

Ethics and morality

by Bart Nooteboom

5. Free will?

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There is no free will, says brain science. 'We are our brain'. Our brains behind our backs concoct our choices. Afterwards we contrive reasons to rationalize our conduct and we believe in them because we are not conscious of the processes that in fact determine our choices. The philosopher Nietzsche, and before him Schopenhauer, and before him Spinoza, already said that free will is an illusion. Nietzsche said: the ship follows the stream, not the steering by the captain. If this is true, what remains of responsibility for our actions? What sense remains of reward and punishment?

In the debate there is confusion that can easily be cleared up, as follows. Next to unconscious impulse, conscious thought does have an effect on our actions even if we do not have full free will. One can have influence without being in control. The famous experiment in brain research that triggered the present debate showed that actions preceded awareness of them, and this was taken as the proof of the absence of free will. However, the experiment does not prove that conscious thought has no causal effect. An unconscious impulse to action may previously have been fed by conscious thought, and conscious thought may after the impulse affect its execution. We can consciously execute unconscious motives.

There is extensive experimental evidence in social psychology. While actions may be triggered unconsciously they are often preceded by conscious preparation, in mental simulation of the actions and possible repercussions, including reward and punishment, in anticipation of possible regret, and in reflection on outcomes from past conduct. We consciously analyse the pro's and cons of an option, explore scenario's of what might happen if, discuss it with others, and then leave it up to 'intuition' to form a decision. In buying a house we do engage in rational pro's and cons of location, state of repair, price, sewage, parking, etc., and then 'after a good night's sleep' leave it up to 'how it feels'. Though conscious deliberation does not clinch the choice, it does affect it. Reward and punishment also affect the development of unconscious impulses for future actions.

It has also been argued that the prime importance of conscious thought is of a social and cultural nature, in the use of language in communication. Unconscious thought can hardly be expressed, and conscious thought is needed for handling series of words in sentences, a chain of logical argument, and a chain of causes and effects.

In sum: We are not in control but we do have influence on the will

38. Morality

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With this item I start a long series on morality and ethics: good conduct, the good life, justice, tolerance, freedom, and power. That will be followed by a long series about self and other and collaboration, in which I will discuss Nietzsche and Levinas, and finally I will give a series on trust.

Morality is about rules for good conduct. Where does that come from? For Plato, and for Christendom, there is a moral duty anchored in an absolute, transcendent reality. For Christians morality is the expression of the divine in the human being. I cannot go along with that; I cannot grasp what it is about.

Philosophers of especially the moderate Enlightenment assumed that people had a sense of good conduct (a 'moral sense') on the basis of tradition and habit, or from experience in social intercourse, or in a God-given feeling, or combinations of those. Rousseau assumed that the human being has a natural feeling for it, but that it is corrupted by society.

Philosophers of the radical Enlightenment held that the only enduring moral principle is that of self-interest, inherent in human nature, in the rational pursuit of well-being and deliverance from pain. However, they were convinced that rational self-interest is enlightened and takes into account the interest of others and public interest. The role of laws is to mobilize the rational insight of enlightened interest so that the interests of others are indeed taken into account.

The philosophers of the radical Enlightenment underestimated how also politicians, judges, and public servants are moved by human drives of vanity, self-interest, prejudice, conformism, and mutual rivalry. They were also extremely naive concerning the supposed harmony of interests of self and others. Later in this blog I will discuss the irrationality and immorality of groups. In that suspicion of societal dynamics, my analysis resembles that of Rousseau. In moral decisions people are subject to collective pressures. The individual can try to escape and follow his/her own conviction, but often at a high price.

According to the philosopher Kant morality is not a matter of any natural moral sense or striving for well-being, or of education, socialisation, or habit, but is determined purely rationally, on the basis of universal principles such as, in particular, the *categorical imperative* that some maxim of behaviour is morally acceptable only if one would want to make it a universal rule. Earlier in this blog (item 17) I indicated my suspicion of such universals.

