action may be done consciously and with knowledge of the persons, in the manner of the older poets. It is thus too that Euripides makes Medea slay her children. Or, again, the deed of horror may be done, but done in ignorance, and the tie of kinship or friendship be discovered afterwards. The Oedipus of Sophocles is an example. Here, indeed, the incident is outside the drama proper; but cases occur where it falls within the action of the play: one may cite the Alcmaeon of Astydamos, or Telegonus in the Wounded Odysseus. Again, there is a third case,— (to be about to act with knowledge of the persons and then not to act. The fourth case is) when some one is about to do an irreparable deed through ignorance, and makes the discovery before it is done. These are the only possible ways. For the deed must either be done or not done,—and that wittingly or unwittingly. But of all these ways, to be about to act knowing the persons, and then not to act, is the worst. It is shocking without being tragic, for no disaster follows. It is, therefore, never, or very rarely, found in poetry. One instance, however, is in the Antigone, where Haemon threatens to kill Creon. The next and better way is that the deed should be perpetrated. Still better, that it should be perpetrated in ignorance, and the discovery made afterwards. There is then nothing to shock us, while the discovery produces a startling effect. The last case is the best, as when in the Cressphontes Merope is about to slay her son, but,

recognising who he is, spares his life. So in the Iphigenia, the sister recognises the brother just in time. Again in the Helle, the son recognises the mother when on the point of giving her up. This, then, is why a few families only, as has been already observed, furnish the subjects of tragedy. It was not art, but happy chance, that led the poets in search of subjects to impress the tragic quality upon their plots. They are compelled, therefore, to have recourse to those houses whose history contains moving incidents like these.

Enough has now been said concerning the structure of the incidents, and the right kind of plot.

PART II

VIRTUE ETHICS

In this part we discuss the oldest philosophical system, called *virtue ethics*.

4. Plato on Virtue

The Republic

Book IV

Here Adeimantus interposed a question: How would you answer, Socrates, said he, if a person were to say that you are making these people miserable, and that they are the cause of their own unhappiness; the city in fact belongs to them, but they are none the better for it; whereas other men acquire lands, and build large and handsome houses, and have everything handsome about them, offering sacrifices to the gods on their own account, and practising hospitality; moreover, as you were saying just now, they have gold and silver, and all that is usual among the favourites of fortune; but our poor citizens are no better than mercenaries who are quartered in the city and are always mounting guard?

Yes, I said; and you may add that they are only fed, and not paid in addition to their food, like other men; and therefore they cannot, if they would, take a journey of pleasure; they have no money to spend on a mistress or any other luxurious fancy, which, as the world goes, is thought to be happiness; and many other accusations of the same nature might be added.

But, said he, let us suppose all this to be included in the charge.

You mean to ask, I said, what will be our answer?

Yes.

If we proceed along the old path, my belief, I said, is that we shall find the answer. And our answer will be that, even as they are, our guardians may very likely be the happiest of men; but that our aim in founding the State was not the disproportionate happiness of any one class, but the greatest happiness of the whole; we thought that

in a State which is ordered with a view to the good of the whole we should be most likely to find justice, and in the ill-ordered State injustice: and, having found them, we might then decide which of the two is the happier. At present, I take it, we are fashioning the happy State, not piecemeal, or with a view of making a few happy citizens, but as a whole; and by-and-by we will proceed to view the opposite kind of State. Suppose that we were painting a statue, and someone came up to us and said, Why do you not put the most beautiful colours on the most beautiful parts of the body—the eyes ought to be purple, but you have made them black—to him we might fairly answer, Sir, you would not surely have us beautify the eyes to such a degree that they are no longer eyes; consider rather whether, by giving this and the other features their due proportion, we make the whole beautiful.

And so I say to you, do not compel us to assign to the guardians a sort of happiness which will make them anything but guardians; for we too can clothe our husbandmen in royal apparel, and set crowns of gold on their heads, and bid them till the ground as much as they like, and no more. Our potters also might be allowed to repose on couches, and feast by the fireside, passing round the winecup, while their wheel is conveniently at hand, and working at pottery only as much as they like; in this way we might make every class happy—and then, as you imagine, the whole State would be happy. But do not put this idea into our heads; for, if we listen to you, the husbandman will be no longer a husbandman, the potter will cease to be a potter, and no one will have the character of any distinct class in the State. Now this is not of much consequence where the corruption of society, and pretension to be what you are not, is confined to cobblers; but when the guardians of the laws and of the government are only seeming and not real guardians, then see how they turn the State upside down; and on the other hand they alone have the power of giving order and happiness to the State. We mean our guardians to be true saviours and not the destroyers of the State, whereas our opponent is thinking of peasants at a festival, who are enjoying a life of revelry, not of citizens who are doing

their duty to the State. But, if so, we mean different things, and he is speaking of something which is not a State. And therefore, we must consider whether in appointing our guardians we would look to their greatest happiness individually, or whether this principle of happiness does not rather reside in the State as a whole. But if the latter be the truth, then the guardians and auxiliaries, and all others equally with them, must be compelled or induced to do their own work in the best way. And thus the whole State will grow up in a noble order, and the several classes will receive the proportion of happiness which nature assigns to them.

I think that you are quite right.

I wonder whether you will agree with another remark which occurs to me.

What may that be?

There seem to be two causes of the deterioration of the arts.

What are they?

Wealth, I said, and poverty.

How do they act?

The process is as follows: When a potter becomes rich, will he, think you, any longer take the same pains with his art?

Certainly not.

He will grow more and more indolent and careless?

Very true.

And the result will be that he becomes a worse potter?

Yes; he greatly deteriorates.

But, on the other hand, if he has no money, and cannot provide himself with tools or instruments, he will not work equally well himself, nor will he teach his sons or apprentices to work equally well.

Certainly not.

Then, under the influence either of poverty or of wealth, workmen and their work are equally liable to degenerate?

That is evident.

Here, then, is a discovery of new evils, I said, against which the

guardians will have to watch, or they will creep into the city unobserved.

What evils?

Wealth, I said, and poverty; the one is the parent of luxury and indolence, and the other of meanness and viciousness, and both of discontent.

...

Two virtues remain to be discovered in the State—first, temperance, and then justice which is the end of our search.

Very true.

Now, can we find justice without troubling ourselves about temperance?

I do not know how that can be accomplished, he said, nor do I desire that justice should be brought to light and temperance lost sight of; and therefore I wish that you would do me the favour of considering temperance first.

Certainly, I replied, I should not be justified in refusing your request.

Then consider, he said.

Yes, I replied; I will; and as far as I can at present see, the virtue of temperance has more of the nature of harmony and symphony than the preceding.

How so? he asked.

Temperance, I replied, is the ordering or controlling of certain pleasures and desires; this is curiously enough implied in the saying of “a man being his own master;” and other traces of the same notion may be found in language.

No doubt, he said.

There is something ridiculous in the expression “master of himself;” for the master is also the servant and the servant the master; and in all these modes of speaking the same person is denoted.

Certainly.

The meaning is, I believe, that in the human soul there is a better and also a worse principle; and when the better has the worse under

control, then a man is said to be master of himself; and this is a term of praise: but when, owing to evil education or association, the better principle, which is also the smaller, is overwhelmed by the greater mass of the worse—in this case he is blamed and is called the slave of self and unprincipled.

Yes, there is reason in that.

And now, I said, look at our newly-created State, and there you will find one of these two conditions realized; for the State, as you will acknowledge, may be justly called master of itself, if the words “temperance” and “self-mastery” truly express the rule of the better part over the worse.

Yes, he said, I see that what you say is true.

Let me further note that the manifold and complex pleasures and desires and pains are generally found in children and women and servants, and in the freemen so called who are of the lowest and more numerous class.

Certainly, he said.

Whereas the simple and moderate desires which follow reason, and are under the guidance of mind and true opinion, are to be found only in a few, and those the best born and best educated.

Very true.

These two, as you may perceive, have a place in our State; and the meaner desires of the many are held down by the virtuous desires and wisdom of the few.

That I perceive, he said.

Then if there be any city which may be described as master of its own pleasures and desires, and master of itself, ours may claim such a designation?

Certainly, he replied.

It may also be called temperate, and for the same reasons?

Yes.

And if there be any State in which rulers and subjects will be agreed as to the question who are to rule, that again will be our State?

Undoubtedly.

And the citizens being thus agreed among themselves, in which class will temperance be found—in the rulers or in the subjects?

In both, as I should imagine, he replied.

Do you observe that we were not far wrong in our guess that temperance was a sort of harmony?

Why so?

Why, because temperance is unlike courage and wisdom, each of which resides in a part only, the one making the State wise and the other valiant; not so temperance, which extends to the whole, and runs through all the notes of the scale, and produces a harmony of the weaker and the stronger and the middle class, whether you suppose them to be stronger or weaker in wisdom or power or numbers or wealth, or anything else. Most truly then may we deem temperance to be the agreement of the naturally superior and inferior, as to the right to rule of either, both in states and individuals.

I entirely agree with you.

...

And he is to be deemed courageous whose spirit retains in pleasure and in pain the commands of reason about what he ought or ought not to fear?

Right, he replied.

And him we call wise who has in him that little part which rules, and which proclaims these commands; that part too being supposed to have a knowledge of what is for the interest of each of the three parts and of the whole?

Assuredly.

And would you not say that he is temperate who has these same elements in friendly harmony, in whom the one ruling principle of reason, and the two subject ones of spirit and desire are equally agreed that reason ought to rule, and do not rebel?

Certainly, he said, that is the true account of temperance whether in the State or individual.

And surely, I said, we have explained again and again how and by virtue of what quality a man will be just.

That is very certain.

And is justice dimmer in the individual, and is her form different, or is she the same which we found her to be in the State?

There is no difference in my opinion, he said...

But in reality justice was such as we were describing, being concerned however, not with the outward man, but with the inward, which is the true self and concernment of man: for the just man does not permit the several elements within him to interfere with one another, or any of them to do the work of others,—he sets in order his own inner life, and is his own master and his own law, and at peace with himself; and when he has bound together the three principles within him, which may be compared to the higher, lower, and middle notes of the scale, and the intermediate intervals—when he has bound all these together, and is no longer many, but has become one entirely temperate and perfectly adjusted nature, then he proceeds to act, if he has to act, whether in a matter of property, or in the treatment of the body, or in some affair of politics or private business; always thinking and calling that which preserves and co-operates with this harmonious condition, just and good action, and the knowledge which presides over it, wisdom, and that which at any time impairs this condition, he will call unjust action, and the opinion which presides over it ignorance.

5. Aristotle on Virtue

Nicomachean Ethics

By Aristotle

Written 350 B.C.E

Translated by W. D. Ross

1

Virtue, then, being of two kinds, intellectual and moral, intellectual virtue in the main owes both its birth and its growth to teaching (for which reason it requires experience and time), while moral virtue comes about as a result of habit, whence also its name (ethike) is one that is formed by a slight variation from the word ethos (habit). From this it is also plain that none of the moral virtues arises in us by nature; for nothing that exists by nature can form a habit contrary to its nature. For instance the stone which by nature moves downwards cannot be habituated to move upwards, not even if one tries to train it by throwing it up ten thousand times; nor can fire be habituated to move downwards, nor can anything else that by nature behaves in one way be trained to behave in another. Neither by nature, then, nor contrary to nature do the virtues arise in us; rather we are adapted by nature to receive them, and are made perfect by habit.

Again, of all the things that come to us by nature we first acquire the potentiality and later exhibit the activity (this is plain in the case of the senses; for it was not by often seeing or often hearing that we got these senses, but on the contrary we had them before we used them, and did not come to have them by using them); but the virtues we get by first exercising them, as also happens in the case of the arts as well. For the things we have to learn before we can do them, we learn by doing them, e.g. men become builders by building and lyre players by playing the lyre;

so too we become just by doing just acts, temperate by doing temperate acts, brave by doing brave acts.

This is confirmed by what happens in states; for legislators make the citizens good by forming habits in them, and this is the wish of every legislator, and those who do not effect it miss their mark, and it is in this that a good constitution differs from a bad one.

Again, it is from the same causes and by the same means that every virtue is both produced and destroyed, and similarly every art; for it is from playing the lyre that both good and bad lyre-players are produced. And the corresponding statement is true of builders and of all the rest; men will be good or bad builders as a result of building well or badly. For if this were not so, there would have been no need of a teacher, but all men would have been born good or bad at their craft. This, then, is the case with the virtues also; by doing the acts that we do in our transactions with other men we become just or unjust, and by doing the acts that we do in the presence of danger, and being habituated to feel fear or confidence, we become brave or cowardly. The same is true of appetites and feelings of anger; some men become temperate and good-tempered, others self-indulgent and irascible, by behaving in one way or the other in the appropriate circumstances. Thus, in one word, states of character arise out of like activities. This is why the activities we exhibit must be of a certain kind; it is because the states of character correspond to the differences between these. It makes no small difference, then, whether we form habits of one kind or of another from our very youth; it makes a very great difference, or rather all the difference.

2

...

But though our present account is of this nature we must give what help we can. First, then, let us consider this, that it is the nature of such things to be destroyed by defect and excess, as we see in the case of strength and of health (for to gain light on things imperceptible we must use the evidence of sensible things); both excessive and defective exercise destroys the strength, and similarly

drink or food which is above or below a certain amount destroys the health, while that which is proportionate both produces and increases and preserves it. So too is it, then, in the case of temperance and courage and the other virtues. For the man who flies from and fears everything and does not stand his ground against anything becomes a coward, and the man who fears nothing at all but goes to meet every danger becomes rash; and similarly the man who indulges in every pleasure and abstains from none becomes self-indulgent, while the man who shuns every pleasure, as boors do, becomes in a way insensible; temperance and courage, then, are destroyed by excess and defect, and preserved by the mean.

5

Next we must consider what virtue is. Since things that are found in the soul are of three kinds- passions, faculties, states of character, virtue must be one of these. By passions I mean appetite, anger, fear, confidence, envy, joy, friendly feeling, hatred, longing, emulation, pity, and in general the feelings that are accompanied by pleasure or pain; by faculties the things in virtue of which we are said to be capable of feeling these, e.g. of becoming angry or being pained or feeling pity; by states of character the things in virtue of which we stand well or badly with reference to the passions, e.g. with reference to anger we stand badly if we feel it violently or too weakly, and well if we feel it moderately; and similarly with reference to the other passions.

Now neither the virtues nor the vices are passions, because we are not called good or bad on the ground of our passions, but are so called on the ground of our virtues and our vices, and because we are neither praised nor blamed for our passions (for the man who feels fear or anger is not praised, nor is the man who simply feels anger blamed, but the man who feels it in a certain way), but for our virtues and our vices we are praised or blamed.

Again, we feel anger and fear without choice, but the virtues are modes of choice or involve choice. Further, in respect of the passions we are said to be moved, but in respect of the virtues

and the vices we are said not to be moved but to be disposed in a particular way.

For these reasons also they are not faculties; for we are neither called good nor bad, nor praised nor blamed, for the simple capacity of feeling the passions; again, we have the faculties by nature, but we are not made good or bad by nature; we have spoken of this before. If, then, the virtues are neither passions nor faculties, all that remains is that they should be states of character.

6. Christian Virtue Ethics

Book of Genesis—Story of Adam and Eve

One of the key aspects to understanding how ethics functions in Western Countries is to make connections with the heritage of religious virtue ethics. In that vein we will look here at the Christian Bible and particularly the story of Adam and Eve at the beginning of the *Book of Genesis*. This story, seemingly simple and straightforward, sits at the root of much modern discussion of ethics. One way to think about this is that virtue ethics depends upon an internal set of beliefs instead of an external series of social rules. One key question we can ask: how effective are these internal rules (even if mandated by a God) at governing human behaviour.

2:6 But there went up a mist from the earth, and watered the whole face of the ground.

2:7 And the LORD God formed man of the dust of the ground, and breathed into his nostrils the breath of life; and man became a living soul.

2:8 And the LORD God planted a garden eastward in Eden; and there he put the man whom he had formed.

2:9 And out of the ground made the LORD God to grow every tree that is pleasant to the sight, and good for food; the tree of life also in the midst of the garden, and the tree of knowledge of good and evil.

2:10 And a river went out of Eden to water the garden; and from thence it was parted, and became into four heads.

2:11 The name of the first is Pison: that is it which compasseth the whole land of Havilah, where there is gold; 2:12 And the gold of that land is good: there is bdellium and the onyx stone.

2:13 And the name of the second river is Gihon: the same is it that compasseth the whole land of Ethiopia.

2:14 And the name of the third river is Hiddekel: that is it which goeth toward the east of Assyria. And the fourth river is Euphrates.

2:15 And the LORD God took the man, and put him into the garden of Eden to dress it and to keep it.

2:16 And the LORD God commanded the man, saying, Of every tree of the garden thou mayest freely eat: 2:17 But of the tree of the knowledge of good and evil, thou shalt not eat of it: for in the day that thou eatest thereof thou shalt surely die.

2:18 And the LORD God said, It is not good that the man should be alone; I will make him an help meet for him.

2:19 And out of the ground the LORD God formed every beast of the field, and every fowl of the air; and brought them unto Adam to see what he would call them: and whatsoever Adam called every living creature, that was the name thereof.

2:20 And Adam gave names to all cattle, and to the fowl of the air, and to every beast of the field; but for Adam there was not found an help meet for him.

2:21 And the LORD God caused a deep sleep to fall upon Adam, and he slept: and he took one of his ribs, and closed up the flesh instead thereof; 2:22 And the rib, which the LORD God had taken from man, made he a woman, and brought her unto the man.

2:23 And Adam said, This is now bone of my bones, and flesh of my flesh: she shall be called Woman, because she was taken out of Man.

2:24 Therefore shall a man leave his father and his mother, and shall cleave unto his wife: and they shall be one flesh.

2:25 And they were both naked, the man and his wife, and were not ashamed.

3:1 Now the serpent was more subtil than any beast of the field which the LORD God had made. And he said unto the woman, Yea, hath God said, Ye shall not eat of every tree of the garden? 3:2 And the woman said unto the serpent, We may eat of the fruit of the trees of the garden: 3:3 But of the fruit of the tree which is in the midst of the garden, God hath said, Ye shall not eat of it, neither shall ye touch it, lest ye die.

3:4 And the serpent said unto the woman, Ye shall not surely die: 3:5 For God doth know that in the day ye eat thereof, then your eyes shall be opened, and ye shall be as gods, knowing good and evil.

3:6 And when the woman saw that the tree was good for food, and that it was pleasant to the eyes, and a tree to be desired to make one wise, she took of the fruit thereof, and did eat, and gave also unto her husband with her; and he did eat.

3:7 And the eyes of them both were opened, and they knew that they were naked; and they sewed fig leaves together, and made themselves aprons.

3:8 And they heard the voice of the LORD God walking in the garden in the cool of the day: and Adam and his wife hid themselves from the presence of the LORD God amongst the trees of the garden.

3:9 And the LORD God called unto Adam, and said unto him, Where art thou? 3:10 And he said, I heard thy voice in the garden, and I was afraid, because I was naked; and I hid myself.

3:11 And he said, Who told thee that thou wast naked? Hast thou eaten of the tree, whereof I commanded thee that thou shouldest not eat? 3:12 And the man said, The woman whom thou gavest to be with me, she gave me of the tree, and I did eat.

3:13 And the LORD God said unto the woman, What is this that thou hast done? And the woman said, The serpent beguiled me, and I did eat.

3:14 And the LORD God said unto the serpent, Because thou hast done this, thou art cursed above all cattle, and above every beast of the field; upon thy belly shalt thou go, and dust shalt thou eat all the days of thy life: 3:15 And I will put enmity between thee and the woman, and between thy seed and her seed; it shall bruise thy head, and thou shalt bruise his heel.

3:16 Unto the woman he said, I will greatly multiply thy sorrow and thy conception; in sorrow thou shalt bring forth children; and thy desire shall be to thy husband, and he shall rule over thee.