I think that moral dispositions emerge from partly instinctive predilections towards both self-interest and solidarity to others in a group. With Rousseau I think that next to an instinct for defending its self-interest for the sake of survival, and an instinct to manifest itself and to develop its potential (called *thymos* in ancient Greek philosophy, which Nietzsche called *will to power*), the human being by nature has an instinct for good behaviour and for solidarity. For this, there are arguments from evolution that I will discuss later in this blog.

My conclusion from that analysis, however, is that the instinct to altruism and solidarity is mostly directed towards groups to which one feels to belong (organization, profession, neighbourhood, region, nation, culture) and tends to be accompanied by distrust of outsiders. Culture is needed to curtail the instinct towards suspicion and discrimination of outsiders.

39. The good life

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Morality is, or should be, subordinate to ethics, to what the good life is. What is happiness? It is customary to classify ethics into three kinds: *virtue ethics* (e.g. Plato and Aristotle), *consequentialist ethics* concerning the effects of actions, such as utility, and *deontology* or

duty ethics (e.g. Kant).

My preference is for virtue ethics, following Aristotle. Virtues have no other goals than themselves, forming a broad notion of happiness. One can enjoy virtue, though that is not its purpose. There is no universal moral duty rooted in absolute, transcendent reality, as with Christianity, or in rationality, as with Kant. Happiness is not only a feeling or psychological state but lies especially in action. Deeds not only have an extrinsic, instrumental value but also intrinsic value. There is no overarching measure, no guaranteed *commensurability*, of what is good; not all good things can be reduced to a single measure such as pleasure or utility. One cannot add up happiness in love, attending a concert, sympathy for others, etc.

Overarching virtues for Aristotle were prudence, moderation, courage and justice. Material conditions, pleasure and enjoyment are part of the good life, but in moderation. Virtues can also conflict with each other. Insoluble dilemmas occur regularly. For the human being the highest good is the realisation of the potential he/she has by nature, in *human flourishing*. According to many Greek and enlightenment philosophers (e.g. Spinoza) the highest potential is that of the intellect. However, for Aristotle also feeling and emotion are part of practical wisdom (*phronesis*).

Next to realisation of potential my preference goes to virtues of benevolence, reasonableness, extending the benefit of the doubt to people, openness, sincerity, commitment, moral courage and justice. That comes close to old Greek virtues.

It is a long tradition in philosophy, with some ancient Greeks and Romans, and later especially with Schopenhauer, to seek happiness first of all in invulnerability and peace of mind, in avoidance of pain, danger, risk, and emotion. That leads to what Schopenhauer himself called 'the half life'. The only achievable happiness lies in the avoidance of danger and dependence on others. The ideal is *autarky*: liberation from what is foreign and different, from what comes from outside. The blind person is happy because he/she is not bothered by all there is to see. One should treat others as if they are objects: without mind and immutable, or as children: don't spoil them with friendliness or openness. Suspicion is better than trust. There is freedom only in lonesomeness.

But that is the freedom of a prison into which one has locked oneself. I turn it around: we need the foreign, the different, the other, from outside, to free ourselves from incarceration in the self. The other does not revolve around us, we revolve around others.

There is no life without risk. Ambition and creation carry risk of failure and danger, but also an opportunity for new possibilities and insights, and also suffering is a ground for learning. We find this also in Nietzsche.

40. Being in the world

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When considering the good life, we should note that life is being in the world, with 'being' as a verb, not a noun, a process, not a thing. Not *spectator theory*: the self is not pre-established, looking at the world from outside, but is constituted by action in the world. This view was propounded, in particular, by Martin Heidegger (in his *Being and time*, with much obfuscation in weird terminology), and together with other work (e.g. of Nietzsche) formed a basis for *existentialism*.

This is, I think, the ultimate philosophical basis for pragmatism and my view of knowledge as presented in previous items of this blog (23, 26, 28). At any moment we act from ideas, views, normative assumptions and goals that we have, but we adjust them depending on what we encounter in problems and new opportunities.

Going back to the discussion of meaning, and in particular *hermeneutics*, in item 36, I note that Hans Georg Gadamer, with my preferred brand of hermeneutics, was inspired by this view of Heidegger. He adds that when we interpret texts or actions, we do so from the perspective of prejudice or unconscious presumptions or *horizons*, as that literature calls it, which are embodied in our language, in an accumulation of shared experience in the past.

However, as I discussed previously, language and the meaning of words are not monolithic but vary between people, in the repertoires of associations they connect with words, in *sense making*, tapping from their life experience.

The term 'prejudice' is mostly experienced in a negative sense, but prejudices are inevitable. They are *enabling constraints*: enabling and thereby constraining interpretation. See my discussion of *practical prejudice* in item 34.

Thus there is no single, objective, correct interpretation of a text. This does not yield unmitigated subjectivism, with different subjective interpretations existing apart from each other, beyond debate, but yields a basis for debate in which people with different perspectives may revise their interpretations. Interpretation is *dialogical*, a matter of dialogue between alternative interpretative frames. Here I refer back to my discussion of *cognitive distance* in item 55.

While from experience and debate prejudice can be corrected, the outcome remains imperfect: *imperfection on the move* (see item 19). And as I also discussed previously (in item 29), our thought and language may be bound tenaciously to prejudice that is difficult to correct.

Another implication is that a text has a much wider range of possible meanings than the author intended. I think many if not all authors have experienced this: surprise, sometimes, at how one's texts are interpreted. At first, this upset me, with a feeling that 'my' text was violated, but later I became intrigued and tried to learn from surprising interpretations. That lends much greater scope to one's text, and leaves a longer trace of novel interpretations. I hope that this will happen also to this blog, and that readers will tell me.

42. Fragility of goodness

published 7-10-2012

Aristotle accepts that we cannot rise above our potential, towards the absolute. We are subject to forces we cannot fully control, and the correctness of ideas and judgements depends on circumstances. Universal rules of goodness do not work.

The philosopher Martha Nussbaum in her *Fragility of goodness* gives a beautiful exposition of this. The tragedy of circumstance is demonstrated in the classical Greek tragedies. Agamemnon had no other choice than the one between his daughter, to whom he had paternal duties, and his army, to which he had the duties of the commander, and he chooses the second. The hero is caught in a situation where he cannot do good and must choose between

two evils, and he is punished for it. Clytemnestra, the wife of Agamemnon, could not forgive him and in revenge she had him killed. Even heroes do not always carry blame for their destiny. Tragedy demands compassion, but this need not entail lenity or impunity.

Martha Nussbaum makes a connection with monotheism versus the old Greek polytheism. Long ago at Latin school I was told that monotheism is a sign of civilization, and I wondered on what that claim was based. Polytheism yields a sense of a variety of different, possibly conflicting moral duties. Perhaps that harbours the greater wisdom. Both American messianic capitalism and the extremism of Muslim terrorists are rooted in monotheism. Both make an appeal to the righteousness that has fallen on them by revelation of a God for whom they are the chosen people. Only one God can be the right one, and the appeal to another God can only be an expression of evil. *If you are not with us, you are against us. Praise the lord and pass the ammunition.*

However, the problem is not a matter of theistic religion so much as of something that emerges in it. It also arises in ideology. We have seen it in nazism and communism. Present conflicts are not a matter of Christian vs. Islamic faith, but of conflicting platonic pretensions in both of them. It is not about a contrast between Christ and Mohammed, but between Plato and Aristotle. If 'we' are on the side of the good, and the good is universal, then outsiders must be bad. And if the good is pure, the 'we' must not just neutralize but eradicate the vile, the outsiders.

This can take the form of a millenarian Christian idea that the kingdom of God will be achieved after an apocalypse, at the end of times, but with the twist that this can be realised on earth by human intervention. That aberration of Christendom has manifested itself several times in history. Recently with George W. Bush, as John Gray claims. However, such interpretation explains neither Muslim extremism nor the atheistic Utopias that were brought forth by enlightenment thought. The roots lie in the platonic, transcendent dream that is the source of theistic religion but also of other absolutisms such as engendered by the radical Enlightenment.

43. Justice

published 10-10-12

There is a prevailing view of justice as a social contract of self-restraint for mutual benefit between rational, free, autonomous actors. The underlying assumption is that they are roughly equal in power and means. I reject the assumptions of rationality, autonomy, freedom, equality and mutual benefit. Rawls assumed that for the determination of what is just there is a 'veil of ignorance', as if people can stand aside from their own situation and background, knowledge, skills and means, but that is an illusion. The assumption of a rational agreement between people roughly equal in power totally ignores the immorality of groups and phenomena of power that I will discuss later in this blog.