3:17 And unto Adam he said, Because thou hast hearkened unto the voice of thy wife, and hast eaten of the tree, of which I commanded thee, saying, Thou shalt not eat of it: cursed is the ground for thy sake; in sorrow shalt thou eat of it all the days of thy life; 3:18 Thorns also and thistles shall it bring forth to thee; and thou

shalt eat the herb of the field; 3:19 In the sweat of thy face shalt thou eat bread, till thou return unto the ground; for out of it wast thou taken: for dust thou art, and unto dust shalt thou return.

3:20 And Adam called his wife's name Eve; because she was the mother of all living.

3:21 Unto Adam also and to his wife did the LORD God make coats of skins, and clothed them.

3:22 And the LORD God said, Behold, the man is become as one of us, to know good and evil: and now, lest he put forth his hand, and take also of the tree of life, and eat, and live for ever: 3:23 Therefore the LORD God sent him forth from the garden of Eden, to till the ground from whence he was taken.

3:24 So he drove out the man; and he placed at the east of the garden of Eden Cherubims, and a flaming sword which turned every way, to keep the way of the tree of life.

PART III

UTILITARIANISM

In this part we discuss the ethics of utility.

7. Narrative Ethics: A Utilitarian Fable

The Ones Who Walk Away From Omelas

From The Wind's Twelve Quarters: Short Stories by Ursula Le Guin

With a clamor of bells that set the swallows soaring, the Festival of Summer came to the city Omelas, bright-towered by the sea. The rigging of the boats in harbor sparkled with flags. In the streets between houses with red roofs and painted walls, between old moss-grown gardens and under avenues of trees, past great parks and public buildings, processions moved. Some were decorous: old people in long stiff robes of mauve and grey, grave master workmen, quiet, merry women carrying their babies and chatting as they walked. In other streets the music beat faster, a shimmering of gong and tambourine, and the people went dancing, the procession was a dance. Children dodged in and out, their high calls rising like the swallows' crossing flights, over the music and the singing. All the processions wound towards the north side of the city, where on the great water-meadow called the Green' Fields boys and girls, naked in the bright air, with mud- stained feet and ankles and long, lithe arms, exercised their restive horses before the race. The horses wore no gear at all but a halter without bit. Their manes were braided with streamers of silver, gold, and green. They flared their nostrils and pranced and boasted to one another; they were vastly excited, the horse being the only animal who has adopted our ceremonies as his own. Far off to the north and west the mountains stood up half encircling Omelas on her bay. The air of morning was so clear that the snow still crowning the Eighteen Peaks burned with white-gold fire across the miles of sunlit air, under the dark

blue of the sky. There was just enough wind to make the banners that marked the racecourse snap and flutter now and then. In the silence of the broad green meadows one could hear the music winding through the city streets, farther and nearer and ever approaching, a cheerful faint sweetness of the air that from time to time trembled and gathered together and broke out into the great joyous clanging of the bells.

Joyous! How is one to tell about joy? How describe the citizens of Omelas?

They were not simple folk, you see, though they were happy. But we do not say the words of cheer much any more. All smiles have become archaic. Given a description such as this one tends to make certain assumptions. Given a description such as this one tends to look next for the King, mounted on a splendid stallion and surrounded by his noble knights, or perhaps in a golden litter borne by great-muscled slaves. But there was no king. They did not use swords, or keep slaves. They were not barbarians. I do not know the rules and laws of their society, but I suspect that they were singularly few. As they did without monarchy and slavery, so they also got on without the stock exchange, the advertisement, the secret police, and the bomb. Yet I repeat that these were not simple folk, not dulcet shepherds, noble savages, bland utopians. They were not less complex than us. The trouble is that we have a bad habit, encouraged by pedants and sophisticates, of considering happiness as something rather stupid. Only pain is intellectual, only evil interesting. This is the treason of the artist: a refusal to admit the banality of evil and the terrible boredom of pain. If you can't lick 'em, join 'em. If it hurts, repeat it. But to praise despair is to condemn delight, to embrace violence is to lose hold of everything else. We have almost lost hold; we can no longer describe a happy man, nor make any celebration of joy. How can I tell you about the people of Omelas? They were not naive and happy children – though their children were, in fact, happy. They were mature, intelligent, passionate adults whose lives were not wretched. O miracle! but I wish I could describe it better. I wish I could convince you.

Omelas sounds in my words like a city in a fairy tale, long ago and far away, once upon a time. Perhaps it would be best if you imagined it as your own fancy bids, assuming it will rise to the occasion, for certainly I cannot suit you all. For instance, how about technology? I think that there would be no cars or helicopters in and above the streets; this follows from the fact that the people of Omelas are happy people. Happiness is based on a just discrimination of what is necessary, what is neither necessary nor destructive, and what is destructive. In the middle category, however – that of the unnecessary but undestructive, that of comfort, luxury, exuberance, etc. – they could perfectly well have central heating, subway trains, washing machines, and all kinds of marvelous devices not yet invented here, floating light-sources, fuelless power, a cure for the common cold. Or they could have none of that: it doesn't matter. As you like it. I incline to think that people from towns up and down the coast have been coming in to Omelas during the last days before the Festival on very fast little trains and double-decked trams, and that the train station of Omelas is actually the handsomest building in town, though plainer than the magnificent Farmers' Market. But even granted trains, I fear that Omelas so far strikes some of you as goody-goody. Smiles, bells, parades, horses, bleh. If so, please add an orgy. If an orgy would help, don't hesitate. Let us not, however, have temples from which issue beautiful nude priests and priestesses already half in ecstasy and ready to copulate with any man or woman, lover or stranger who desires union with the deep godhead of the blood, although that was my first idea. But really it would be better not to have any temples in Omelas – at least, not manned temples. Religion yes, clergy no. Surely the beautiful nudes can just wander about, offering themselves like divine souffles to the hunger of the needy and the rapture of the flesh. Let them join the processions. Let tambourines be struck above the copulations, and the glory of desire be proclaimed upon the gongs, and (a not unimportant point) let the offspring of these delightful rituals be beloved and looked after by all. One thing I know there is none of in Omelas is guilt. But what else should there be? I thought at first

there were no drugs, but that is puritanical. For those who like it, the faint insistent sweetness of drooz may perfume the ways of the city, drooz which first brings a great lightness and brilliance to the mind and limbs, and then after some hours a dreamy languor, and wonderful visions at last of the very arcana and inmost secrets of the Universe, as well as exciting the pleasure of sex beyond all belief; and it is not habit-forming. For more modest tastes I think there ought to be beer. What else, what else belongs in the joyous city? The sense of victory, surely, the celebration of courage. But as we did without clergy, let us do without soldiers. The joy built upon successful slaughter is not the right kind of joy; it will not do; it is fearful and it is trivial. A boundless and generous contentment, a magnanimous triumph felt not against some outer enemy but in communion with the finest and fairest in the souls of all men everywhere and the splendor of the world's summer; this is what swells the hearts of the people of Omelas, and the victory they celebrate is that of life. I really don't think many of them need to take drooz.

Most of the processions have reached the Green Fields by now. A marvelous smell of cooking goes forth from the red and blue tents of the provisioners. The faces of small children are amiably sticky; in the benign grey beard of a man a couple of crumbs of rich pastry are entangled. The youths and girls have mounted their horses and are beginning to group around the starting line of the course. An old woman, small, fat, and laughing, is passing out flowers from a basket, and tall young men, wear her flowers in their shining hair. A child of nine or ten sits at the edge of the crowd, alone, playing on a wooden flute. People pause to listen, and they smile, but they do not speak to him, for he never ceases playing and never sees them, his dark eyes wholly rapt in the sweet, thin magic of the tune.

He finishes, and slowly lowers his hands holding the wooden flute.

As if that little private silence were the signal, all at once a trumpet sounds from the pavilion near the starting line: imperious, melancholy, piercing. The horses rear on their slender legs, and some of them neigh in answer. Sober-faced, the young riders stroke

the horses' necks and soothe them, whispering, "Quiet, quiet, there my beauty, my hope. . . ." They begin to form in rank along the starting line. The crowds along the racecourse are like a field of grass and flowers in the wind. The Festival of Summer has begun.

Do you believe? Do you accept the festival, the city, the joy? No? Then let me describe one more thing.

In a basement under one of the beautiful public buildings of Omelas, or perhaps in the cellar of one of its spacious private homes, there is a room. It has one locked door, and no window. A little light seeps in dustily between cracks in the boards, secondhand from a cobwebbed window somewhere across the cellar. In one corner of the little room a couple of mops, with stiff, clotted, foul-smelling heads, stand near a rusty bucket. The floor is dirt, a little damp to the touch, as cellar dirt usually is. The room is about three paces long and two wide: a mere broom closet or disused tool room. In the room a child is sitting. It could be a boy or a girl. It looks about six, but actually is nearly ten. It is feeble-minded. Perhaps it was born defective or perhaps it has become imbecile through fear, malnutrition, and neglect. It picks its nose and occasionally fumbles vaguely with its toes or genitals, as it sits haunched in the corner farthest from the bucket and the two mops. It is afraid of the mops. It finds them horrible. It shuts its eyes, but it knows the mops are still standing there; and the door is locked; and nobody will come. The door is always locked; and nobody ever comes, except that sometimes-the child has no understanding of time or interval – sometimes the door rattles terribly and opens, and a person, or several people, are there. One of them may come and kick the child to make it stand up. The others never come close, but peer in at it with frightened, disgusted eyes. The food bowl and the water jug are hastily filled, the door is locked, the eyes disappear. The people at the door never say anything, but the child, who has not always lived in the tool room, and can remember sunlight and its mother's voice, sometimes speaks. "I will be good," it says. "Please let me out. I will be good!" They never answer. The child used to scream for help at night, and cry a good deal, but now it only makes a kind

of whining, “eh-haa, eh-haa,” and it speaks less and less often. It is so thin there are no calves to its legs; its belly protrudes; it lives on a half-bowl of corn meal and grease a day. It is naked. Its buttocks and thighs are a mass of festered sores, as it sits in its own excrement continually.

They all know it is there, all the people of Omelas. Some of them have come to see it, others are content merely to know it is there. They all know that it has to be there. Some of them understand why, and some do not, but they all understand that their happiness, the beauty of their city, the tenderness of their friendships, the health of their children, the wisdom of their scholars, the skill of their makers, even the abundance of their harvest and the kindly weathers of their skies, depend wholly on this child’s abominable misery.

This is usually explained to children when they are between eight and twelve, whenever they seem capable of understanding; and most of those who come to see the child are young people, though often enough an adult comes, or comes back, to see the child. No matter how well

the matter has been explained to them, these young spectators are always shocked and sickened at the sight. They feel disgust, which they had thought themselves superior to. They feel anger, outrage, impotence, despite all the explanations. They would like to do something for the child. But there is nothing they can do. If the child were brought up into the sunlight out of that vile place, if it were cleaned and fed and comforted, that would be a good thing, indeed; but if it were done, in that day and hour all the prosperity and beauty and delight of Omelas would wither and be destroyed. Those are the terms. To exchange all the goodness and grace of every life in Omelas for that single, small improvement: to throw away the happiness of thousands for the chance of the happiness of one: that would be to let guilt within the walls indeed.

The terms are strict and absolute; there may not even be a kind word spoken to the child.

Often the young people go home in tears, or in a tearless rage, when they have seen the child and faced this terrible paradox.

They may brood over it for weeks or years. But as time goes on they begin to realize that even if the child could be released, it would not get much good of its freedom: a little vague pleasure of warmth and food, no doubt, but little more. It is too degraded and imbecile to know any real joy. It has been afraid too long ever to be free of fear. Its habits are too uncouth for it to respond to humane treatment. Indeed, after so long it would probably be wretched without walls about it to protect it, and darkness for its eyes, and its own excrement to sit in. Their tears at the bitter injustice dry when they begin to perceive the terrible justice of reality, and to accept it. Yet it is their tears and anger, the trying of their generosity and the acceptance of their helplessness, which are perhaps the true source of the splendor of their lives. There is no vapid, irresponsible happiness. They know that they, like the child, are not free. They know compassion. It is the existence of the child, and their knowledge of its existence, that makes possible the nobility of their architecture, the poignancy of their music, the profundity of their science. It is because of the child that they are so gentle with children. They know that if the wretched one were not there snivelling in the dark, the other one, the flute-player, could make no joyful music as the young riders line up in their beauty for the race in the sunlight of the first morning of summer.

Now do you believe in them? Are they not more credible? But there is one more thing to tell, and this is quite incredible.

At times one of the adolescent girls or boys who go to see the child does not go home to weep or rage, does not, in fact, go home at all. Sometimes also a man or woman much older falls silent for a day or two, and then leaves home. These people go out into the street, and walk down the street alone. They keep walking, and walk straight out of the city of Omelas, through the beautiful gates. They keep walking across the farmlands of Omelas. Each one goes alone, youth or girl man or woman. Night falls; the traveler must pass down village streets, between the houses with yellow-lit windows, and on out into the darkness of the fields. Each alone, they go west or north, towards the mountains. They go on. They leave Omelas, they

walk ahead into the darkness, and they do not come back. The place they go towards is a place even less imaginable to most of us than the city of happiness. I cannot describe it at all. It is possible that it does not exist. But they seem to know where they are going, the ones who walk away from Omelas.

8. Bentham and Mill

Jeremy Bentham

From *The Principle of Utility*

Chapter I

I.1

I. Nature has placed mankind under the governance of two sovereign masters, pain and pleasure. It is for them alone to point out what we ought to do, as well as to determine what we shall do. On the one hand the standard of right and wrong, on the other the chain of causes and effects, are fastened to their throne. They govern us in all we do, in all we say, in all we think: every effort we can make to throw off our subjection, will serve but to demonstrate and confirm it. In words a man may pretend to abjure their empire: but in reality he will remain subject to it all the while. The principle of utility recognizes this subjection, and assumes it for the foundation of that system, the object of which is to rear the fabric of felicity by the hands of reason and of law. Systems which attempt to question it, deal in sounds instead of sense, in caprice instead of reason, in darkness instead of light.

I.2

But enough of metaphor and declamation: it is not by such means that moral science is to be improved.

I.3

II. The principle of utility is the foundation of the present work: it will be proper therefore at the outset to give an explicit and determinate account of what is meant by it. By the principle of utility is meant that principle which approves or disapproves of every action whatsoever, according to the tendency it appears to

have to augment or diminish the happiness of the party whose interest is in question: or, what is the same thing in other words, to promote or to oppose that happiness. I say of every action whatsoever, and therefore not only of every action of a private individual, but of every measure of government.

I.4

III. By utility is meant that property in any object, whereby it tends to produce benefit, advantage, pleasure, good, or happiness, (all this in the present case comes to the same thing) or (what comes again to the same thing) to prevent the happening of mischief, pain, evil, or unhappiness to the party whose interest is considered: if that party be the community in general, then the happiness of the community: if a particular individual, then the happiness of that individual.

I.5

IV. The interest of the community is one of the most general expressions that can occur in the phraseology of morals: no wonder that the meaning of it is often lost. When it has a meaning, it is this. The community is a fictitious body, composed of the individual persons who are considered as constituting as it were its members. The interest of the community then is, what?—the sum of the interests of the several members who compose it.

I.6

V. It is in vain to talk of the interest of the community, without understanding what is the interest of the individual. A thing is said to promote the interest, or to be for the interest, of an individual, when it tends to add to the sum total of his pleasures: or, what comes to the same thing, to diminish the sum total of his pains.

I.7

VI. An action then may be said to be conformable to the principle of utility, or, for shortness sake, to utility, (meaning with respect to the community at large) when the tendency it has to augment the happiness of the community is greater than any it has to diminish it.

I.8

VII. A measure of government (which is but a particular kind of

action, performed by a particular person or persons) may be said to be conformable to or dictated by the principle of utility, when in like manner the tendency which it has to augment the happiness of the community is greater than any which it has to diminish it.

I.9

VIII. When an action, or in particular a measure of government, is supposed by a man to be conformable to the principle of utility, it may be convenient, for the purposes of discourse, to imagine a kind of law or dictate, called a law or dictate of utility: and to speak of the action in question, as being conformable to such law or dictate.

I.10

IX. A man may be said to be a partizan of the principle of utility, when the approbation or disapprobation he annexes to any action, or to any measure, is determined by and proportioned to the tendency which he conceives it to have to augment or to diminish the happiness of the community: or in other words, to its conformity or unconformity to the laws or dictates of utility.

I.11

X. Of an action that is conformable to the principle of utility one may always say either that it is one that ought to be done, or at least that it is not one that ought not to be done. One may say also, that it is right it should be done; at least that it is not wrong it should be done: that it is a right action; at least that it is not a wrong action. When thus interpreted, the words ought, and right and wrong and others of that stamp, have a meaning: when otherwise, they have none.

John Stuart Mill

On Higher and Lower Pleasures

It is quite compatible with the principle of utility to recognise the fact, that some kinds of pleasure are more desirable and more valuable than others. It would be absurd that while, in estimating all other things, quality is considered as well as quantity, the estimation of pleasures should be supposed to depend on quantity alone.

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

Now it is an unquestionable fact that those who are equally acquainted with, and equally capable of appreciating and enjoying, both, do give a most marked preference to the manner of existence which employs their higher faculties. Few human creatures would consent to be changed into any of the lower animals, for a promise of the fullest allowance of a beast's pleasures; no intelligent human being would consent to be a fool, no instructed person would be an ignoramus, no person of feeling and conscience would be selfish and base, even though they should be persuaded that the fool, the dunce, or the rascal is better satisfied with his lot than they are with theirs. They would not resign what they possess more than he for the most complete satisfaction of all the desires which they have in common with him. If they ever fancy they would, it is only in cases of unhappiness so extreme, that to escape from it they would exchange their lot for almost any other, however undesirable in their own eyes. A being of higher faculties requires more to

make him happy, is capable probably of more acute suffering, and certainly accessible to it at more points, than one of an inferior type; but in spite of these liabilities, he can never really wish to sink into what he feels to be a lower grade of existence. We may give what explanation we please of this unwillingness; we may attribute it to pride, a name which is given indiscriminately to some of the most and to some of the least estimable feelings of which mankind are capable: we may refer it to the love of liberty and personal independence, an appeal to which was with the Stoics one of the most effective means for the inculcation of it; to the love of power, or to the love of excitement, both of which do really enter into and contribute to it: but its most appropriate appellation is a sense of dignity, which all human beings possess in one form or other, and in some, though by no means in exact, proportion to their higher faculties, and which is so essential a part of the happiness of those in whom it is strong, that nothing which conflicts with it could be, otherwise than momentarily, an object of desire to them.

Whoever supposes that this preference takes place at a sacrifice of happiness- that the superior being, in anything like equal circumstances, is not happier than the inferior- confounds the two very different ideas, of happiness, and content. It is indisputable that the being whose capacities of enjoyment are low, has the greatest chance of having them fully satisfied; and a highly endowed being will always feel that any happiness which he can look for, as the world is constituted, is imperfect. But he can learn to bear its imperfections, if they are at all bearable; and they will not make him envy the being who is indeed unconscious of the imperfections, but only because he feels not at all the good which those imperfections qualify. It is better to be a human being dissatisfied than a pig satisfied; better to be Socrates dissatisfied than a fool satisfied. And if the fool, or the pig, are a different opinion, it is because they only know their own side of the question. The other party to the comparison knows both sides.

It may be objected, that many who are capable of the higher pleasures, occasionally, under the influence of temptation,

postpone them to the lower. But this is quite compatible with a full appreciation of the intrinsic superiority of the higher. Men often, from infirmity of character, make their election for the nearer good, though they know it to be the less valuable; and this no less when the choice is between two bodily pleasures, than when it is between bodily and mental. They pursue sensual indulgences to the injury of health, though perfectly aware that health is the greater good.

It may be further objected, that many who begin with youthful enthusiasm for everything noble, as they advance in years sink into indolence and selfishness. But I do not believe that those who undergo this very common change, voluntarily choose the lower description of pleasures in preference to the higher. I believe that before they devote themselves exclusively to the one, they have already become incapable of the other. Capacity for the nobler feelings is in most natures a very tender plant, easily killed, not only by hostile influences, but by mere want of sustenance; and in the majority of young persons it speedily dies away if the occupations to which their position in life has devoted them, and the society into which it has thrown them, are not favourable to keeping that higher capacity in exercise. Men lose their high aspirations as they lose their intellectual tastes, because they have not time or opportunity for indulging them; and they addict themselves to inferior pleasures, not because they deliberately prefer them, but because they are either the only ones to which they have access, or the only ones which they are any longer capable of enjoying. It may be questioned whether any one who has remained equally susceptible to both classes of pleasures, ever knowingly and calmly preferred the lower; though many, in all ages, have broken down in an ineffectual attempt to combine both.