Most objectionable, as argued by Martha Nussbaum in her *Frontiers of justice*, is that creatures (e.g. children, the handicapped, the elderly, and animals) that are less endowed, with fewer means and resources, or little power, are simply ignored or set aside.

Justice goes further than an equilibrium of mutual advantage between actors with roughly equal power and capacities. Justice counts especially when there is no equilibrium of power. I prefer the *capabilities* tradition that Nussbaum follows, where justice entails that people have

access to what is needed for human dignity and flourishing, to achieve (Aristotelian) virtues. It is not only about *negative* freedom *from* interference with flourishing of the individual, to which liberals limit themselves, but also *positive* freedom *to* achieve flourishing, i.e. to have the means and access to it. Nussbaum lists the following: life, health, bodily integrity, perception/fantasy/thought (by means of education and training, freedom of expression, and freedom of religion), emotions, practical reason (view on the good), affiliation (empathy, respect), other species (be concerned with animals and nature), play, influence (political participation, property, work, access to relationships). I can imagine variations to this list, but it serves as a guide.

Beyond individual capabilities justice also requires solidarity. In present complex society, with extreme division of labour and innumerable mutually connected markets, tension between individual and collective interests, unpredictable and unintended effects of complex interactions between individual and collective actors, and perverse effects of markets, people are subjected to systems they have little influence on. Also politicians do not steer but are carried along in a fancy fair of collisions. Then there is a collective duty to assist the casualties of the system. The system also provides windfalls that yield individual success, profit and flourishing of life (I myself, for example, have little to complain), but people should realise that their success is not all their own doing, and that the ground beneath their feet is drenched in the blood of previous generations in their battle for rights and freedom, and that they are benefitting from a leverage of the genius and toil of previous generations. Neither success nor failure are entirely one's own doing. Under the influence of radical enlightenment thought about the autonomous individual in liberalism the systemic effects on opportunities and development of people are neglected.

48. Immorality of the group

published 29-10-2012

In his *Moral man and immoral society*, Reinhold Niebuhr pointed out that while for the individual the egotistic instinct for survival may be mitigated by a countervailing instinct for altruism, on the level of groups that largely falls away. A salient case of group egotism is the recent one of bankers.

Niebuhr gives four explanations of group egotism. First, according to him benevolence is a personal, not a collective characteristic. Second, in a group people can mask their personal egotism as a collective interest. The dictator Mubarak was authoritarian, he claimed, not for his personal interest but to protect Egypt from Islamic radicalism. Third, in groups the mediocre person can project and compensate his/her frustrated personal ambitions in the glory of the group, the nation, religion, or a political ideal. Fourth, there is a cognitive effect. After a while, an isolated elite can honestly perceive its perspective as the only viable one, having become blind to the injustice it creates, and sees protest as ungrateful, ignorant, perverse and self-destructive. When political power also generates economic interest, in corruption and appropriation of parts of the economy, this yields increased vulnerability to its loss, and the consequent need for more power to guard it, which further isolates the elite.

I think there are further causes. First, there is the phenomenon of *prisoner's dilemma's*: individually one would want to take a less egotistic course of action, but one cannot afford to as long as others do not go along, and this is what they all think, so that no one takes the step. 'The others do it as well', is the excuse. Think again of the bankers. And national

governments are themselves involved in a prisoner's dilemma of keeping an industry (banking) from leaving the country.

Second, the needs that people have in common in a group are of a 'lower', more egotistic nature, of physical needs, money, and security, rather than more individualized needs for social legitimacy, responsibility and 'higher' values.

Third, according to my hypothesis, discussed previously in this blog, the good of loyalty within the group was not viable in evolution without the bad of suspicion against outsiders. The demand for in-group loyalty makes it very difficult for a single voice to dissent.