From this verdict of the only competent judges, I apprehend there can be no appeal. On a question which is the best worth having of two pleasures, or which of two modes of existence is the most grateful to the feelings, apart from its moral attributes and from its consequences, the judgment of those who are qualified by knowledge of both, or, if they differ, that of the majority among

them, must be admitted as final. And there needs be the less hesitation to accept this judgment respecting the quality of pleasures, since there is no other tribunal to be referred to even on the question of quantity. What means are there of determining which is the acutest of two pains, or the intensest of two pleasurable sensations, except the general suffrage of those who are familiar with both? Neither pains nor pleasures are homogeneous, and pain is always heterogeneous with pleasure. What is there to decide whether a particular pleasure is worth purchasing at the cost of a particular pain, except the feelings and judgment of the experienced? When, therefore, those feelings and judgment declare the pleasures derived from the higher faculties to be preferable in kind, apart from the question of intensity, to those of which the animal nature, disjoined from the higher faculties, is susceptible, they are entitled on this subject to the same regard.

I have dwelt on this point, as being a necessary part of a perfectly just conception of Utility or Happiness, considered as the directive rule of human conduct. But it is by no means an indispensable condition to the acceptance of the utilitarian standard; for that standard is not the agent's own greatest happiness, but the greatest amount of happiness altogether; and if it may possibly be doubted whether a noble character is always the happier for its nobleness, there can be no doubt that it makes other people happier, and that the world in general is immensely a gainer by it. Utilitarianism, therefore, could only attain its end by the general cultivation of nobleness of character, even if each individual were only benefited by the nobleness of others, and his own, so far as happiness is concerned, were a sheer deduction from the benefit. But the bare enunciation of such an absurdity as this last, renders refutation superfluous.

According to the Greatest Happiness Principle, as above explained, the ultimate end, with reference to and for the sake of which all other things are desirable (whether we are considering our own good or that of other people), is an existence exempt as far as possible from pain, and as rich as possible in enjoyments,

both in point of quantity and quality; the test of quality, and the rule for measuring it against quantity, being the preference felt by those who in their opportunities of experience, to which must be added their habits of self-consciousness and self-observation, are best furnished with the means of comparison. This, being, according to the utilitarian opinion, the end of human action, is necessarily also the standard of morality; which may accordingly be defined, the rules and precepts for human conduct, by the observance of which an existence such as has been described might be, to the greatest extent possible, secured to all mankind; and not to them only, but, so far as the nature of things admits, to the whole sentient creation.

Against this doctrine, however, arises another class of objectors, who say that happiness, in any form, cannot be the rational purpose of human life and action; because, in the first place, it is unattainable: and they contemptuously ask, what right hast thou to be happy? a question which Mr. Carlyle clenches by the addition, What right, a short time ago, hadst thou even to be? Next, they say, that men can do without happiness; that all noble human beings have felt this, and could not have become noble but by learning the lesson of *Entsagen*, or renunciation; which lesson, thoroughly learnt and submitted to, they affirm to be the beginning and necessary condition of all virtue.

The first of these objections would go to the root of the matter were it well founded; for if no happiness is to be had at all by human beings, the attainment of it cannot be the end of morality, or of any rational conduct. Though, even in that case, something might still be said for the utilitarian theory; since utility includes not solely the pursuit of happiness, but the prevention or mitigation of unhappiness; and if the former aim be chimerical, there will be all the greater scope and more imperative need for the latter, so long at least as mankind think fit to live, and do not take refuge in the simultaneous act of suicide recommended under certain conditions by Novalis. When, however, it is thus positively asserted to be impossible that human life should be happy, the assertion, if not something like a verbal quibble, is at least an exaggeration. If by

happiness be meant a continuity of highly pleasurable excitement, it is evident enough that this is impossible. A state of exalted pleasure lasts only moments, or in some cases, and with some intermissions, hours or days, and is the occasional brilliant flash of enjoyment, not its permanent and steady flame. Of this the philosophers who have taught that happiness is the end of life were as fully aware as those who taunt them. The happiness which they meant was not a life of rapture; but moments of such, in an existence made up of few and transitory pains, many and various pleasures, with a decided predominance of the active over the passive, and having as the foundation of the whole, not to expect more from life than it is capable of bestowing. A life thus composed, to those who have been fortunate enough to obtain it, has always appeared worthy of the name of happiness. And such an existence is even now the lot of many, during some considerable portion of their lives. The present wretched education, and wretched social arrangements, are the only real hindrance to its being attainable by almost all.

...

In a world in which there is so much to interest, so much to enjoy, and so much also to correct and improve, every one who has this moderate amount of moral and intellectual requisites is capable of an existence which may be called enviable; and unless such a person, through bad laws, or subjection to the will of others, is denied the liberty to use the sources of happiness within his reach, he will not fail to find this enviable existence, if he escape the positive evils of life, the great sources of physical and mental suffering- such as indigence, disease, and the unkindness, worthlessness, or premature loss of objects of affection. The main stress of the problem lies, therefore, in the contest with these calamities, from which it is a rare good fortune entirely to escape; which, as things now are, cannot be obviated, and often cannot be in any material degree mitigated. Yet no one whose opinion deserves a moment's consideration can doubt that most of the great positive evils of the world are in themselves removable, and will, if human affairs continue to improve, be in the end reduced within narrow

limits. Poverty, in any sense implying suffering, may be completely extinguished by the wisdom of society, combined with the good sense and providence of individuals. Even that most intractable of enemies, disease, may be indefinitely reduced in dimensions by good physical and moral education, and proper control of noxious influences; while the progress of science holds out a promise for the future of still more direct conquests over this detestable foe. And every advance in that direction relieves us from some, not only of the chances which cut short our own lives, but, what concerns us still more, which deprive us of those in whom our happiness is wrapt up. As for vicissitudes of fortune, and other disappointments connected with worldly circumstances, these are principally the effect either of gross imprudence, of ill-regulated desires, or of bad or imperfect social institutions.

All the grand sources, in short, of human suffering are in a great degree, many of them almost entirely, conquerable by human care and effort; and though their removal is grievously slow- though a long succession of generations will perish in the breach before the conquest is completed, and this world becomes all that, if will and knowledge were not wanting, it might easily be made- yet every mind sufficiently intelligent and generous to bear a part, however small and unobtrusive, in the endeavour, will draw a noble enjoyment from the contest itself, which he would not for any bribe in the form of selfish indulgence consent to be without.

And this leads to the true estimation of what is said by the objectors concerning the possibility, and the obligation, of learning to do without happiness. Unquestionably it is possible to do without happiness; it is done involuntarily by nineteen-twentieths of mankind, even in those parts of our present world which are least deep in barbarism; and it often has to be done voluntarily by the hero or the martyr, for the sake of something which he prizes more than his individual happiness. But this something, what is it, unless the happiness of others or some of the requisites of happiness? It is noble to be capable of resigning entirely one's own portion of happiness, or chances of it: but, after all, this self-sacrifice must be

for some end; it is not its own end; and if we are told that its end is not happiness, but virtue, which is better than happiness, I ask, would the sacrifice be made if the hero or martyr did not believe that it would earn for others immunity from similar sacrifices? Would it be made if he thought that his renunciation of happiness for himself would produce no fruit for any of his fellow creatures, but to make their lot like his, and place them also in the condition of persons who have renounced happiness? All honour to those who can abnegate for themselves the personal enjoyment of life, when by such renunciation they contribute worthily to increase the amount of happiness in the world; but he who does it, or professes to do it, for any other purpose, is no more deserving of admiration than the ascetic mounted on his pillar. He may be an inspiring proof of what men can do, but assuredly not an example of what they should.

PART IV

DEONTOLOGY & KANTIAN ETHICS

Here we discuss the idea of moral duty and how Immanuel Kant created the ethics of deontology.

9. The Trolley Problem & The Prisoner's Dilemma

The Trolley Problem

this version from: [The Trolley Problem](#)

Imagine you are standing beside some tram tracks. In the distance, you spot a runaway trolley hurtling down the tracks towards five workers who cannot hear it coming. Even if they do spot it, they won't be able to move out of the way in time.

As this disaster looms, you glance down and see a lever connected to the tracks. You realise that if you pull the lever, the tram will be diverted down a second set of tracks away from the five unsuspecting workers.

However, down this side track is one lone worker, just as oblivious as his colleagues.

So, would you pull the lever, leading to one death but saving five?

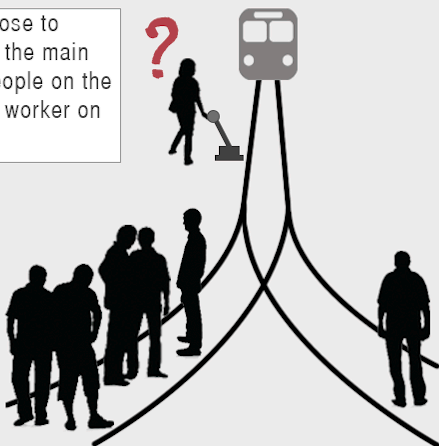
This is the crux of the classic thought experiment known as the trolley dilemma, developed by philosopher Philippa Foot in 1967 and adapted by Judith Jarvis Thomson in 1985.

The trolley dilemma allows us to think through the consequences of an action and consider whether its moral value is determined solely by its outcome.

The trolley dilemma has since proven itself to be a remarkably flexible tool for probing our moral intuitions, and has been adapted to apply to various other scenarios, such as war, torture, drones, abortion and euthanasia.

The trolley problem

The person can choose to divert the tram from the main track, saving five people on the track, but killing the worker on the other track.



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Variations

Now consider now the second variation of this dilemma.

Imagine you are standing on a footbridge above the tram tracks. You can see the runaway trolley hurtling towards the five unsuspecting workers, but there's no lever to divert it.


However, there is large man standing next to you on the footbridge. You're confident that his bulk would stop the tram in its tracks.

So, would you push the man on to the tracks, sacrificing him in order to stop the tram and thereby saving five others?

The footbridge dilemma

The person on the bridge can choose to push the large person onto the track, thereby killing that person but potentially stopping the tram and saving the five people further down the track.



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The outcome of this scenario is identical to the one with the lever diverting the trolley onto another track: one person dies; five people live. The interesting thing is that, while most people would throw the lever, very few would approve of pushing the fat man off the footbridge.

Thompson and other philosophers have given us other variations on the trolley dilemma that are also scarily entertaining. Some don't even include trolleys.

Imagine you are a doctor and you have five patients who all need transplants in order to live. Two each require one lung, another two each require a kidney and the fifth needs a heart.

In the next ward is another individual recovering from a broken leg. But other than their knitting bones, they're perfectly healthy. So, would you kill the healthy patient and harvest their organs to save five others?

Again, the consequences are the same as the first dilemma, but

most people would utterly reject the notion of killing the healthy patient.

Actions, Intentions and Consequences

If all the dilemmas above have the same consequence, yet most people would only be willing to throw the lever, but not push the fat man or kill the healthy patient, does that mean our moral intuitions are not always reliable, logical or consistent?

Perhaps there's another factor beyond the consequences that influences our moral intuitions?

Foot argued that there's a distinction between killing and letting die. The former is active while the latter is passive.

In the first trolley dilemma, the person who pulls the lever is saving the life of the five workers and letting the one person die. After all, pulling the lever does not inflict direct harm on the person on the side track.

But in the footbridge scenario, pushing the fat man over the side is an intentional act of killing.

This is sometimes described as the [principle of double effect](#), which states that it's permissible to indirectly cause harm (as a side or "double" effect) if the action promotes an even greater good. However, it's not permissible to directly cause harm, even in the pursuit of a greater good.

Thompson offered a different perspective. She argued that moral theories that judge the permissibility of an action based on its consequences alone, such as [consequentialism or utilitarianism](#), cannot explain why some actions that cause killings are permissible while others are not.

If we consider that everyone has equal rights, then we would be doing something wrong in sacrificing one even if our intention was to save five.

[Research done by neuroscientists](#) has investigated which parts of the brain were activated when people considered the first two variations of the trolley dilemma.

They noted that the first version activates our logical, rational mind and thus if we decided to pull the lever it was because we intended to save a larger number of lives.

However, when we consider pushing the bystander, our emotional reasoning becomes involved and we therefore *feel* differently about killing one in order to save five.

Are our emotions in this instance leading us to the correct action? Should we avoid sacrificing one, even if it is to save five?

Real World Dilemmas

[The trolley dilemma and its variations](#) demonstrate that most people approve of some actions that cause harm, yet other actions with the same outcome are not considered permissible.

Not everyone answers the dilemmas in the same way, and even when people agree, they may vary in their justification of the action they defend.

These thought experiments have been used to stimulate discussion about the difference between killing versus letting die, and have even appeared, in one form or another, in popular culture, such as the film [Eye In The Sky](#).

The Prisoners' Dilemma

By Avinash Dixit and Barry Nalebuff

The prisoners' dilemma is the best-known game of strategy in social science. It helps us understand what governs the balance between cooperation and [competition](#) in business, in politics, and in social settings.

In the traditional version of the game, the police have arrested two suspects and are interrogating them in separate rooms. Each can either confess, thereby implicating the other, or keep silent. No matter what the other suspect does, each can improve his own position by confessing. If the other confesses, then one had better do the same to avoid the especially harsh sentence that awaits a recalcitrant holdout. If the other keeps silent, then one can obtain the favorable treatment accorded a state's witness by confessing. Thus, confession is the dominant strategy (see [game theory](#)) for each. But when both confess, the outcome is worse for both than when both keep silent. The concept of the prisoners' dilemma was developed by RAND Corporation scientists Merrill Flood and Melvin Dresher and was formalized by Albert W. Tucker, a Princeton mathematician.

The prisoners' dilemma has applications to economics and business. Consider two firms, say Coca-Cola and Pepsi, selling similar products. Each must decide on a pricing strategy. They best exploit their joint market power when both charge a high price; each makes a profit of ten million dollars per month. If one sets a competitive low price, it wins a lot of customers away from the rival. Suppose its profit rises to twelve million dollars, and that of the rival falls to seven million. If both set low prices, the profit of each is nine million dollars. Here, the low-price strategy is akin to the prisoner's confession, and the high-price akin to keeping silent. Call the former cheating, and the latter cooperation. Then cheating

is each firm's dominant strategy, but the result when both "cheat" is worse for each than that of both cooperating.

Arms races between superpowers or local rival nations offer another important example of the dilemma. Both countries are better off when they cooperate and avoid an arms race. Yet the dominant strategy for each is to arm itself heavily.

On a superficial level the prisoners' dilemma appears to run counter to [Adam Smith](#)'s idea of the invisible hand. When each person in the game pursues his private interest, he does not promote the collective interest of the group. But often a group's cooperation is not in the interests of society as a whole. Collusion to keep prices high, for example, is not in society's interest because the cost to consumers from collusion is generally more than the increased profit of the firms. Therefore companies that pursue their own self-interest by cheating on collusive agreements often help the rest of society. Similarly, cooperation among prisoners under interrogation makes convictions more difficult for the police to obtain. One must understand the mechanism of cooperation before one can either promote or defeat it in the pursuit of larger policy interests.

Can "prisoners" extricate themselves from the dilemma and sustain cooperation when each has a powerful incentive to cheat? If so, how? The most common path to cooperation arises from repetitions of the game. In the Coke-Pepsi example, one month's cheating gets the cheater an extra two million dollars. But a switch from mutual cooperation to mutual cheating loses one million dollars. If one month's cheating is followed by two months' retaliation, therefore, the result is a wash for the cheater. Any stronger punishment of a cheater would be a clear deterrent.

The following five points elaborate on the idea:

1. *The cheater's reward comes at once, while the loss from punishment*

lies in the future. If players heavily discount future payoffs, then the loss may be insufficient to deter cheating. Thus, cooperation is harder to sustain among very impatient players (governments, for example).

2. Punishment will not work unless cheating can be detected and punished. Therefore, companies cooperate more when their actions are more easily detected (setting prices, for example) and less when actions are less easily detected (deciding on nonprice attributes of goods, such as repair warranties). Punishment is usually easier to arrange in smaller and closed groups. Thus, industries with few firms and less threat of new entry are more likely to be collusive.

3. Punishment can be made automatic by following strategies like “tit for tat.” This idea was popularized by University of Michigan political scientist Robert Axelrod. Here, you cheat if and only if your rival cheated in the previous round. But if rivals’ innocent actions can be misinterpreted as cheating, then tit for tat runs the risk of setting off successive rounds of unwarranted retaliation.

4. A fixed, finite number of repetitions is logically inadequate to yield cooperation. Both or all players know that cheating is the dominant strategy in the last play. Given this, the same goes for the second-last play, then the third-last, and so on. But in practice we see some cooperation in the early rounds of a fixed set of repetitions. The reason may be either that players do not know the number of rounds for sure, or that they can exploit the possibility of “irrational niceness” to their mutual advantage.

5. Cooperation can also arise if the group has a large leader, who personally stands to lose a lot from outright competition and therefore exercises restraint, even though he knows that other small players will

cheat. Saudi Arabia's role of "swing producer" in the [opec](#) cartel is an instance of this.

10. Kant

Groundwork of the Metaphysics of Morals (selections)

Nothing can possibly be conceived in the world, or even out of it, which can be called good, without qualification, except a good will. Intelligence, wit, judgement, and the other talents of the mind, however they may be named, or courage, resolution, perseverance, as qualities of temperament, are undoubtedly good and desirable in many respects; but these gifts of nature may also become extremely bad and mischievous if the will which is to make use of them, and which, therefore, constitutes what is called character, is not good. It is the same with the gifts of fortune. Power, riches, honour, even health, and the general well-being and contentment with one's condition which is called happiness, inspire pride, and often presumption, if there is not a good will to correct the influence of these on the mind, and with this also to rectify the whole principle of acting and adapt it to its end. The sight of a being who is not adorned with a single feature of a pure and good will, enjoying unbroken prosperity, can never give pleasure to an impartial rational spectator. Thus a good will appears to constitute the indispensable condition even of being worthy of happiness...

A good will is good not because of what it performs or effects, not by its aptness for the attainment of some proposed end, but simply by virtue of the volition; that is, it is good in itself, and considered by itself is to be esteemed much higher than all that can be brought about by it in favour of any inclination, nay even of the sum total of all inclinations. Even if it should happen that, owing to special disfavour of fortune, or the niggardly provision of a step-motherly nature, this will should wholly lack power to accomplish its purpose, if with its greatest efforts it should yet achieve nothing, and there

should remain only the good will (not, to be sure, a mere wish, but the summoning of all means in our power), then, like a jewel, it would still shine by its own light, as a thing which has its whole value in itself. Its usefulness or fruitlessness can neither add nor take away anything from this value. It would be, as it were, only the setting to enable us to handle it the more conveniently in common commerce, or to attract to it the attention of those who are not yet connoisseurs, but not to recommend it to true connoisseurs, or to determine its value...

We have then to develop the notion of a will which deserves to be highly esteemed for itself and is good without a view to anything further, a notion which exists already in the sound natural understanding, requiring rather to be cleared up than to be taught, and which in estimating the value of our actions always takes the first place and constitutes the condition of all the rest. In order to do this, we will take the notion of duty, which includes that of a good will, although implying certain subjective restrictions and hindrances. These, however, far from concealing it, or rendering it unrecognizable, rather bring it out by contrast and make it shine forth so much the brighter.

I omit here all actions which are already recognized as inconsistent with duty, although they may be useful for this or that purpose, for with these the question whether they are done from duty cannot arise at all, since they even conflict with it. I also set aside those actions which really conform to duty, but to which men have no direct inclination, performing them because they are impelled thereto by some other inclination. For in this case we can readily distinguish whether the action which agrees with duty is done from duty, or from a selfish view. It is much harder to make this distinction when the action accords with duty and the subject has besides a direct inclination to it. For example, it is always a matter of duty that a dealer should not over charge an inexperienced purchaser; and wherever there is much commerce the prudent tradesman does not overcharge, but keeps a fixed price for everyone, so that a child buys of him as well as any other. Men

are thus honestly served; but this is not enough to make us believe that the tradesman has so acted from duty and from principles of honesty: his own advantage required it; it is out of the question in this case to suppose that he might besides have a direct inclination in favour of the buyers, so that, as it were, from love he should give no advantage to one over another. Accordingly the action was done neither from duty nor from direct inclination, but merely with a selfish view.

On the other hand, it is a duty to maintain one's life; and, in addition, everyone has also a direct inclination to do so. But on this account the often anxious care which most men take for it has no intrinsic worth, and their maxim has no moral import. They preserve their life as duty requires, no doubt, but not because duty requires. On the other hand, if adversity and hopeless sorrow have completely taken away the relish for life; if the unfortunate one, strong in mind, indignant at his fate rather than desponding or dejected, wishes for death, and yet preserves his life without loving it- not from inclination or fear, but from duty- then his maxim has a moral worth.

To be beneficent when we can is a duty; and besides this, there are many minds so sympathetically constituted that, without any other motive of vanity or self-interest, they find a pleasure in spreading joy around them and can take delight in the satisfaction of others so far as it is their own work. But I maintain that in such a case an action of this kind, however proper, however amiable it may be, has nevertheless no true moral worth, but is on a level with other inclinations, e.g., the inclination to honour, which, if it is happily directed to that which is in fact of public utility and accordant with duty and consequently honourable, deserves praise and encouragement, but not esteem. For the maxim lacks the moral import, namely, that such actions be done from duty, not from inclination. Put the case that the mind of that philanthropist were clouded by sorrow of his own, extinguishing all sympathy with the lot of others, and that, while he still has the power to benefit others in distress, he is not touched by their trouble because he is absorbed

with his own; and now suppose that he tears himself out of this dead insensibility, and performs the action without any inclination to it, but simply from duty, then first has his action its genuine moral worth. Further still; if nature has put little sympathy in the heart of this or that man; if he, supposed to be an upright man, is by temperament cold and indifferent to the sufferings of others, perhaps because in respect of his own he is provided with the special gift of patience and fortitude and supposes, or even requires, that others should have the same- and such a man would certainly not be the meanest product of nature- but if nature had not specially framed him for a philanthropist, would he not still find in himself a source from whence to give himself a far higher worth than that of a good-natured temperament could be? Unquestionably. It is just in this that the moral worth of the character is brought out which is incomparably the highest of all, namely, that he is beneficent, not from inclination, but from duty.

To secure one's own happiness is a duty, at least indirectly; for discontent with one's condition, under a pressure of many anxieties and amidst unsatisfied wants, might easily become a great temptation to transgression of duty. But here again, without looking to duty, all men have already the strongest and most intimate inclination to happiness, because it is just in this idea that all inclinations are combined in one total. But the precept of happiness is often of such a sort that it greatly interferes with some inclinations, and yet a man cannot form any definite and certain conception of the sum of satisfaction of all of them which is called happiness. It is not then to be wondered at that a single inclination, definite both as to what it promises and as to the time within which it can be gratified, is often able to overcome such a fluctuating idea, and that a gouty patient, for instance, can choose to enjoy what he likes, and to suffer what he may, since, according to his calculation, on this occasion at least, he has not sacrificed the enjoyment of the present moment to a possibly mistaken expectation of a happiness which is supposed to be found in health. But even in this case, if the general desire for happiness did not influence his will, and

supposing that in his particular case health was not a necessary element in this calculation, there yet remains in this, as in all other cases, this law, namely, that he should promote his happiness not from inclination but from duty, and by this would his conduct first acquire true moral worth.

It is in this manner, undoubtedly, that we are to understand those passages of Scripture also in which we are commanded to love our neighbour, even our enemy. For love, as an affection, cannot be commanded, but beneficence for duty's sake may; even though we are not impelled to it by any inclination- nay, are even repelled by a natural and unconquerable aversion. This is practical love and not pathological- a love which is seated in the will, and not in the propensions of sense- in principles of action and not of tender sympathy; and it is this love alone which can be commanded.

The second proposition is: That an action done from duty derives its moral worth, not from the purpose which is to be attained by it, but from the maxim by which it is determined, and therefore does not depend on the realization of the object of the action, but merely on the principle of volition by which the action has taken place, without regard to any object of desire. It is clear from what precedes that the purposes which we may have in view in our actions, or their effects regarded as ends and springs of the will, cannot give to actions any unconditional or moral worth. In what, then, can their worth lie, if it is not to consist in the will and in reference to its expected effect? It cannot lie anywhere but in the principle of the will without regard to the ends which can be attained by the action...

The third proposition, which is a consequence of the two preceding, I would express thus: Duty is the necessity of acting from respect for the law. I may have inclination for an object as the effect of my proposed action, but I cannot have respect for it, just for this reason, that it is an effect and not an energy of will. Similarly I cannot have respect for inclination, whether my own or another's; I can at most, if my own, approve it; if another's, sometimes even love it; i.e., look on it as favourable to my own interest. It is only

what is connected with my will as a principle, by no means as an effect- what does not subserve my inclination, but overpowers it, or at least in case of choice excludes it from its calculation- in other words, simply the law of itself, which can be an object of respect, and hence a command. Now an action done from duty must wholly exclude the influence of inclination and with it every object of the will, so that nothing remains which can determine the will except objectively the law, and subjectively pure respect for this practical law, and consequently the maxim * that I should follow this law even to the thwarting of all my inclinations...

Thus the moral worth of an action does not lie in the effect expected from it, nor in any principle of action which requires to borrow its motive from this expected effect. For all these effects- agreeableness of one's condition and even the promotion of the happiness of others- could have been also brought about by other causes, so that for this there would have been no need of the will of a rational being; whereas it is in this alone that the supreme and unconditional good can be found...I am never to act otherwise than so that I could also will that my maxim should become a universal law...Let the question be, for example: May I when in distress make a promise with the intention not to keep it? I readily distinguish here between the two significations which the question may have: Whether it is prudent, or whether it is right, to make a false promise?...But it is soon clear to me that such a maxim will still only be based on the fear of consequences. Now it is a wholly different thing to be truthful from duty and to be so from apprehension of injurious consequences. In the first case, the very notion of the action already implies a law for me; in the second case, I must first look about elsewhere to see what results may be combined with it which would affect myself. For to deviate from the principle of duty is beyond all doubt wicked; but to be unfaithful to my maxim of prudence may often be very advantageous to me, although to abide by it is certainly safer. The shortest way, however, and an unerring one, to discover the answer to this question whether a lying promise is consistent with duty, is to ask myself,

“Should I be content that my maxim (to extricate myself from difficulty by a false promise) should hold good as a universal law, for myself as well as for others?” and should I be able to say to myself, “Every one may make a deceitful promise when he finds himself in a difficulty from which he cannot otherwise extricate himself?” Then I presently become aware that while I can will the lie, I can by no means will that lying should be a universal law. For with such a law there would be no promises at all, since it would be in vain to allege my intention in regard to my future actions to those who would not believe this allegation, or if they over hastily did so would pay me back in my own coin. Hence my maxim, as soon as it should be made a universal law, would necessarily destroy itself.

I do not, therefore, need any far-reaching penetration to discern what I have to do in order that my will may be morally good. Inexperienced in the course of the world, incapable of being prepared for all its contingencies, I only ask myself: Canst thou also will that thy maxim should be a universal law? If not, then it must be rejected, and that not because of a disadvantage accruing from it to myself or even to others, but because it cannot enter as a principle into a possible universal legislation, and reason extorts from me immediate respect for such legislation. I do not indeed as yet discern on what this respect is based (this the philosopher may inquire), but at least I understand this, that it is an estimation of the worth which far outweighs all worth of what is recommended by inclination, and that the necessity of acting from pure respect for the practical law is what constitutes duty, to which every other motive must give place, because it is the condition of a will being good in itself, and the worth of such a will is above everything.

Thus, then, without quitting the moral knowledge of common human reason, we have arrived at its principle. And although, no doubt, common men do not conceive it in such an abstract and universal form, yet they always have it really before their eyes and use it as the standard of their decision. Here it would be easy to show how, with this compass in hand, men are well able to distinguish, in every case that occurs, what is good, what bad,

conformably to duty or inconsistent with it, if, without in the least teaching them anything new, we only, like Socrates, direct their attention to the principle they themselves employ; and that, therefore, we do not need science and philosophy to know what we should do to be honest and good, yea, even wise and virtuous. Indeed we might well have conjectured beforehand that the knowledge of what every man is bound to do, and therefore also to know, would be within the reach of every man, even the commonest. Here we cannot forbear admiration when we see how great an advantage the practical judgement has over the theoretical in the common understanding of men. In the latter, if common reason ventures to depart from the laws of experience and from the perceptions of the senses, it falls into mere inconceivabilities and self-contradictions, at least into a chaos of uncertainty, obscurity, and instability. But in the practical sphere it is just when the common understanding excludes all sensible springs from practical laws that its power of judgement begins to show itself to advantage. It then becomes even subtle, whether it be that it chicanes with its own conscience or with other claims respecting what is to be called right, or whether it desires for its own instruction to determine honestly the worth of actions; and, in the latter case, it may even have as good a hope of hitting the mark as any philosopher whatever can promise himself. Nay, it is almost more sure of doing so, because the philosopher cannot have any other principle, while he may easily perplex his judgement by a multitude of considerations foreign to the matter, and so turn aside from the right way. Would it not therefore be wiser in moral concerns to acquiesce in the judgement of common reason, or at most only to call in philosophy for the purpose of rendering the system of morals more complete and intelligible, and its rules more convenient for use (especially for disputation), but not so as to draw off the common understanding from its happy simplicity, or to bring it by means of philosophy into a new path of inquiry and instruction?

Innocence is indeed a glorious thing; only, on the other hand, it is very sad that it cannot well maintain itself and is easily seduced.

On this account even wisdom- which otherwise consists more in conduct than in knowledge- yet has need of science, not in order to learn from it, but to secure for its precepts admission and permanence. Against all the commands of duty which reason represents to man as so deserving of respect, he feels in himself a powerful counterpoise in his wants and inclinations, the entire satisfaction of which he sums up under the name of happiness. Now reason issues its commands unyieldingly, without promising anything to the inclinations, and, as it were, with disregard and contempt for these claims, which are so impetuous, and at the same time so plausible, and which will not allow themselves to be suppressed by any command. Hence there arises a natural dialectic, i.e., a disposition, to argue against these strict laws of duty and to question their validity, or at least their purity and strictness; and, if possible, to make them more accordant with our wishes and inclinations, that is to say, to corrupt them at their very source, and entirely to destroy their worth- a thing which even common practical reason cannot ultimately call good.

Thus is the common reason of man compelled to go out of its sphere, and to take a step into the field of a practical philosophy, not to satisfy any speculative want (which never occurs to it as long as it is content to be mere sound reason), but even on practical grounds, in order to attain in it information and clear instruction respecting the source of its principle, and the correct determination of it in opposition to the maxims which are based on wants and inclinations, so that it may escape from the perplexity of opposite claims and not run the risk of losing all genuine moral principles through the equivocation into which it easily falls. Thus, when practical reason cultivates itself, there insensibly arises in it a dialectic which forces it to seek aid in philosophy, just as happens to it in its theoretic use; and in this case, therefore, as well as in the other, it will find rest nowhere but in a thorough critical examination of our reason.

PART V

JUSTICE AND HUMAN RIGHTS

Here we discuss human and natural rights.

II. Plato on Justice

Plato

from The Republic Book II

Glaucon:

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

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

Now that those who practise justice do so involuntarily and because they have not the power to be unjust will best appear if we imagine something of this kind: having given both to the just and the unjust power to do what they will, let us watch and see whither desire will lead them; then we shall discover in the very act the just and unjust man to be proceeding along the same road, following their interest, which all natures deem to be their good,

and are only diverted into the path of justice by the force of law. The liberty which we are supposing may be most completely given to them in the form of such a power as is said to have been possessed by Gyges the ancestor of Croesus the Lydian. According to the tradition, Gyges was a shepherd in the service of the king of Lydia; there was a great storm, and an earthquake made an opening in the earth at the place where he was feeding his flock. Amazed at the sight, he descended into the opening, where, among other marvels, he beheld a hollow brazen horse, having doors, at which he stooping and looking in saw a dead body of stature, as appeared to him, more than human, and having nothing on but a gold ring; this he took from the finger of the dead and reascended. Now the shepherds met together, according to custom, that they might send their monthly report about the flocks to the king; into their assembly he came having the ring on his finger, and as he was sitting among them he chanced to turn the collet of the ring inside his hand, when instantly he became invisible to the rest of the company and they began to speak of him as if he were no longer present. He was astonished at this, and again touching the ring he turned the collet outwards and reappeared; he made several trials of the ring, and always with the same result-when he turned the collet inwards he became invisible, when outwards he reappeared. Whereupon he contrived to be chosen one of the messengers who were sent to the court; where as soon as he arrived he seduced the queen, and with her help conspired against the king and slew him, and took the kingdom. Suppose now that there were two such magic rings, and the just put on one of them and the unjust the other; no man can be imagined to be of such an iron nature that he would stand fast in justice. No man would keep his hands off what was not his own when he could safely take what he liked out of the market, or go into houses and lie with any one at his pleasure, or kill or release from prison whom he would, and in all respects be like a God among men. Then the actions of the just would be as the actions of the unjust; they would both come at last to the same point. And this we may truly affirm to be a great proof that a man is just, not willingly or

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

Now, if we are to form a real judgment of the life of the just and unjust, we must isolate them; there is no other way; and how is the isolation to be effected? I answer: Let the unjust man be entirely unjust, and the just man entirely just; nothing is to be taken away from either of them, and both are to be perfectly furnished for the work of their respective lives. First, let the unjust be like other distinguished masters of craft; like the skilful pilot or physician, who knows intuitively his own powers and keeps within their limits, and who, if he fails at any point, is able to recover himself. So let the unjust make his unjust attempts in the right way, and lie hidden if he means to be great in his injustice (he who is found out is nobody): for the highest reach of injustice is: to be deemed just when you are not. Therefore I say that in the perfectly unjust man we must assume the most perfect injustice; there is to be no deduction, but we must allow him, while doing the most unjust acts, to have acquired the greatest reputation for justice. If he have taken a false step he must be able to recover himself; he must be one who can speak with effect, if any of his deeds come to light, and who can force his way where force is required his courage and strength, and command of money and friends. And at his side let us place the just man in his nobleness and simplicity, wishing, as Aeschylus says, to be and not to seem good. There must be no seeming, for if he seem to be just he will be honoured and rewarded, and then we shall not know whether he is just for the sake of justice or for the sake of honours

and rewards; therefore, let him be clothed in justice only, and have no other covering; and he must be imagined in a state of life the opposite of the former. Let him be the best of men, and let him be thought the worst; then he will have been put to the proof; and we shall see whether he will be affected by the fear of infamy and its consequences. And let him continue thus to the hour of death; being just and seeming to be unjust. When both have reached the uttermost extreme, the one of justice and the other of injustice, let judgment be given which of them is the happier of the two.

Socrates to Glaucon:

Heavens! my dear Glaucon, I said, how energetically you polish them up for the decision, first one and then the other, as if they were two statues.

I do my best, he said.

And now that we know what they are like there is no difficulty in tracing out the sort of life which awaits either of them. This I will proceed to describe; but as you may think the description a little too coarse, I ask you to suppose, Socrates, that the words which follow are not mine. –Let me put them into the mouths of the eulogists of injustice: They will tell you that the just man who is thought unjust will be scourged, racked, bound –will have his eyes burnt out; and, at last, after suffering every kind of evil, he will be impaled: Then he will understand that he ought to seem only, and not to be, just; the words of Aeschylus may be more truly spoken of the unjust than of the just. For the unjust is pursuing a reality; he does not live with a view to appearances –he wants to be really unjust and not to seem only:– His mind has a soil deep and fertile out of which spring his prudent counsels. In the first place, he is thought just, and therefore bears rule in the city; he can marry whom he will, and give in marriage to whom he will; also he can trade and deal where he likes, and always to his own advantage, because he has no misgivings about injustice and at every contest, whether in public or private, he gets the better of his antagonists, and gains at their expense, and is rich, and out of his gains he can benefit his friends, and harm his enemies; moreover, he can offer sacrifices, and dedicate gifts to the

gods abundantly and magnificently, and can honour the gods or any man whom he wants to honour in a far better style than the just, and therefore he is likely to be dearer than they are to the gods. And thus, Socrates, gods and men are said to unite in making the life of the unjust better than the life of the just.

Adeimantus to Socrates:

I was going to say something in answer to Glaucon, when Adeimantus, his brother, interposed: Socrates, he said, you do not suppose that there is nothing more to be urged?

Why, what else is there? I answered.

...

Glaucon and the rest entreated me by all means not to let the question drop, but to proceed in the investigation. They wanted to arrive at the truth, first, about the nature of justice and injustice, and secondly, about their relative advantages. I told them, what I really thought, that the enquiry would be of a serious nature, and would require very good eyes. Seeing then, I said, that we are no great wits, I think that we had better adopt a method which I may illustrate thus; suppose that a short-sighted person had been asked by some one to read small letters from a distance; and it occurred to some one else that they might be found in another place which was larger and in which the letters were larger –if they were the same and he could read the larger letters first, and then proceed to the lesser –this would have been thought a rare piece of good fortune.

Very true, said Adeimantus; but how does the illustration apply to our enquiry?

I will tell you, I replied; justice, which is the subject of our enquiry, is, as you know, sometimes spoken of as the virtue of an individual, and sometimes as the virtue of a State.

True, he replied.

And is not a State larger than an individual?

It is.

Then in the larger the quantity of justice is likely to be larger and more easily discernible. I propose therefore that we enquire into the nature of justice and injustice, first as they appear in the State, and

secondly in the individual, proceeding from the greater to the lesser and comparing them.

12. Hobbes: The State of Nature & The Social Contract

From *Leviathan* (1651)

Chapter XIV

Of the First and Second Natural Laws, and of Contracts

THE right of nature, which writers commonly call *jus naturale*, is the liberty each man hath to use his own power as he will himself for the preservation of his own nature; that is to say, of his own life; and consequently, of doing anything which, in his own judgement and reason, he shall conceive to be the aptest means thereunto.

By liberty is understood, according to the proper signification of the word, the absence of external impediments; which impediments may oft take away part of a man's power to do what he would, but cannot hinder him from using the power left him according as his judgement and reason shall dictate to him.

A law of nature, *lex naturalis*, is a precept, or general rule, found out by reason, by which a man is forbidden to do that which is destructive of his life, or taketh away the means of preserving the same, and to omit that by which he thinketh it may be best preserved. For though they that speak of this subject use to confound *jus* and *lex*, right and law, yet they ought to be distinguished, because right consisteth in liberty to do, or to forbear; whereas law determineth and bindeth to one of them: so

that law and right differ as much as obligation and liberty, which in one and the same matter are inconsistent.

And because the condition of man (as hath been declared in the precedent chapter) is a condition of war of every one against every one, in which case every one is governed by his own reason, and there is nothing he can make use of that may not be a help unto him in preserving his life against his enemies; it followeth that in such a condition every man has a right to every thing, even to one another's body. And therefore, as long as this natural right of every man to every thing endureth, there can be no security to any man, how strong or wise soever he be, of living out the time which nature ordinarily alloweth men to live. And consequently it is a precept, or general rule of reason: that every man ought to endeavour peace, as far as he has hope of obtaining it; and when he cannot obtain it, that he may seek and use all helps and advantages of war. The first branch of which rule containeth the first and fundamental law of nature, which is: to seek peace and follow it. The second, the sum of the right of nature, which is: by all means we can to defend ourselves.