However, there are also a few rays of light. First, with state power one can help to break through the stalemate of prisoner's dilemma's by imposing a solution that participants claim they would favour if only the others went along. Second, there can be countervailing power with organizations that take social responsibility as their goal (such as Amnesty International, Greenpeace, etc.). Third, moral isolation of the group may be lessened by stimulating, or demanding, more diversity within the group, and by shaking it up with a higher turnover of entrance and exit. Think of boards of directors of large firms. That is also one of the virtues of democracy: preventing governments from lasting too long and exposing them to the challenge of outsiders.

71. Judgments of good and bad

published 31-12-2012

In a comment on my discussion of forms of identification (in item 70 in this blog), Noud te Riele proposed that judgments of 'good' and 'bad' are a primitive simplification of the world around us. My response was that while I would not readily judge people as good or bad, surely we can judge actions. We need such judgments for the expression of conflicting opinions in debates that are the source of the good life. In the present item I want to look at this issue more closely.

What might be the basis for this debate? It seems straightforward to look for it in ethics. In item 39, discussing the good life, I aligned myself with the *virtue ethics* of Aristotle, as opposed to the *consequentialist*, most often *utilitarian* view and the *deontological, duty based* ethics of Kant. In a consequentialist approach an action would be good if it is effective, if it yields intended or desirable outcomes. That makes sense, I think, but it is not enough, there is more. I would not go so far, however, as deontological ethics to proclaim a certain type of action to be universally bad or good, regardless of outcomes or circumstances. I would look at the action from the perspective of virtues that are relevant to the situation.

Now Aristotelian virtues, or variations upon them, are multiple and not necessarily commensurable: depending on the specific conditions of action, one virtue can enter into conflict with another. I gave examples, such as the terrible choice that Agamemnon had to make between the army he commanded and his daughter.

This means, then, that there can be several, perhaps many, sometimes conflicting aspects of good and bad, and in that sense the *simple-minded* notion of 'good' versus 'bad' is indeed crude, as Noud claims. But one can still, and in fact does, consider good and bad in the light of each of the relevant virtues. What would be good and what bad concerning Agamemnon's responsibilities as a commander? And concerning his responsibilities as a father? And then

the terrible choice: which of the two should prevail? Here there is indeed no indubitable, clear choice of good and bad. But judgments of good and bad still play a role in the quandary. Agamemnon's wife judged differently and had him killed for his choice.

I return to the example that Fransje Broekema brought into the discussion earlier, of the parent who in trying to protect and educate her child (in *protective identification*) imposes her norms and rules (in *projective identification*), which can fetter the child too much, robbing it of the opportunity to discover its way for itself. Here there is a mix of good and bad. Being a parent myself I know how difficult it is to find a good balance between the two.

I refer also to my earlier discussion (in item 7) of the *spirit of geometry* vs. *the spirit of finesse*. In human affairs one argues in terms of good and bad, but in the spirit of finesse. It is not rocket science.

116. Habermas

published 26-10-2013

Jürgen Habermas is one of the few, and perhaps the last, of contemporary philosophers to plead for rational and just debate. Conditions for it are: no asymmetric power ('*herrschaftsfreie Discussion*', in German), and being truthful, in mutual striving for truth and justice, and being sincere, meaning what one says.

This is of course a good ideal and goal, but the conditions are hardly realistic. There is rarely if ever a complete balance of power in debate. It would, for example, preclude employer-employee debate, and teacher-pupil debate. And there inevitably is strategic behaviour, in dissimulation, half-truths or outright lies to protect interests. To speak with Nietzsche, there is will to power and that is part of human flourishing as well as misconduct.

I noted before (in item 50 of this blog) that power can be positive, in providing new options or room for choice, and negative in limiting them. I pleaded for measures that ensure both voluntary access and exit from a relationship. That applies also to debate. In my discussion of trust I used the notion of *exit* and *voice*. When in disagreement with arguments or actions one should say so and give the other the benefit of the doubt, and an opportunity to explain and justify. But hidden behind the stage there is a way out, an exit, when persistent efforts at understanding and acceptance fail.

In my discussion of cognition I used the notions of *absorptive capacity* and *cognitive distance* (item 57): The ability to understand, and hence rational debate, depend on cognitive structures developed in life and thus differs between people to the extent that their life paths have been different. This is a problem but also an opportunity: precisely because others perceive and think differently there is an opportunity to learn from them and broaden one's horizon. Cognitive distance is a source of learning and innovation (item 58).