From this fundamental law of nature, by which men are commanded to endeavour peace, is derived this second law: that a man be willing, when others are so too, as far forth as for peace and defence of himself he shall think it necessary, to lay down this right to all things; and be contented with so much liberty against other men as he would allow other men against himself. For as long as every man holdeth this right, of doing anything he liketh; so long are all men in the condition of war. But if other men will not lay down their right, as well as he, then there is no reason for anyone to divest himself of his: for that were to expose himself to prey, which no man is bound to, rather than to dispose himself to peace. This is that law of the gospel: Whatsoever you require that others should do to you, that do ye to them. And that law of all men, *quod tibi fieri non vis, alteri ne feceris*.

To lay down a man's right to anything is to divest himself of the liberty of hindering another of the benefit of his own right to the

same. For he that renounceth or passeth away his right giveth not to any other man a right which he had not before, because there is nothing to which every man had not right by nature, but only standeth out of his way that he may enjoy his own original right without hindrance from him, not without hindrance from another. So that the effect which redoundeth to one man by another man's defect of right is but so much diminution of impediments to the use of his own right original.

Right is laid aside, either by simply renouncing it, or by transferring it to another. By simply renouncing, when he cares not to whom the benefit thereof redoundeth. By transferring, when he intendeth the benefit thereof to some certain person or persons. And when a man hath in either manner abandoned or granted away his right, then is he said to be obliged, or bound, not to hinder those to whom such right is granted, or abandoned, from the benefit of it: and that he ought, and it is duty, not to make void that voluntary act of his own: and that such hindrance is injustice, and injury, as being *sine jure*; the right being before renounced or transferred. So that injury or injustice, in the controversies of the world, is somewhat like to that which in the disputations of scholars is called absurdity. For as it is there called an absurdity to contradict what one maintained in the beginning; so in the world it is called injustice, and injury voluntarily to undo that which from the beginning he had voluntarily done. The way by which a man either simply renounceth or transferreth his right is a declaration, or signification, by some voluntary and sufficient sign, or signs, that he doth so renounce or transfer, or hath so renounced or transferred the same, to him that accepteth it. And these signs are either words only, or actions only; or, as it happeneth most often, both words and actions. And the same are the bonds, by which men are bound and obliged: bonds that have their strength, not from their own nature (for nothing is more easily broken than a man's word), but from fear of some evil consequence upon the rupture.

Whensoever a man transferreth his right, or renounceth it, it is either in consideration of some right reciprocally transferred

to himself, or for some other good he hopeth for thereby. For it is a voluntary act: and of the voluntary acts of every man, the object is some good to himself. And therefore there be some rights which no man can be understood by any words, or other signs, to have abandoned or transferred. As first a man cannot lay down the right of resisting them that assault him by force to take away his life, because he cannot be understood to aim thereby at any good to himself. The same may be said of wounds, and chains, and imprisonment, both because there is no benefit consequent to such patience, as there is to the patience of suffering another to be wounded or imprisoned, as also because a man cannot tell when he seeth men proceed against him by violence whether they intend his death or not. And lastly the motive and end for which this renouncing and transferring of right is introduced is nothing else but the security of a man's person, in his life, and in the means of so preserving life as not to be weary of it. And therefore if a man by words, or other signs, seem to despoil himself of the end for which those signs were intended, he is not to be understood as if he meant it, or that it was his will, but that he was ignorant of how such words and actions were to be interpreted.

The mutual transferring of right is that which men call contract.

There is difference between transferring of right to the thing, the thing, and transferring or tradition, that is, delivery of the thing itself. For the thing may be delivered together with the translation of the right, as in buying and selling with ready money, or exchange of goods or lands, and it may be delivered some time after.

Again, one of the contractors may deliver the thing contracted for on his part, and leave the other to perform his part at some determinate time after, and in the meantime be trusted; and then the contract on his part is called pact, or covenant: or both parts may contract now to perform hereafter, in which cases he that is to perform in time to come, being trusted, his performance is called keeping of promise, or faith, and the failing of performance, if it be voluntary, violation of faith.

When the transferring of right is not mutual, but one of the

parties transferreth in hope to gain thereby friendship or service from another, or from his friends; or in hope to gain the reputation of charity, or magnanimity; or to deliver his mind from the pain of compassion; or in hope of reward in heaven; this is not contract, but gift, free gift, grace: which words signify one and the same thing.

Signs of contract are either express or by inference. Express are words spoken with understanding of what they signify: and such words are either of the time present or past; as, I give, I grant, I have given, I have granted, I will that this be yours: or of the future; as, I will give, I will grant, which words of the future are called promise.

Signs by inference are sometimes the consequence of words; sometimes the consequence of silence; sometimes the consequence of actions; sometimes the consequence of forbearing an action: and generally a sign by inference, of any contract, is whatsoever sufficiently argues the will of the contractor.

Words alone, if they be of the time to come, and contain a bare promise, are an insufficient sign of a free gift and therefore not obligatory. For if they be of the time to come, as, tomorrow I will give, they are a sign I have not given yet, and consequently that my right is not transferred, but remaineth till I transfer it by some other act. But if the words be of the time present, or past, as, I have given, or do give to be delivered tomorrow, then is my tomorrow's right given away today; and that by the virtue of the words, though there were no other argument of my will. And there is a great difference in the signification of these words, *volo hoc tuum esse cras*, and *cras dabo*; that is, between I will that this be thine tomorrow, and, I will give it thee tomorrow: for the word I will, in the former manner of speech, signifies an act of the will present; but in the latter, it signifies a promise of an act of the will to come: and therefore the former words, being of the present, transfer a future right; the latter, that be of the future, transfer nothing. But if there be other signs of the will to transfer a right besides words; then, though the gift be free, yet may the right be understood to pass by words of the future: as if a man propound a prize to him that comes first to the end of a race, the gift is free; and though the words be of the

future, yet the right passeth: for if he would not have his words so be understood, he should not have let them run.

In contracts the right passeth, not only where the words are of the time present or past, but also where they are of the future, because all contract is mutual translation, or change of right; and therefore he that promiseth only, because he hath already received the benefit for which he promiseth, is to be understood as if he intended the right should pass: for unless he had been content to have his words so understood, the other would not have performed his part first. And for that cause, in buying, and selling, and other acts of contract, a promise is equivalent to a covenant, and therefore obligatory.

He that performeth first in the case of a contract is said to merit that which he is to receive by the performance of the other, and he hath it as due. Also when a prize is propounded to many, which is to be given to him only that winneth, or money is thrown amongst many to be enjoyed by them that catch it; though this be a free gift, yet so to win, or so to catch, is to merit, and to have it as due. For the right is transferred in the propounding of the prize, and in throwing down the money, though it be not determined to whom, but by the event of the contention. But there is between these two sorts of merit this difference, that in contract I merit by virtue of my own power and the contractor's need, but in this case of free gift I am enabled to merit only by the benignity of the giver: in contract I merit at the contractor's hand that he should depart with his right; in this case of gift, I merit not that the giver should part with his right, but that when he has parted with it, it should be mine rather than another's. And this I think to be the meaning of that distinction of the Schools between *meritum congrui* and *meritum condigni*. For God Almighty, having promised paradise to those men, hoodwinked with carnal desires, that can walk through this world according to the precepts and limits prescribed by him, they say he that shall so walk shall merit paradise *ex congruo*. But because no man can demand a right to it by his own righteousness, or any other power in himself, but by the free grace of God only, they say no man can merit paradise *ex condigno*. This, I say, I think is the meaning

of that distinction; but because disputers do not agree upon the signification of their own terms of art longer than it serves their turn, I will not affirm anything of their meaning: only this I say; when a gift is given indefinitely, as a prize to be contended for, he that winneth meriteth, and may claim the prize as due.

If a covenant be made wherein neither of the parties perform presently, but trust one another, in the condition of mere nature (which is a condition of war of every man against every man) upon any reasonable suspicion, it is void: but if there be a common power set over them both, with right and force sufficient to compel performance, it is not void. For he that performeth first has no assurance the other will perform after, because the bonds of words are too weak to bridle men's ambition, avarice, anger, and other passions, without the fear of some coercive power; which in the condition of mere nature, where all men are equal, and judges of the justness of their own fears, cannot possibly be supposed. And therefore he which performeth first does but betray himself to his enemy, contrary to the right he can never abandon of defending his life and means of living.

But in a civil estate, where there a power set up to constrain those that would otherwise violate their faith, that fear is no more reasonable; and for that cause, he which by the covenant is to perform first is obliged so to do.

The cause of fear, which maketh such a covenant invalid, must be always something arising after the covenant made, as some new fact or other sign of the will not to perform, else it cannot make the covenant void. For that which could not hinder a man from promising ought not to be admitted as a hindrance of performing.

He that transferreth any right transferreth the means of enjoying it, as far as lieth in his power. As he that selleth land is understood to transfer the herbage and whatsoever grows upon it; nor can he that sells a mill turn away the stream that drives it. And they that give to a man the right of government in sovereignty are understood to give him the right of levying money to maintain soldiers, and of appointing magistrates for the administration of justice.

To make covenants with brute beasts is impossible, because not understanding our speech, they understand not, nor accept of any translation of right, nor can translate any right to another: and without mutual acceptance, there is no covenant.

To make covenant with God is impossible but by mediation of such as God speaketh to, either by revelation supernatural or by His lieutenants that govern under Him and in His name: for otherwise we know not whether our covenants be accepted or not. And therefore they that vow anything contrary to any law of nature, vow in vain, as being a thing unjust to pay such vow. And if it be a thing commanded by the law of nature, it is not the vow, but the law that binds them.

The matter or subject of a covenant is always something that falleth under deliberation, for to covenant is an act of the will; that is to say, an act, and the last act, of deliberation; and is therefore always understood to be something to come, and which judged possible for him that covenanteth to perform.

And therefore, to promise that which is known to be impossible is no covenant. But if that prove impossible afterwards, which before was thought possible, the covenant is valid and bindeth, though not to the thing itself, yet to the value; or, if that also be impossible, to the unfeigned endeavour of performing as much as is possible, for to more no man can be obliged.

Men are freed of their covenants two ways; by performing, or by being forgiven. For performance is the natural end of obligation, and forgiveness the restitution of liberty, as being a retransferring of that right in which the obligation consisted.

Covenants entered into by fear, in the condition of mere nature, are obligatory. For example, if I covenant to pay a ransom, or service for my life, to an enemy, I am bound by it. For it is a contract, wherein one receiveth the benefit of life; the other is to receive money, or service for it, and consequently, where no other law (as in the condition of mere nature) forbiddeth the performance, the covenant is valid. Therefore prisoners of war, if trusted with the payment of their ransom, are obliged to pay it: and if a weaker

prince make a disadvantageous peace with a stronger, for fear, he is bound to keep it; unless (as hath been said before) there ariseth some new and just cause of fear to renew the war. And even in Commonwealths, if I be forced to redeem myself from a thief by promising him money, I am bound to pay it, till the civil law discharge me. For whatsoever I may lawfully do without obligation, the same I may lawfully covenant to do through fear: and what I lawfully covenant, I cannot lawfully break.

A former covenant makes void a later. For a man that hath passed away his right to one man today hath it not to pass tomorrow to another: and therefore the later promise passeth no right, but is null.

A covenant not to defend myself from force, by force, is always void. For (as I have shown before) no man can transfer or lay down his right to save himself from death, wounds, and imprisonment, the avoiding whereof is the only end of laying down any right; and therefore the promise of not resisting force, in no covenant transferreth any right, nor is obliging. For though a man may covenant thus, unless I do so, or so, kill me; he cannot covenant thus, unless I do so, or so, I will not resist you when you come to kill me. For man by nature chooseth the lesser evil, which is danger of death in resisting, rather than the greater, which is certain and present death in not resisting. And this is granted to be true by all men, in that they lead criminals to execution, and prison, with armed men, notwithstanding that such criminals have consented to the law by which they are condemned.

A covenant to accuse oneself, without assurance of pardon, is likewise invalid. For in the condition of nature where every man is judge, there is no place for accusation: and in the civil state the accusation is followed with punishment, which, being force, a man is not obliged not to resist. The same is also true of the accusation of those by whose condemnation a man falls into misery; as of a father, wife, or benefactor. For the testimony of such an accuser, if it be not willingly given, is presumed to be corrupted by nature, and therefore not to be received: and where a man's testimony is not to

be credited, he is not bound to give it. Also accusations upon torture are not to be reputed as testimonies. For torture is to be used but as means of conjecture, and light, in the further examination and search of truth: and what is in that case confessed tendeth to the ease of him that is tortured, not to the informing of the torturers, and therefore ought not to have the credit of a sufficient testimony: for whether he deliver himself by true or false accusation, he does it by the right of preserving his own life.

The force of words being (as I have formerly noted) too weak to hold men to the performance of their covenants, there are in man's nature but two imaginable helps to strengthen it. And those are either a fear of the consequence of breaking their word, or a glory or pride in appearing not to need to break it. This latter is a generosity too rarely found to be presumed on, especially in the pursuers of wealth, command, or sensual pleasure, which are the greatest part of mankind. The passion to be reckoned upon is fear; whereof there be two very general objects: one, the power of spirits invisible; the other, the power of those men they shall therein offend. Of these two, though the former be the greater power, yet the fear of the latter is commonly the greater fear. The fear of the former is in every man his own religion, which hath place in the nature of man before civil society. The latter hath not so; at least not place enough to keep men to their promises, because in the condition of mere nature, the inequality of power is not discerned, but by the event of battle. So that before the time of civil society, or in the interruption thereof by war, there is nothing can strengthen a covenant of peace agreed on against the temptations of avarice, ambition, lust, or other strong desire, but the fear of that invisible power which they every one worship as God, and fear as a revenger of their perfidy. All therefore that can be done between two men not subject to civil power is to put one another to swear by the God he feareth: which swearing, or oath, is a form of speech, added to a promise, by which he that promiseth signifieth that unless he perform he renounceth the mercy of his God, or calleth to him for vengeance on himself. Such was the heathen form, Let Jupiter kill

me else, as I kill this beast. So is our form, I shall do thus, and thus, so help me God. And this, with the rites and ceremonies which every one useth in his own religion, that the fear of breaking faith might be the greater.

By this it appears that an oath taken according to any other form, or rite, than his that sweareth is in vain and no oath, and that there is no swearing by anything which the swearer thinks not God. For though men have sometimes used to swear by their kings, for fear, or flattery; yet they would have it thereby understood they attributed to them divine honour. And that swearing unnecessarily by God is but profaning of his name: and swearing by other things, as men do in common discourse, is not swearing, but an impious custom, gotten by too much vehemence of talking.

It appears also that the oath adds nothing to the obligation. For a covenant, if lawful, binds in the sight of God, without the oath, as much as with it; if unlawful, bindeth not at all, though it be confirmed with an oath.

13. John Locke

Second Treatise of Civil Government John Locke (1690)

CHAP. II. Of the State of Nature.

Sec.4. TO understand political power right, and derive it from its original, we must consider, what state all men are naturally in, and that is, a state of perfect freedom to order their actions, and dispose of their possessions and persons, as they think fit, within the bounds of the law of nature, without asking leave, or depending upon the will of any other man.

A state also of equality, wherein all the power and jurisdiction is reciprocal, no one having more than another; there being nothing more evident, than that creatures of the same species and rank, promiscuously born to all the same advantages of nature, and the use of the same faculties, should also be equal one amongst another without subordination or subjection, unless the lord and master of them all should, by any manifest declaration of his will, set one above another, and confer on him, by an evident and clear appointment, an undoubted right to dominion and sovereignty.

Sec.5. This equality of men by nature, the judicious Hooker looks

upon as so evident in itself, and beyond all question, that he makes it the foundation of that obligation to mutual love amongst men, on which he builds the duties they owe one another, and from whence he derives the great maxims of justice and charity. His words are,

“The like natural inducement hath brought men to know that it is no less their duty, to love others than themselves; for seeing those things which are equal, must needs all have one measure; if I cannot but wish to receive good, even as much at every man’s hands, as any man can wish unto his own soul, how should I look to have any part of my desire herein satisfied, unless myself be careful to satisfy the like desire, which is undoubtedly in other men, being of one and the same nature? To have any thing offered them repugnant to this desire, must needs in all respects grieve them as much as me; so that if I do harm, I must look to suffer, there being no reason that others should shew greater measure of love to me, than they have by me shewed unto them: my desire therefore to be loved of my equals in nature as much as possible may be, imposeth upon me a natural duty of bearing to them-ward fully the like affection; from which relation of equality between ourselves and them that are as ourselves, what several rules and canons natural reason hath drawn, for direction of life, no man is ignorant, Eccl. Pol. Lib. 1.”

Sec.6. But though this be a state of liberty, yet it is not a state of licence: though man in that state have an uncontrollable liberty to dispose of his person or possessions, yet he has not liberty to destroy himself, or so much as any creature in his possession, but where some nobler use than its bare preservation calls for it. The state of nature has a law of nature to govern it, which obliges every one: and reason, which is that law, teaches all mankind, who will but consult it, that being all equal and independent, no one ought to harm another in his life, health, liberty, or possessions: for men being all the workmanship of one omnipotent, and infinitely wise maker; all the servants of one sovereign master, sent into the world by his order, and about his business; they are his property, whose workmanship they are, made to last during his, not one another’s pleasure: and being furnished with like faculties, sharing

all in one community of nature, there cannot be supposed any such subordination among us, that may authorize us to destroy one another, as if we were made for one another's uses, as the inferior ranks of creatures are for our's. Every one, as he is bound to preserve himself, and not to quit his station wilfully, so by the like reason, when his own preservation comes not in competition, ought he, as much as he can, to preserve the rest of mankind, and may not, unless it be to do justice on an offender, take away, or impair the life, or what tends to the preservation of the life, the liberty, health, limb, or goods of another.

Sec.7. And that all men may be restrained from invading others rights, and from doing hurt to one another, and the law of nature be observed, which willeth the peace and preservation of all mankind, the execution of the law of nature is, in that state, put into every man's hands, whereby every one has a right to punish the transgressors of that law to such a degree, as may hinder its violation: for the law of nature would, as all other laws that concern men in this world 'be in vain, if there were no body that in the state of nature had a power to execute that law, and thereby preserve the innocent and restrain offenders. And if any one in the state of nature may punish another for any evil he has done, every one may do so: for in that state of perfect equality, where naturally there is no superiority or jurisdiction of one over another, what any may do in prosecution of that law, every one must needs have a right to do.

Sec.8. And thus, in the state of nature, one man comes by a power over another; but yet no absolute or arbitrary power, to use a criminal, when he has got him in his hands, according to the passionate heats, or boundless extravagancy of his own will; but only to retribute to him, so far as calm reason and conscience dictate, what is proportionate to his transgression, which is so much as may serve for reparation and restraint: for these two are the only reasons, why one man may lawfully do harm to another, which is that we call punishment. In transgressing the law of nature, the offender declares himself to live by another rule than that of reason and common equity, which is that measure God has set to the

actions of men, for their mutual security; and so he becomes dangerous to mankind, the tie, which is to secure them from injury and violence, being slighted and broken by him. Which being a trespass against the whole species, and the peace and safety of it, provided for by the law of nature, every man upon this score, by the right he hath to preserve mankind in general, may restrain, or where it is necessary, destroy things noxious to them, and so may bring such evil on any one, who hath transgressed that law, as may make him repent the doing of it, and thereby deter him, and by his example others, from doing the like mischief. And in the case, and upon this ground, EVERY MAN HATH A RIGHT TO PUNISH THE OFFENDER, AND BE EXECUTIONER OF THE LAW OF NATURE.

Sec.9. I doubt not but this will seem a very strange doctrine to some men: but before they condemn it, I desire them to resolve me, by what right any prince or state can put to death, or punish an alien, for any crime he commits in their country. It is certain their laws, by virtue of any sanction they receive from the promulgated will of the legislative, reach not a stranger: they speak not to him, nor, if they did, is he bound to hearken to them. The legislative authority, by which they are in force over the subjects of that commonwealth, hath no power over him. Those who have the supreme power of making laws in England, France or Holland, are to an Indian, but like the rest of the world, men without authority: and therefore, if by the law of nature every man hath not a power to punish offences against it, as he soberly judges the case to require, I see not how the magistrates of any community can punish an alien of another country; since, in reference to him, they can have no more power than what every man naturally may have over another.

Sec.10. Besides the crime which consists in violating the law, and varying from the right rule of reason, whereby a man so far becomes degenerate, and declares himself to quit the principles of human nature, and to be a noxious creature, there is commonly injury done to some person or other, and some other man receives damage by his transgression: in which case he who hath received any damage, has, besides the right of punishment common to him with other

men, a particular right to seek reparation from him that has done it: and any other person, who finds it just, may also join with him that is injured, and assist him in recovering from the offender so much as may make satisfaction for the harm he has suffered.

Sec.11. From these two distinct rights, the one of punishing the crime for restraint, and preventing the like offence, which right of punishing is in every body; the other of taking reparation, which belongs only to the injured party, comes it to pass that the magistrate, who by being magistrate hath the common right of punishing put into his hands, can often, where the public good demands not the execution of the law, remit the punishment of criminal offences by his own authority, but yet cannot remit the satisfaction due to any private man for the damage he has received. That, he who has suffered the damage has a right to demand in his own name, and he alone can remit: the damnified person has this power of appropriating to himself the goods or service of the offender, by right of self-preservation, as every man has a power to punish the crime, to prevent its being committed again, by the right he has of preserving all mankind, and doing all reasonable things he can in order to that end: and thus it is, that every man, in the state of nature, has a power to kill a murderer, both to deter others from doing the like injury, which no reparation can compensate, by the example of the punishment that attends it from every body, and also to secure men from the attempts of a criminal, who having renounced reason, the common rule and measure God hath given to mankind, hath, by the unjust violence and slaughter he hath committed upon one, declared war against all mankind, and therefore may be destroyed as a lion or a tyger, one of those wild savage beasts, with whom men can have no society nor security: and upon this is grounded that great law of nature, Whoso sheddeth man's blood, by man shall his blood be shed. And Cain was so fully convinced, that every one had a right to destroy such a criminal, that after the murder of his brother, he cries out, Every one that findeth me, shall slay me; so plain was it writ in the hearts of all mankind.

Sec.12. By the same reason may a man in the state of nature punish the lesser breaches of that law. It will perhaps be demanded, with death? I answer, each transgression may be punished to that degree, and with so much severity, as will suffice to make it an ill bargain to the offender, give him cause to repent, and terrify others from doing the like. Every offence, that can be committed in the state of nature, may in the state of nature be also punished equally, and as far forth as it may, in a commonwealth: for though it would be besides my present purpose, to enter here into the particulars of the law of nature, or its measures of punishment; yet, it is certain there is such a law, and that too, as intelligible and plain to a rational creature, and a studier of that law, as the positive laws of commonwealths; nay, possibly plainer; as much as reason is easier to be understood, than the fancies and intricate contrivances of men, following contrary and hidden interests put into words; for so truly are a great part of the municipal laws of countries, which are only so far right, as they are founded on the law of nature, by which they are to be regulated and interpreted.

Sec.13. To this strange doctrine, viz. That in the state of nature every one has the executive power of the law of nature, I doubt not but it will be objected, that it is unreasonable for men to be judges in their own cases, that selflove will make men partial to themselves and their friends: and on the other side, that ill nature, passion and revenge will carry them too far in punishing others; and hence nothing but confusion and disorder will follow, and that therefore God hath certainly appointed government to restrain the partiality and violence of men. I easily grant, that civil government is the proper remedy for the inconveniencies of the state of nature, which must certainly be great, where men may be judges in their own case, since it is easy to be imagined, that he who was so unjust as to do his brother an injury, will scarce be so just as to condemn himself for it: but I shall desire those who make this objection, to remember, that absolute monarchs are but men; and if government is to be the remedy of those evils, which necessarily follow from men's being judges in their own cases, and the state of nature is therefore not

to how much better it is than the state of nature, where one man, commanding a multitude, has the liberty to be judge in his own case, and may do to all his subjects whatever he pleases, without the least liberty to any one to question or controul those who execute his pleasure and in whatsoever he cloth, whether led by reason, mistake or passion, must be submitted to much better it is in the state of nature, wherein men are not bound to submit to the unjust will of another: and if he that judges, judges amiss in his own, or any other case, he is answerable for it to the rest of mankind.

Sec.14. It is often asked as a mighty objection, where are, or ever were there any men in such a state of nature? To which it may suffice as an answer at present, that since all princes and rulers of independent governments all through the world, are in a state of nature, it is plain the world never was, nor ever will be, without numbers of men in that state. I have named all governors of independent communities, whether they are, or are not, in league with others: for it is not every compact that puts an end to the state of nature between men, but only this one of agreeing together mutually to enter into one community, and make one body politic; other promises, and compacts, men may make one with another, and yet still be in the state of nature. The promises and bargains for truck, &c. between the two men in the desert island, mentioned by Garcilasso de la Vega, in his history of Peru; or between a Swiss and an Indian, in the woods of America, are binding to them, though they are perfectly in a state of nature, in reference to one another: for truth and keeping of faith belongs to men, as men, and not as members of society.

Sec.15. To those that say, there were never any men in the state of nature, I will not only oppose the authority of the judicious Hooker, Eccl. Pol. lib. i. sect. 10, where he says, The laws which have been hitherto mentioned, i.e. the laws of nature, do bind men absolutely, even as they are men, although they have never any settled fellowship, never any solemn agreement amongst themselves what to do, or not to do: but forasmuch as we are not by ourselves sufficient to furnish ourselves with competent store of things,

needful for such a life as our nature doth desire, a life fit for the dignity of man; therefore to supply those defects and imperfections which are in us, as living single and solely by ourselves, we are naturally induced to seek communion and fellowship with others: this was the cause of men's uniting themselves at first in politic societies. But I moreover affirm, that all men are naturally in that state, and remain so, till by their own consents they make themselves members of some politic society; and I doubt not in the sequel of this discourse, to make it very clear.

PART VI

MODERN RESPONSES: THE ETHICS OF EGOISM & EXISTENTIALISM

In this section we discuss the ethics of egoism, or putting yourself first.

14. Ayn Rand: The Ethics of Emergencies

The Ethics of Emergencies

by Ayn Rand

The psychological results of altruism may be observed in the fact that a great many people approach the subject of ethics by asking such questions as: “Should one risk one’s life to help a man who is: a) drowning, b) trapped in a fire, c) stepping in front of a speeding truck, d) hanging by his fingernails over an abyss?”

Consider the implications of that approach. If a man accepts the ethics of altruism, he suffers the following consequences (in proportion to the degree of his acceptance):

1. Lack of self-esteem—since his first concern in the realm of values is not how to live his life, but how to sacrifice it.
2. Lack of respect for others—since he regards mankind as a herd of doomed beggars crying for someone’s help.
3. A nightmare view of existence—since he believes that men are trapped in a “malevolent universe” where disasters are the constant and primary concern of their lives.
4. And, in fact, a lethargic indifference to ethics, a hopelessly cynical amorality—since his questions involve situations which he is not likely ever to encounter, which bear no relation to the actual problems of his own life and thus leave him to live without any moral principles whatever.

By elevating the issue of helping others into the central and primary

issue of ethics, altruism has destroyed the concept of any authentic benevolence or good will among men. It has indoctrinated men with the idea that to value another human being is an act of selflessness, thus implying that a man can have no personal interest in others—that to value another means to sacrifice oneself—that any love, respect or admiration a man may feel for others is not and cannot be a source of his own enjoyment, but is a threat to his existence, a sacrificial blank check signed over to his loved ones.

The men who accept that dichotomy but choose its other side, the ultimate products of altruism's dehumanizing influence, are those psychopaths who do not challenge altruism's basic premise, but proclaim their rebellion against self-sacrifice by announcing that they are totally indifferent to anything living and would not lift a finger to help a man or a dog left mangled by a hit-and-run driver (who is usually one of their own kind).

Most men do not accept or practice either side of altruism's viciously false dichotomy, but its result is a total intellectual chaos on the issue of proper human relationships and on such questions as the nature, purpose or extent of the help one may give to others. Today, a great many well-meaning, reasonable men do not know how to identify or conceptualize the moral principles that motivate their love, affection or good will, and can find no guidance in the field of ethics, which is dominated by the stale platitudes of altruism.

On the question of why man is not a sacrificial animal and why help to others is not his moral duty, I refer you to *Atlas Shrugged*. This present discussion is concerned with the principles by which one identifies and evaluates the instances involving a man's non-sacrificial help to others.

"Sacrifice" is the surrender of a greater value for the sake of a lesser one or of a nonvalue. Thus, altruism gauges a man's virtue by the degree to which he surrenders, renounces or betrays his values (since help to a stranger or an enemy is regarded as more virtuous, less "selfish," than help to those one loves). The rational principle of conduct is the exact opposite: always act in accordance with the

hierarchy of your values, and never sacrifice a greater value to a lesser one.

This applies to all choices, including one's actions toward other men. It requires that one possess a defined hierarchy of rational values (values chosen and validated by a rational standard). Without such a hierarchy, neither rational conduct nor considered value judgments nor moral choices are possible.

Love and friendship are profoundly personal, selfish values: love is an expression and assertion of self-esteem, a response to one's own values in the person of another. One gains a profoundly personal, selfish joy from the mere existence of the person one loves. It is one's own personal, selfish happiness that one seeks, earns and derives from love.

A "selfless," "disinterested" love is a contradiction in terms: it means that one is indifferent to that which one values.

Concern for the welfare of those one loves is a rational part of one's selfish interests. If a man who is passionately in love with his wife spends a fortune to cure her of a dangerous illness, it would be absurd to claim that he does it as a "sacrifice" for her sake, not his own, and that it makes no difference to him personally and selfishly, whether she lives or dies.

Any action that a man undertakes for the benefit of those he loves is not a sacrifice if, in the hierarchy of his values, in the total context of the choices open to him, it achieves that which is of greatest personal (and rational) importance to him. In the above example, his wife's survival is of greater value to the husband than anything else that his money could buy, it is of greatest importance to his own happiness and, therefore, his action is not a sacrifice.

But suppose he let her die in order to spend his money on saving the lives of ten other women, none of whom meant anything to him—as the ethics of altruism would require. That would be a sacrifice. Here the difference between Objectivism and altruism can be seen most clearly: if sacrifice is the moral principle of action, then that husband should sacrifice his wife for the sake of ten other women. What distinguishes the wife from the ten others? Nothing

but her value to the husband who has to make the choice—nothing but the fact that his happiness requires her survival.

The Objectivist ethics would tell him: your highest moral purpose is the achievement of your own happiness, your money is yours, use it to save your wife, that is your moral right and your rational, moral choice.

Consider the soul of the altruistic moralist who would be prepared to tell that husband the opposite. (And then ask yourself whether altruism is motivated by benevolence.)

The proper method of judging when or whether one should help another person is by reference to one's own rational self-interest and one's own hierarchy of values: the time, money or effort one gives or the risk one takes should be proportionate to the value of the person in relation to one's own happiness.

To illustrate this on the altruists' favorite example: the issue of saving a drowning person. If the person to be saved is a stranger, it is morally proper to save him only when the danger to one's own life is minimal; when the danger is great, it would be immoral to attempt it: only a lack of self-esteem could permit one to value one's life no higher than that of any random stranger. (And, conversely, if one is drowning, one cannot expect a stranger to risk his life for one's sake, remembering that one's life cannot be as valuable to him as his own.)

If the person to be saved is not a stranger, then the risk one should be willing to take is greater in proportion to the greatness of that person's value to oneself. If it is the man or woman one loves, then one can be willing to give one's own life to save him or her—for the selfish reason that life without the loved person could be unbearable.

Conversely, if a man is able to swim and to save his drowning wife, but becomes panicky, gives in to an unjustified, irrational fear and lets her drown, then spends his life in loneliness and misery—one would not call him "selfish"; one would condemn him morally for his treason to himself and to his own values, that is: his failure to fight for the preservation of a value crucial to his own happiness. Remember that values are that which one acts to gain and/or keep,

and that one's own happiness has to be achieved by one's own effort. Since one's own happiness is the moral purpose of one's life, the man who fails to achieve it because of his own default, because of his failure to fight for it, is morally guilty.

The virtue involved in helping those one loves is not "selflessness" or "sacrifice," but integrity. Integrity is loyalty to one's convictions and values; it is the policy of acting in accordance with one's values, of expressing, upholding and translating them into practical reality. If a man professes to love a woman, yet his actions are indifferent, inimical or damaging to her, it is his lack of integrity that makes him immoral.

The same principle applies to relationships among friends. If one's friend is in trouble, one should act to help him by whatever non-sacrificial means are appropriate. For instance, if one's friend is starving, it is not a sacrifice, but an act of integrity to give him money for food rather than buy some insignificant gadget for oneself, because his welfare is important in the scale of one's personal values. If the gadget means more than the friend's suffering, one had no business pretending to be his friend.

The practical implementation of friendship, affection and love consists of incorporating the welfare (the rational welfare) of the person involved into one's own hierarchy of values, then acting accordingly.

But this is a reward which men have to earn by means of their virtues and which one cannot grant to mere acquaintances or strangers.

What, then, should one properly grant to strangers? The generalized respect and good will which one should grant to a human being in the name of the potential value he represents—until and unless he forfeits it.

A rational man does not forget that life is the source of all values and, as such, a common bond among living beings (as against inanimate matter), that other men are potentially able to achieve the same virtues as his own and thus be of enormous value to him. This does not mean that he regards human lives as interchangeable

with his own. He recognizes the fact that his own life is the source, not only of all his values, but of his capacity to value. Therefore, the value he grants to others is only a consequence, an extension, a secondary projection of the primary value which is himself.

“The respect and good will that men of self-esteem feel toward other human beings is profoundly egoistic; they feel, in effect: ‘Other men are of value because they are of the same species as myself.’ In revering living entities, they are revering their own life. This is the psychological base of any emotion of sympathy and any feeling of ‘species solidarity.’” [1]

Since men are born *tabula rasa*, both cognitively and morally, a rational man regards strangers as innocent until proved guilty, and grants them that initial good will in the name of their human potential. After that, he judges them according to the moral character they have actualized. If he finds them guilty of major evils, his good will is replaced by contempt and moral condemnation. (If one values human life, one cannot value its destroyers.) If he finds them to be virtuous, he grants them personal, individual value and appreciation, in proportion to their virtues.

It is on the ground of that generalized good will and respect for the value of human life that one helps strangers in an emergency—and only in an emergency.

It is important to differentiate between the rules of conduct in an emergency situation and the rules of conduct in the normal conditions of human existence. This does not mean a double standard of morality: the standard and the basic principles remain the same, but their application to either case requires precise definitions.

An emergency is an unchosen, unexpected event, limited in time, that creates conditions under which human survival is impossible—such as a flood, an earthquake, a fire, a shipwreck. In an emergency situation, men’s primary goal is to combat the disaster, escape the danger and restore normal conditions (to reach dry land, to put out the fire, etc.).

By “normal” conditions I mean metaphysically normal, normal in

the nature of things, and appropriate to human existence. Men can live on land, but not in water or in a raging fire. Since men are not omnipotent, it is metaphysically possible for unforeseeable disasters to strike them, in which case their only task is to return to those conditions under which their lives can continue. By its nature, an emergency situation is temporary; if it were to last, men would perish.

It is only in emergency situations that one should volunteer to help strangers, if it is in one's power. For instance, a man who values human life and is caught in a shipwreck, should help to save his fellow passengers (though not at the expense of his own life). But this does not mean that after they all reach shore, he should devote his efforts to saving his fellow passengers from poverty, ignorance, neurosis or whatever other troubles they might have. Nor does it mean that he should spend his life sailing the seven seas in search of shipwreck victims to save.

Or to take an example that can occur in everyday life: suppose one hears that the man next door is ill and penniless. Illness and poverty are not metaphysical emergencies, they are part of the normal risks of existence; but since the man is temporarily helpless, one may bring him food and medicine, if one can afford it (as an act of good will, not of duty) or one may raise a fund among the neighbors to help him out. But this does not mean that one must support him from then on, nor that one must spend one's life looking for starving men to help.

In the normal conditions of existence, man has to choose his goals, project them in time, pursue them and achieve them by his own effort. He cannot do it if his goals are at the mercy of and must be sacrificed to any misfortune happening to others. He cannot live his life by the guidance of rules applicable only to conditions under which human survival is impossible.

The principle that one should help men in an emergency cannot be extended to regard all human suffering as an emergency and to turn the misfortune of some into a first mortgage on the lives of others.

Poverty, ignorance, illness and other problems of that kind are not metaphysical emergencies. By the metaphysical nature of man and of existence, man has to maintain his life by his own effort; the values he needs—such as wealth or knowledge—are not given to him automatically, as a gift of nature, but have to be discovered and achieved by his own thinking and work. One's sole obligation toward others, in this respect, is to maintain a social system that leaves men free to achieve, to gain and to keep their values.

Every code of ethics is based on and derived from a metaphysics, that is: from a theory about the fundamental nature of the universe in which man lives and acts. The altruist ethics is based on a “malevolent universe” metaphysics, on the theory that man, by his very nature, is helpless and doomed—that success, happiness, achievement are impossible to him—that emergencies, disasters, catastrophes are the norm of his life and that his primary goal is to combat them.

As the simplest empirical refutation of that metaphysics—as evidence of the fact that the material universe is not inimical to man and that catastrophes are the exception, not the rule of his existence—observe the fortunes made by insurance companies.

Observe also that the advocates of altruism are unable to base their ethics on any facts of men's normal existence and that they always offer “lifeboat” situations as examples from which to derive the rules of moral conduct. (“What should you do if you and another man are in a lifeboat that can carry only one?” etc.)

The fact is that men do not live in lifeboats—and that a lifeboat is not the place on which to base one's metaphysics.

The moral purpose of a man's life is the achievement of his own happiness. This does not mean that he is indifferent to all men, that human life is of no value to him and that he has no reason to help others in an emergency. But it does mean that he does not subordinate his life to the welfare of others, that he does not sacrifice himself to their needs, that the relief of their suffering is not his primary concern, that any help he gives is an exception, not a rule, an act of generosity, not of moral duty, that it is marginal and

incidental—as disasters are marginal and incidental in the course of human existence—and that values, not disasters, are the goal, the first concern and the motive power of his life.

(February 1963)

[1] Nathaniel Branden, “Benevolence versus Altruism,” *The Objectivist Newsletter*, July 1962.³²

15. Jean Paul Sartre

Jean Paul Sartre

From *Existentialism is a Humanism* (1946)

Most of those who are making use of this word would be highly confused if required to explain its meaning. For since it has become fashionable, people cheerfully declare that this musician or that painter is “existentialist.” A columnist in *Clartés* signs himself “The Existentialist,” and, indeed, the word is now so loosely applied to so many things that it no longer means anything at all. It would appear that, for the lack of any novel doctrine such as that of surrealism, all those who are eager to join in the latest scandal or movement now seize upon this philosophy in which, however, they can find nothing to their purpose. For in truth this is of all teachings the least scandalous and the most austere: it is intended strictly for technicians and philosophers. All the same, it can easily be defined.

The question is only complicated because there are two kinds of existentialists. There are, on the one hand, the Christians, amongst whom I shall name Jaspers and Gabriel Marcel, both professed Catholics; and on the other the existential atheists, amongst whom we must place Heidegger as well as the French existentialists and myself. What they have in common is simply the fact that they believe that existence comes before essence – or, if you will, that we must begin from the subjective. What exactly do we mean by that?

If one considers an article of manufacture as, for example, a book or a paper-knife – one sees that it has been made by an artisan who had a conception of it; and he has paid attention, equally, to the conception of a paper-knife and to the pre-existent technique of production which is a part of that conception and is, at bottom,

a formula. Thus the paper-knife is at the same time an article producible in a certain manner and one which, on the other hand, serves a definite purpose, for one cannot suppose that a man would produce a paper-knife without knowing what it was for. Let us say, then, of the paperknife that its essence – that is to say the sum of the formulae and the qualities which made its production and its definition possible – precedes its existence. The presence of such-and-such a paper-knife or book is thus determined before my eyes. Here, then, we are viewing the world from a technical standpoint, and we can say that production precedes existence.

When we think of God as the creator, we are thinking of him, most of the time, as a supernal artisan. Whatever doctrine we may be considering, whether it be a doctrine like that of Descartes, or of Leibnitz himself, we always imply that the will follows, more or less, from the understanding or at least accompanies it, so that when God creates he knows precisely what he is creating. Thus, the conception of man in the mind of God is comparable to that of the paper-knife in the mind of the artisan: God makes man according to a procedure and a conception, exactly as the artisan manufactures a paper-knife, following a definition and a formula. Thus each individual man is the realisation of a certain conception which dwells in the divine understanding. In the philosophic atheism of the eighteenth century, the notion of God is suppressed, but not, for all that, the idea that essence is prior to existence; something of that idea we still find everywhere, in Diderot, in Voltaire and even in Kant. Man possesses a human nature; that “human nature,” which is the conception of human being, is found in every man; which means that each man is a particular example of a universal conception, the conception of Man. In Kant, this universality goes so far that the wild man of the woods, man in the state of nature and the bourgeois are all contained in the same definition and have the same fundamental qualities. Here again, the essence of man precedes that historic existence which we confront in experience.

Atheistic existentialism, of which I am a representative, declares with greater consistency that if God does not exist there is at least

one being whose existence comes before its essence, a being which exists before it can be defined by any conception of it. That being is man or, as Heidegger has it, the human reality. What do we mean by saying that existence precedes essence? We mean that man first of all exists, encounters himself, surges up in the world – and defines himself afterwards. If man as the existentialist sees him is not definable, it is because to begin with he is nothing. He will not be anything until later, and then he will be what he makes of himself. Thus, there is no human nature, because there is no God to have a conception of it. Man simply is. Not that he is simply what he conceives himself to be, but he is what he wills, and as he conceives himself after already existing – as he wills to be after that leap towards existence. Man is nothing else but that which he makes of himself. That is the first principle of existentialism. And this is what people call its “subjectivity,” using the word as a reproach against us. But what do we mean to say by this, but that man is of a greater dignity than a stone or a table? For we mean to say that man primarily exists – that man is, before all else, something which propels itself towards a future and is aware that it is doing so. Man is, indeed, a project which possesses a subjective life, instead of being a kind of moss, or a fungus or a cauliflower. Before that projection of the self nothing exists; not even in the heaven of intelligence: man will only attain existence when he is what he purposes to be. Not, however, what he may wish to be. For what we usually understand by wishing or willing is a conscious decision taken – much more often than not – after we have made ourselves what we are. I may wish to join a party, to write a book or to marry – but in such a case what is usually called my will is probably a manifestation of a prior and more spontaneous decision. If, however, it is true that existence is prior to essence, man is responsible for what he is. Thus, the first effect of existentialism is that it puts every man in possession of himself as he is, and places the entire responsibility for his existence squarely upon his own shoulders. And, when we say that man is responsible for himself, we do not mean that he is responsible only for his own individuality, but

that he is responsible for all men. The word “subjectivism” is to be understood in two senses, and our adversaries play upon only one of them. Subjectivism means, on the one hand, the freedom of the individual subject and, on the other, that man cannot pass beyond human subjectivity. It is the latter which is the deeper meaning of existentialism. When we say that man chooses himself, we do mean that every one of us must choose himself; but by that we also mean that in choosing for himself he chooses for all men. For in effect, of all the actions a man may take in order to create himself as he wills to be, there is not one which is not creative, at the same time, of an image of man such as he believes he ought to be. To choose between this or that is at the same time to affirm the value of that which is chosen; for we are unable ever to choose the worse. What we choose is always the better; and nothing can be better for us unless it is better for all. If, moreover, existence precedes essence and we will to exist at the same time as we fashion our image, that image is valid for all and for the entire epoch in which we find ourselves. Our responsibility is thus much greater than we had supposed, for it concerns mankind as a whole. If I am a worker, for instance, I may choose to join a Christian rather than a Communist trade union. And if, by that membership, I choose to signify that resignation is, after all, the attitude that best becomes a man, that man's kingdom is not upon this earth, I do not commit myself alone to that view. Resignation is my will for everyone, and my action is, in consequence, a commitment on behalf of all mankind. Or if, to take a more personal case, I decide to marry and to have children, even though this decision proceeds simply from my situation, from my passion or my desire, I am thereby committing not only myself, but humanity as a whole, to the practice of monogamy. I am thus responsible for myself and for all men, and I am creating a certain image of man as I would have him to be. In fashioning myself I fashion man.

PART VII

MODERN RESPONSES: SOCIAL JUSTICE AND THE ETHICS OF CARE

One of the great changes in ethical thinking in recent years has been a move away from thinking about ethics as based solely in the rational experience of the solitary subject. While rational reasoning remains a vital part of ethical philosophy, in recent years philosophers have come to appreciate the importance of understanding humans as embedded in a variety of communities and institutions, from the family, to work, government and religion. These various institutions fundamentally shape our ethical decisions and sometimes lead to conflict between the moral choices that lead to an ethical decision. While virtue ethics makes some acknowledgement of human ethical life as bound up with other people, it begins with a concept, an idea e.g. “loyalty,” that guides the ethical decision maker. More recent work in ethics, however, begins with the idea of the relationship itself: it asserts first that we exist in relation to others. While the concept of “care ethics” can’t fully capture this idea, it will provide a start for our thinking about relationship ethics.

16. Frankenstein's Monster: Social Contracts & The Ethics of Care

17. Women's Rights

The Enfranchisement of Women (1851) [selections]

John Stuart Mill & Harriet Taylor Mill

Concerning the fitness, then, of women for politics, there can be no question; but the dispute is more likely to turn upon the fitness of politics for women. When the reasons alleged for excluding women from active life in all its higher departments are stripped of their garb of declamatory phrases, and reduced to the simple expression of a meaning, they seem to be mainly three: first, the incompatibility of active life with maternity, and with the cares of a household; secondly, its alleged hardening effect on the character; and thirdly, the inexpediency of making an addition to the already excessive pressure of competition in every kind of professional or lucrative employment.

The first, the maternity argument, is usually laid most stress upon; although (it needs hardly be said) this reason, if it be one, can apply only to mothers. It is neither necessary nor just to make imperative on women, that they shall be either mothers or nothing; or that, if they have been mothers once, they shall be nothing else during the whole remainder of their lives. Neither women nor men need any law to exclude them from an occupation if they have undertaken another which is incompatible with it. No one proposes to exclude the male sex from Parliament because a man may be a soldier or sailor in active service, or a merchant whose business requires all his time and energies. Nine-tenths of the occupations of men exclude them *de facto* from public life as effectually as if they were excluded by law; but that is no reason for making laws to exclude even the nine-tenths, much less the remaining tenth. The reason of the case is the same for women as for men. There is no need to make provision by law, that woman shall not carry on the active details of a household, or of the education of children, and at the same time practice a profession or be elected to Parliament.

Where incompatibility is real, it will take care of itself; but there is gross injustice in making the incompatibility a pretense for the exclusion of those in whose case it does not exist: and these, if they were free to choose, would be a very large proportion. The maternity argument deserts its supporters in the case of single women—a large and increasing class of the population; a fact which, it is not irrelevant to remark, by tending to diminish the excessive competition, of numbers is calculated to assist greatly the prosperity of all. There is no inherent reason or necessity that all women should voluntarily choose to devote their lives to one animal function and its consequences. Numbers of women are wives and mothers only because there is no other career open to them—no other occupation for their feelings or activities. Every improvement in their education, and enlargement of their faculties, everything which renders them more qualified for any other mode of life, increases the number of those to whom it is an injury and an oppression to be denied the choice. To say that women must be excluded from active life because maternity disqualifies them for it, is in fact to say that every other career should be forbidden them, in order that maternity may be their only resource.

But, secondly, it is urged, that to give the same freedom of occupation to women as to men would be an injurious addition to the crowd of competitors, by whom the avenues to almost all kinds of employment are choked up, and its remuneration depressed. This argument, it is to be observed, does not reach the political question. It gives no excuse for withholding from women the rights of citizenship. The suffrage, the jury-box, admission to the legislature and to office, it does not touch.

It bears only on the industrial branch of the subject. Allowing it, then, in an economical point of view, its full force; assuming that to lay open to women the employments now monopolized by men would tend, like the breaking down of other monopolies, to lower the rate of remuneration in those employments—let us consider what is the amount of this evil consequence, and what the compensation for it. The worst ever asserted, much worse than is

at all likely to be realized, is, that, if women competed with men, a man and a woman could not together earn more than is now earned by the man alone. Let us make this supposition, the most unfavorable supposition possible: the joint income of the two would be the same as before; while the woman would be raised from the position of a servant to that of a partner. Even if every woman, as matters now stand, had a claim on some man for support, how infinitely preferable is it that part of the income should be of the woman's earning, even if the aggregate sum were but little increased by it, rather than that she should be compelled to stand aside in order that men may be the sole earners, and sole dispensers of what is earned! Even under the present laws respecting the property of women, a woman who contributes materially to the support of the family cannot be treated in the same contemptuously tyrannical manner as one who, however she may toil as a domestic drudge, is a dependent on the man for subsistence.

As for the depression of wages by increase of competition, remedies will be found for it in time. Palliatives might be applied immediately—for instance, a more rigid exclusion of children from industrial employment during the years in which they ought to be working only to strengthen their bodies and minds for after life. Children are necessarily dependent and under the power of others; and their labor being not for themselves, but for the gain of their parents, is a proper subject for legislative regulation. With respect to the future, we neither believe that improvident multiplication, and the consequent excessive difficulty of gaining a subsistence, will always continue; nor that the division of mankind into capitalists and hired laborers, and the regulation of the reward of laborers mainly by demand and supply, will be forever, or even much longer, the rule of the world. But, so long as competition is the general law of human life, it is tyranny to shut out one half of the competitors. All who have attained the age of self-government have an equal claim to be permitted to sell whatever kind of useful labor they are capable of, for the price which it will bring.

The third objection to the admission of women to political or

professional life, its alleged hardening tendency, belongs to an age now past, and is scarcely to be comprehended by people of the present time. There are still, however, persons who say that the world and its avocations render men selfish and unfeeling; that the struggles, rivalries, and collisions of business and of politics make them harsh and unamiable; that, if half the species must unavoidably be given up to these things, it is the more necessary that the other half should be kept far from them; that to preserve women from the bad influences of the world is the only chance of preventing men from being wholly given up to them.

There would have been plausibility in the argument when the world was still in the age of violence; when life was full of physical conflict, and every man had to redress his injuries, or those of others, by the sword or by the strength of his arm. Women, like priests, by being exempted from such responsibilities, and from some part of the accompanying dangers, may have been enabled to exercise a beneficial influence. But, in the present condition of human life, we do not know where those hardening influences are to be found, to which men are subject, and from which women are at present exempt. Individuals now-a-days are seldom called upon to fight hand to hand, even with peaceful weapons; personal enmities and rivalries count for little in worldly transactions; the general pressure of circumstances, not the adverse will of individuals, is the obstacle men now have to make head against. That pressure, when excessive, breaks the spirit, and cramps and sours the feelings; but not less of women than of men, since they suffer certainly not less from its evils. There are still quarrels and dislikes; but the sources of them are changed. The feudal chief once found his bitterest enemy in his powerful neighbor; the minister or courtier, in his rival for place: but opposition of interest in active life, as a cause of personal animosity, is out of date; the enmities of the present day arise not from great things, but small; from what people say of one another, more than from what they do, and if there are hatred, malice, and all uncharitableness, they are to be found among women fully as much as among men. In the present state of civilization, the notion

of guarding women from the hardening influences of the world could only be realized by secluding them from society altogether. The common duties of common life, as at present constituted, are not incompatible with any other softness in women than weakness. Surely weak minds in weak bodies must ere long cease to be even supposed to be either attractive or amiable.

But, in truth, none of these arguments and considerations touch the foundation of the subject. The real question is, whether it is right and expedient that one half of the human race should pass through life in a state of forced subordination to the other half. If the best state of human society is that of being divided into two parts, one consisting of persons with a will and a substantive existence, the other of humble companions to these persons, attached each of them to one for the purpose of bringing up his children, and making his home pleasant to him,—if this is the place assigned to women, it is but kindness to educate them for this; to make them believe that the greatest good fortune which can befall them is to be chosen by some man for this purpose; and that every other career which the world deems happy or honorable is closed to them by the law, not of social institutions, but of nature and destiny.

When, however, we ask why the existence of one half of the species should be merely ancillary to that of the other; why each woman should be a mere appendage to a man, allowed to have no interests of her own, that there may be nothing to compete in her mind with his interests and his pleasure,—the only reason which can be given is, that men like it. It is agreeable to them that men should live for their own sake, women for the sake of men; and the qualities and conduct in subjects which are agreeable to rulers, they succeed for a long time in making the subjects themselves consider as their appropriate virtues. Helvetius has met with much obloquy for asserting that persons usually mean by virtues the qualities which are useful or convenient to themselves. How truly this is said of mankind in general, and how wonderfully the ideas of virtue set afloat by the powerful are caught and imbibed by those under their dominion, is exemplified by the manner in which the world

was once persuaded that the supreme virtue of subjects was loyalty to kings and are still persuaded that the paramount virtue of womanhood is loyalty to men. Under a nominal recognition of a moral code common to both, in practice self-will and self-assertion form the type of what are designated as manly virtues, while abnegation of self, patience, resignation, and submission to power, unless when resistance is commanded by other interests than their own, have been stamped by general consent as preeminently the duties and graces required of women; the meaning being merely, that power makes itself the center of moral obligation, and that a man likes to have his own will, but does not like that his domestic companion should have a will different from his.

Mary Wollstonecraft *A Vindication of the Rights of Women* (1792)

CHAPTER IX: of the pernicious effects which arise from the unnatural distinctions established in society

From the respect paid to property flow, as from a poisoned fountain, most of the evils and vices which render this world such a dreary scene to the contemplative mind. For it is in the most polished society that noisome reptiles and venomous serpents lurk under the rank herbage; and there is voluptuousness pampered by the still sultry air, which relaxes every good disposition before it ripens into virtue.

One class presses on another; for all are aiming to procure respect on account of their property: and property, once gained, will

procure the respect due only to talents and virtue. Men neglect the duties incumbent on man, yet are treated like demigods, religion is also separated from morality by a ceremonial veil, yet men wonder that the world is almost literally speaking, a den of sharpers or oppressors.

There is a homely proverb, which speaks a shrewd truth, that whoever the devil finds idle he will employ. And what but habitual idleness can hereditary wealth and titles produce? For man is so constituted that he can only attain a proper use of his faculties by exercising them, and will not exercise them unless necessity, of some kind, first set the wheels in motion. Virtue likewise can only be acquired by the discharge of relative duties; but the importance of these sacred duties will scarcely be felt by the being who is cajoled out of his humanity by the flattery of sycophants. There must be more equality established in society, or morality will never gain ground, and this virtuous equality will not rest firmly even when founded on a rock, if one half of [231] mankind be chained to its bottom by fate, for they will be continually undermining it through ignorance or pride.

It is vain to expect virtue from women till they are, in some degree, independent of men; nay, it is vain to expect that strength of natural affection, which would make them good wives and mothers. Whilst they are absolutely dependent on their husbands they will be cunning, mean, and selfish, and the men who can be gratified by the fawning fondness of spaniel-like affection, have not much delicacy, for love is not to be bought, in any sense of the words, its silken wings are instantly shrivelled up when any thing beside a return in kind is sought. Yet whilst wealth enervates men; and women live, as it were, by their personal charms, how can we expect them to discharge those ennobling duties which equally require exertion and self-denial. Hereditary property sophisticates the mind, and the unfortunate victims to it, if I may so express myself, swathed from their birth, seldom exert the locomotive faculty of body or mind; and, thus viewing every thing through one medium, and that a false one, they are unable to discern in what true merit and

happiness consist. False, indeed, must be the light when the drapery of situation hides the man, and makes him stalk in masquerade, dragging from one scene of dissipation to another the nerveless limbs that hang with stupid listlessness, and rolling round the vacant eye which plainly tells us that there is no mind at home.

I mean, therefore, to infer that the society is not properly organized which does not compel men and women to discharge their respective duties, by making it the only way to acquire that countenance from their fellow-creatures, which every human being wishes some way to attain. The respect, consequently, which is paid to wealth and mere personal charms, is a true north-east blast, that blights the tender blossoms of affection and virtue. Nature has wisely attached affections to duties, to sweeten toil, and to give that vigour to the exertions of reason which only the heart can give. But, the affection which is put on merely because it is the appropriated insignia of a certain character, when its duties are not fulfilled, is one of the empty compliments which vice and folly are obliged to pay to virtue and the real nature of things.

To illustrate my opinion, I need only observe, that when a [232] woman is admired for her beauty, and suffers herself to be so far intoxicated by the admiration she receives, as to neglect to discharge the indispensable duty of a mother, she sins against herself by neglecting to cultivate an affection that would equally tend to make her useful and happy. True happiness, I mean all the contentment, and virtuous satisfaction, that can be snatched in this imperfect state, must arise from well regulated affections; and an affection includes a duty. Men are not aware of the misery they cause, and the vicious weakness they cherish, by only inciting women to render themselves pleasing; they do not consider that they thus make natural and artificial duties clash, by sacrificing the comfort and respectability of a woman's life to voluptuous notions of beauty, when in nature they all harmonize.

Cold would be the heart of a husband, were he not rendered unnatural by early debauchery, who did not feel more delight at seeing his child suckled by its mother, than the most artful wanton

tricks could ever raise; yet this natural way of cementing the matrimonial tie, and twisting esteem with fonder recollections, wealth leads women to spurn. To preserve their beauty, and wear the flowery crown of the day, which gives them a kind of right to reign for a short time over the sex, they neglect to stamp impressions on their husbands' hearts, that would be remembered with more tenderness when the snow on the head began to chill the bosom, than even their virgin charms. The maternal solicitude of a reasonable affectionate woman is very interesting, and the chastened dignity with which a mother returns the caresses that she and her child receive from a father who has been fulfilling the serious duties of his station, is not only a respectable, but a beautiful sight. So singular, indeed, are my feelings, and I have endeavoured not to catch factitious ones, that after having been fatigued with the sight of insipid grandeur and the slavish ceremonies that with cumbersome pomp supplied the place of domestic affections, I have turned to some other scene to relieve my eye by resting it on the refreshing green every where scattered by nature. I have then viewed with pleasure a woman nursing her children, and discharging the duties of her station with, perhaps, merely a servant maid to take off her hands the servile part of the household business. I have seen her prepare herself and children, with [233] only the luxury of cleanliness, to receive her husband, who returning weary home in the evening found smiling babes and a clean hearth. My heart has loitered in the midst of the group, and has even throbbed with sympathetic emotion, when the scraping of the well known foot has raised a pleasing tumult.

Whilst my benevolence has been gratified by contemplating this artless picture, I have thought that a couple of this description, equally necessary and independent of each other, because each fulfilled the respective duties of their station, possessed all that life could give. – Raised sufficiently above abject poverty not to be obliged to weigh the consequence of every farthing they spend, and having sufficient to prevent their attending to a frigid system of oeconomy, which narrows both heart and mind. I declare, so vulgar

are my conceptions, that I know not what is wanted to render this the happiest as well as the most respectable situation in the world, but a taste for literature, to throw a little variety and interest into social converse, and some superfluous money to give to the needy and to buy books. For it is not pleasant when the heart is opened by compassion and the head active in arranging plans of usefulness, to have a prim urchin continually twitching back the elbow to prevent the hand from drawing out an almost empty purse, whispering at the same time some prudential maxim about the priority of justice.

Destructive, however, as riches and inherited honours are to the human character, women are more debased and cramped, if possible, by them, than men, because men may still, in some degree, unfold their faculties by becoming soldiers and statesmen.

As soldiers, I grant, they can now only gather, for the most part, vain glorious laurels, whilst they adjust to a hair the European balance, taking especial care that no bleak northern nook or sound incline the beam.^a But the days of true heroism are over, when a citizen fought for his country like a Fabricius or a Washington, and then returned to his farm to let his virtuous fervour run in a more placid, but not a less salutary, stream.^b No, our British heroes are oftener sent from the gaming table than from the plow; and their passions have been rather inflamed by hanging with dumb suspense on the turn of a die, than sublimated by panting after the adventurous march of virtue in the historic page.

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The statesman, it is true, might with more propriety quit the Faro Bank, or card-table, to guide the helm, for he has still but to shuffle and trick.^a The whole system of British politics, if system it may courteously be called, consisting in multiplying dependents and contriving taxes which grind the poor to pamper the rich; thus a war, or any wild goose chase, is, as the vulgar use the phrase, a lucky turn-up of patronage for the minister, whose chief merit is the art of keeping himself in place. It is not necessary then that he should have bowels^b for the poor, so he can secure for his family the odd trick. Or should some shew of respect, for what is termed

with ignorant ostentation an Englishman's birth-right, be expedient to bubble the gruff mastiff that he has to lead by the nose, he can make an empty shew, very safely, by giving his single voice, and suffering his light squadron to file off to the other side. And when a question of humanity is agitated he may dip a sop in the milk of human kindness, to silence Cerberus,^c and talk of the interest which his heart takes in an attempt to make the earth no longer cry for vengeance as it sucks in its children's blood, though his cold hand may at the very moment rivet their chains, by sanctioning the abominable traffick.^f A minister is no longer a minister, than while he can carry a point, which he is determined to carry. – Yet it is not necessary that a minister should feel like a man, when a bold push might shake his seat.

But, to have done with these episodical observations, let me return to the more specious slavery which chains the very soul of woman, keeping her for ever under the bondage of ignorance.

The preposterous distinctions of rank, which render civilization a curse, by dividing the world between voluptuous tyrants, and cunning envious dependents, corrupt, almost equally, every class of people, because respectability is not attached to the discharge of the relative duties of life, but to the station, and when the duties are not fulfilled the affections cannot gain sufficient strength to fortify the virtue of which they are the natural reward. Still there are some loop-holes out of which a man may creep, and dare to think and act for himself; but for a woman it is an herculean task, because she has difficulties peculiar to her sex to overcome, which require almost superhuman powers.

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A truly benevolent legislator always endeavours to make it the interest of each individual to be virtuous; and thus private virtue becoming the cement of public happiness, an orderly whole is consolidated by the tendency of all the parts towards a common centre. But, the private or public virtue of woman is very problematical; for Rousseau, and a numerous list of male writers, insist that she should all her life be subjected to a severe restraint,

that of propriety. Why subject her to propriety – blind propriety, if she be capable of acting from a nobler spring, if she be an heir of immortality? Is sugar always to be produced by vital blood? Is one half of the human species, like the poor African slaves, to be subject to prejudices that brutalize them, when principles would be a surer guard, only to sweeten the cup of man? Is not this indirectly to deny woman reason? for a gift is a mockery, if it be unfit for use.

Women are, in common with men, rendered weak and luxurious by the relaxing pleasures which wealth procures; but added to this they are made slaves to their persons, and must render them alluring that man may lend them his reason to guide their tottering steps aright. Or should they be ambitious, they must govern their tyrants by sinister tricks, for without rights there cannot be any incumbent duties. The laws respecting woman, which I mean to discuss in a future part, make an absurd unit of a man and his wife; and then, by the easy transition of only considering him as responsible, she is reduced to a mere cypher.^a

The being who discharges the duties of its station is independent; and, speaking of women at large, their first duty is to themselves as rational creatures, and the next, in point of importance, as citizens, is that, which includes so many, of a mother. The rank in life which dispenses with their fulfilling this duty, necessarily degrades them by making them mere dolls. Or, should they turn to something more important than merely fitting drapery upon a smooth block, their minds are only occupied by some soft platonic attachment; or, the actual management of an intrigue may keep their thoughts in motion; for when they neglect domestic duties, they have it not in their power to take the field and march and counter-march like soldiers, or wrangle in the senate to keep their faculties from rusting.

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I know that, as a proof of the inferiority of the sex, Rousseau has exultingly exclaimed, How can they leave the nursery for the camp!^a – And the camp has by some moralists been termed the school of the most heroic virtues; though, I think, it would puzzle

a keen casuist to prove the reasonableness of the greater number of wars that have dubbed heroes. I do not mean to consider this question critically; because, having frequently viewed these freaks of ambition as the first natural mode of civilization, when the ground must be torn up, and the woods cleared by fire and sword, I do not choose to call them pests; but surely the present system of war has little connection with virtue of any denomination, being rather the school of finesse and effeminacy, than of fortitude.

Yet, if defensive war, the only justifiable war, in the present advanced state of society, where virtue can shew its face and ripen amidst the rigours which purify the air on the mountain's top, were alone to be adopted as just and glorious, the true heroism of antiquity might again animate female bosoms. – But fair and softly, gentle reader, male or female, do not alarm thyself, for though I have compared the character of a modern soldier with that of a civilized woman, I am not going to advise them to turn their distaff into a musket, though I sincerely wish to see the bayonet converted into a pruninghook. I only recreated an imagination, fatigued by contemplating the vices and follies which all proceed from a feculent stream of wealth that has muddied the pure rills of natural affection, by supposing that society will some time or other be so constituted, that man must necessarily fulfil the duties of a citizen, or be despised, and that while he was employed in any of the departments of civil life, his wife, also an active citizen, should be equally intent to manage her family, educate her children, and assist her neighbours.

But, to render her really virtuous and useful, she must not, if she discharge her civil duties, want, individually, the protection of civil laws; she must not be dependent on her husband's bounty for her subsistence during his life, or support after his death – for how can a being be generous who has nothing of its own? or virtuous, who is not free? The wife, in the present state of things, who is faithful to her husband, and neither suckles nor educates her children, scarcely deserves the name of a wife, [237] and has no right to that of a citizen. But take away natural rights, and duties become null

Women then must be considered as only the wanton solace of men, when they become so weak in mind and body, that they cannot exert themselves, unless to pursue some frothy pleasure, or to invent some frivolous fashion. What can be a more melancholy sight to a thinking mind, than to look into the numerous carriages that drive helter-skelter about this metropolis in a morning full of pale-faced creatures who are flying from themselves. I have often wished, with Dr Johnson, to place some of them in a little shop with half a dozen children looking up to their languid countenances for support. I am much mistaken, if some latent vigour would not soon give health and spirit to their eyes, and some lines drawn by the exercise of reason on the blank cheeks, which before were only undulated by dimples, might restore lost dignity to the character, or rather enable it to attain the true dignity of its nature. Virtue is not to be acquired even by speculation, much less by the negative supineness that wealth naturally generates.

Besides, when poverty is more disgraceful than even vice, is not morality cut to the quick? Still to avoid misconstruction, though I consider that women in the common walks of life are called to fulfil the duties of wives and mothers, by religion and reason, I cannot help lamenting that women of a superiour cast have not a road open by which they can pursue more extensive plans of usefulness and independence. I may excite laughter, by dropping an hint, which I mean to pursue, some future time, for I really think that women ought to have representatives, instead of being arbitrarily governed without having any direct share allowed them in the deliberations of government.

But, as the whole system of representation is now, in this country, only a convenient handle for despotism, they need not complain, for they are as well represented as a numerous class of hard working mechanics, who pay for the support of royalty when they can scarcely stop their children's mouths with bread. How are they represented whose very sweat supports the splendid stud of an heir apparent, or varnishes the chariot of some female favourite who looks down on shame? Taxes on the very necessities of life, enable

an endless tribe of idle princes and princesses to pass with stupid pomp before a gaping crowd, [238] who almost worship the very parade which costs them so dear. This is mere gothic grandeur, something like the barbarous useless parade of having sentinels on horseback at Whitehall, which I could never view without a mixture of contempt and indignation.

How strangely must the mind be sophisticated when this sort of state impresses it! But, till these monuments of folly are levelled by virtue, similar follies will leaven the whole mass. For the same character, in some degree, will prevail in the aggregate of society: and the refinements of luxury, or the vicious repinings of envious poverty, will equally banish virtue from society, considered as the characteristic of that society, or only allow it to appear as one of the stripes of the harlequin coat, worn by the civilized man.

In the superiour ranks of life, every duty is done by deputies, as if duties could ever be waved, and the vain pleasures which consequent idleness forces the rich to pursue, appear so enticing to the next rank, that the numerous scramblers for wealth sacrifice every thing to tread on their heels. The most sacred trusts are then considered as sinecures, because they were procured by interest, and only sought to enable a man to keep good company. Women, in particular, all want to be ladies. Which is simply to have nothing to do, but listlessly to go they scarcely care where, for they cannot tell what.

But what have women to do in society? I may be asked, but to loiter with easy grace; surely you would not condemn them all to suckle fools and chronicle small beer!^a No. Women might certainly study the art of healing, and be physicians as well as nurses. And midwifery, decency seems to allot to them, though I am afraid the word midwife, in our dictionaries, will soon give place to accoucheur,^b and one proof of the former delicacy of the sex be effaced from the language.

They might, also, study politics, and settle their benevolence on the broadest basis; for the reading of history will scarcely be more useful than the perusal of romances, if read as mere biography; if the

character of the times, the political improvements, arts, etc. be not observed. In short, if it be not considered as the history of man; and not of particular men, who filled a niche in the temple of fame, and dropped into the black rolling stream of time, that silently sweeps all before it, into the [239]shapeless void called – eternity. – For shape, can it be called ‘that shape hath none?’^a

Business of various kinds, they might likewise pursue, if they were educated in a more orderly manner, which might save many from common and legal prostitution. Women would not then marry for a support, as men accept of places under government, and neglect the implied duties; nor would an attempt to earn their own subsistence, a most laudable one! sink them almost to the level of those poor abandoned creatures who live by prostitution. For are not milliners and mantua-makers^b reckoned the next class? The few employments open to women, so far from being liberal, are menial; and when a superiour education enables them to take charge of the education of children as governesses, they are not treated like the tutors of sons, though even clerical tutors are not always treated in a manner calculated to render them respectable in the eyes of their pupils, to say nothing of the private comfort of the individual. But as women educated like gentlewomen, are never designed for the humiliating situation which necessity sometimes forces them to fill; these situations are considered in the light of a degradation; and they know little of the human heart, who need to be told, that nothing so painfully sharpens sensibility as such a fall in life.

Some of these women might be restrained from marrying by a proper spirit or delicacy, and others may not have had it in their power to escape in this pitiful way from servitude; is not that government then very defective, and very unmindful of the happiness of one half of its members, that does not provide for honest, independent women, by encouraging them to fill respectable stations? But in order to render their private virtue a public benefit, they must have a civil existence in the state, married or single; else we shall continually see some worthy woman, whose

sensibility has been rendered painfully acute by undeserved contempt, droop like 'the lily broken down by a plow-share':c

It is a melancholy truth; yet such is the blessed effect of civilization! the most respectable women are the most oppressed; and, unless they have understandings far superiour to the common run of understandings, taking in both sexes, they must, from being treated like contemptible beings, become contemptible. How many women thus waste life away the prey [240] of discontent, who might have practised as physicians, regulated a farm, managed a shop, and stood erect, supported by their own industry, instead of hanging their heads surcharged with the dew of sensibility, that consumes the beauty to which it at first gave lustre; nay, I doubt whether pity and love are so near akin as poets feign, for I have seldom seen much compassion excited by the helplessness of females, unless they were fair; then, perhaps, pity was the soft handmaid of love, or the harbinger of lust.

How much more respectable is the woman who earns her own bread by fulfilling any duty, than the most accomplished beauty! – beauty did I say? – so sensible am I of the beauty of moral loveliness, or the harmonious propriety that attunes the passions of a well-regulated mind, that I blush at making the comparison; yet I sigh to think how few women aim at attaining this respectability by withdrawing from the giddy whirl of pleasure, or the indolent calm that stupifies the good sort of women it sucks in.

Proud of their weakness, however, they must always be protected, guarded from care, and all the rough toils that dignify the mind. – If this be the fiat of fate, if they will make themselves insignificant and contemptible, sweetly to waste 'life away,' let them not expect to be valued when their beauty fades, for it is the fate of the fairest flowers to be admired and pulled to pieces by the careless hand that plucked them. In how many ways do I wish, from the purest benevolence, to impress this truth on my sex; yet I fear that they will not listen to a truth that dear bought experience has brought home to many an agitated bosom, nor willingly resign the privileges

of rank and sex for the privileges of humanity, to which those have no claim who do not discharge its duties.

Those writers are particularly useful, in my opinion, who make man feel for man, independent of the station he fills, or the drapery of factitious sentiments. I then would fain convince reasonable men of the importance of some of my remarks; and prevail on them to weigh dispassionately the whole tenor of my observations. – I appeal to their understandings; and, as a fellow-creature, claim, in the name of my sex, some interest in their hearts. I entreat them to assist to emancipate their companion, to make her a help meet for them!

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Would men but generously snap our chains, and be content with rational fellowship instead of slavish obedience, they would find us more observant daughters, more affectionate sisters, more faithful wives, more reasonable mothers – in a word, better citizens. We should then love them with true affection, because we should learn to respect ourselves; and the peace of mind of a worthy man would not be interrupted by the idle vanity of his wife, nor the babes sent to nestle in a strange bosom, having never found a home in their mother's.

18. Rawls: A Theory of Justice

A Theory of Justice by John Rawls

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CHAPTER 1: JUSTICE AS FAIRNESS

The Main Idea of The Theory of Justice

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

Thus, we are to imagine that those who engage in social cooperation choose together, in one joint act, the principles which

are to assign basic rights and duties and to determine the division of social benefits. Men are to decide in advance how they are to regulate their claims against one another and what is to be the foundation charter of their society. Just as each person must decide by rational reflection what constitutes his good, that is, the system of ends which it is rational for him to pursue, so a group of persons must decide once and for all what is to count among them as just and unjust. The choice which rational men would make in this hypothetical situation of equal liberty, assuming for the present that this choice problem has a solution, determines the principles of justice.

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

in it are fair. This explains the propriety of the name “justice as fairness”: **it conveys the idea that the principles of justice are agreed to in an initial situation that is fair.** The name does not mean that the concepts of justice and fairness are the same, any more than the phrase “poetry as metaphor” means that the concepts of poetry and metaphor are the same.

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

circumstances that are fair. In this sense its members are autonomous and the obligations they recognize self-imposed.

One feature of justice as fairness is to think of the parties in the initial situation as rational and mutually disinterested. **This does not mean that the parties are egoists**, that is, individuals with only certain kinds of interests, say in wealth, prestige, and domination. But they are conceived as not taking an interest in one another's interests...

In working out the conception of justice as fairness one main task clearly is to determine which principles of justice would be chosen in the original position. To do this we must describe this situation in some detail and formulate with care the problem of choice which it presents. These matters I shall take up in the immediately succeeding chapters. It may be observed, however, that once the principles of justice are thought of as arising from an original agreement in a situation of equality, it is an open question whether the principle of utility would be acknowledged. **Offhand it hardly seems likely that persons who view themselves as equals, entitled to press their claims upon one another, would agree to a principle which may require lesser life prospects for some simply for the sake of a greater sum of advantages enjoyed by others.** Since each desires to protect his interests, his capacity to advance his conception of the good, no one has a reason to acquiesce in an enduring loss for himself in order to bring about a greater net balance of satisfaction. In the absence of strong and lasting benevolent impulses, a rational man would not accept a basic structure merely because it maximized the algebraic sum of advantages irrespective of its permanent effects on his own basic rights and interests. **Thus, it seems that the principle of utility is incompatible with the conception of social cooperation among equals for mutual advantage.** It appears to be inconsistent with the idea of reciprocity implicit in the notion of a well-ordered society. Or, at any rate, so I shall argue.

I shall maintain instead that the persons in the initial situation would choose two rather different principles: the first requires

equality in the assignment of basic rights and duties, while the second holds that social and economic inequalities, for example inequalities of wealth and authority, are just only if they result in compensating benefits for everyone, and in particular for the least advantaged members of society. These principles rule out justifying institutions on the grounds that the hardships of some are offset by a greater good in the aggregate. **It may be expedient, but it is not just that some should have less in order that others may prosper. But there is no injustice in the greater benefits earned by a few provided that the situation of persons not so fortunate is thereby improved.** The intuitive idea is that since everyone's well-being depends upon a scheme of cooperation without which no one could have a satisfactory life, the division of advantages should be such as to draw forth the willing cooperation of everyone taking part in it, including those less well situated. Yet this can be expected only if reasonable terms are proposed. The two principles mentioned seem to be a fair agreement on the basis of which those better endowed, or more fortunate in their social position, neither of which we can be said to deserve, could expect the willing cooperation of others when some workable scheme is a necessary condition of the welfare of all. Once we decide to look for a conception of justice that nullifies the accidents of natural endowment and the contingencies of social circumstance as counters in quest for political and economic advantage, we are led to these principles. They express the result of leaving aside those aspects of the social world that seem arbitrary from a moral point of view.

The problem of the choice of principles, however, is extremely difficult. I do not expect the answer I shall suggest to be convincing to everyone. It is, therefore, worth noting from the outset that justice as fairness, like other contract views, consists of two parts: (1) an interpretation of the initial situation and of the problem of choice posed there, and (2) a set of principles which, it is argued, would be agreed to. One may accept the first part of the theory (or some variant thereof), but not the other, and conversely. The

concept of the initial contractual situation may seem reasonable although the particular principles proposed are rejected. To be sure, I want to maintain that the most appropriate conception of this situation does lead to principles of justice contrary to utilitarianism and perfectionism, and therefore that the contract doctrine provides an alternative to these views. Still, one may dispute this contention even though one grants that the contractarian method is a useful way of studying ethical theories and of setting forth their underlying assumptions.

Justice as fairness is an example of what I have called a contract theory. Now there may be an objection to the term “contract” and related expressions, but I think it will serve reasonably well. Many words have misleading connotations which at first are likely to confuse. The terms “utility” and “utilitarianism” are surely no exception. They too have unfortunate suggestions which hostile critics have been willing to exploit; yet they are clear enough for those prepared to study utilitarian doctrine. The same should be true of the term “contract” applied to moral theories. As I have mentioned, to understand it one has to keep in mind that it implies a certain level of abstraction. **In particular, the content of the relevant agreement is not to enter a given society or to adopt a given form of government, but to accept certain moral principles.** Moreover, the undertakings referred to are purely hypothetical: a contract view holds that certain principles would be accepted in a well-defined initial situation.

The merit of the contract terminology is that it conveys the idea that principles of justice may be conceived as principles that would be chosen by rational persons, and that in this way conceptions of justice may be explained and justified. **The theory of justice is a part, perhaps the most significant part, of the theory of rational choice.** Furthermore, principles of justice deal with conflicting claims upon the advantages won by social cooperation; they apply to the relations among several persons or groups. The word “contract” suggests this plurality as well as the condition that the appropriate division of advantages must be in accordance with principles

acceptable to all parties. The condition of publicity for principles of justice is also connoted by the contract phraseology. Thus, if these principles are the outcome of an agreement, citizens have a knowledge of the principles that others follow. It is characteristic of contract theories to stress the public nature of political principles. Finally, there is the long tradition of the contract doctrine. Expressing the tie with this line of thought helps to define ideas and accords with natural piety. There are then several advantages in the use of the term “contract.” With due precautions taken, it should not be misleading.

A final remark. Justice as fairness is not a complete contract theory. For it is clear that the contractarian idea can be extended to the choice of more or less an entire ethical system, that is, to a system including principles for all the virtues and not only for justice. Now for the most part I shall consider only principles of justice and others closely related to them; I make no attempt to discuss the virtues in a systematic way. Obviously if justice as fairness succeeds reasonably well, a next step would be to study the more general view suggested by the name “rightness as fairness.” But even this wider theory fails to embrace all moral relationships, since it would seem to include only our relations with other persons and to leave out of account how we are to conduct ourselves toward animals and the rest of nature. I do not contend that the contract notion offers a way to approach these questions which are certainly of the first importance; and I shall have to put them aside. We must recognize the limited scope of justice as fairness and of the general type of view that it exemplifies. How far its conclusions must be revised once these other matters are understood cannot be decided in advance.

Appendix

This is where you can add appendices or other back matter.