Third persons or go-betweens may help to achieve mutual understanding, to cross cognitive distance (item 74).

Power and lies being inevitable, and partly constructive, there must be countervailing measures against negative power, striving for, though never quite achieving, balance of power, and an awareness that give and take and forbearance, not grasping every opportunity

at negative power, is often to one's own advantage, instrumentally, and rewarding for its intrinsic value, as part of virtue. I discussed this in a series on trust (items 68 – 75).

For both cognitive and ethical reasons go-betweens can help, and as I argued in the preceding item on *debatable ethics* there may need to be a jury, or forum, or bystanders to help craft understanding and adjudicate justice. But that also can be biased or prejudiced, and ways of exit must be maintained. To be a voluntary outcast, paying a price of isolation for the sake of freedom.

In a discussion of freedom (item 49) I proposed that beyond negative freedom, in not being bound or constrained by others, the highest level of freedom is freedom also from one's own prejudice. For the latter one needs others, but when those become oppressive one needs to escape even if it means getting buried in one's own myopia and prejudice.

118. Debatable ethics

ublished 4-11-2013

In this blog I have argued (e.g. in item 16) against absolute universals that apply strictly everywhere and forever. Concerning knowledge, I arrive at *warranted assertability*, instead of *truth* in any absolute sense of being objective and indubitable, as discussed in item 104. We cannot claim truth in an absolute sense but this does not necessarily yield relativism in the sense that any opinion is as good as any other. Arguments matter, using logic and facts whenever those can reasonably be established, imperfect though they remain, and conditions for their use are satisfied.

Now I arrive at the equivalent of this in ethics. There are no absolute, i.e. strictly universal and fixed rules of conduct. In item 95 I even rejected Kant's famous categorical imperative (a variation upon the ancient *golden rule* that one should not do to others what one does not want done to oneself). I accept fundamental moral rules as guidelines that are to be followed as a matter of strong principle, but I allow for exceptions and special pleading. To many philosophers this yields a debatable ethics, and indeed that is precisely the point: ethics is debatable.

That, after all, is also what we find in legal courts, where judges interpret the law and mete out punishment with an eye to motives, pressures, circumstances, means, and capabilities. Here also we find the use of multiple causality that I discussed earlier in this blog. There generally is no simple single cause of misdemeanour or crime.

But how, then, can argumentation in deviance from rules occur without resulting in a relativism where any excuse will do? It is a matter of debate, again with arguments concerning multiple causes, as indicated.

There are problems in the notion of a just debate, without one-sided imposition of power, as I discussed in the preceding item (with reference to Jürgen Habermas). Perhaps under unequal power such debate should look more or less like jurisdiction: with a prosecutor and a defence attorney. And should there then be a jury, as in countries with an Anglo-Saxon tradition, or only a judge?

A complication here is, of course, that there are no detailed moral laws as there are legal laws, and no independent judges, prosecutors and attorneys, subjected to standards of knowledge,

training and ethical conduct. Once upon a time priests and vicars fulfilled that role, executing divine law.

There are good reasons for this. Political mechanisms determine legal laws but liberal societies are averse to laying down similar moral laws beyond legality. That does not mean that no more or less law-like moral rules arise, as part of institutions, but that they are beyond democratic control, and as a result they are even more subject to hidden structures of power than legality already is.

Morality should be based on ethics, so what ethics do we use? As I argued earlier, I am a follower of Aristotelian virtue ethics, recognizing that virtues are multiple, often not instrumental but intrinsic, often incommensurable, contingent and subject to change. So, what moral debates can this yield? Similarly perhaps to Socratic dialogue. But rather than this being dominated by a single clever rhetorician, such as Socrates, there should be competent opponents. In case opponents are not competent, mediators and perhaps something like a jury. Or could one perhaps think here of the role that the chorus played in ancient Greek tragedy, taking an outside view for commenting on the proceedings? Is that perhaps how we can ideally interpret public debate in the media?

119. Moral animals?

published 11-11-2013

Frans de Waal published studies on moral behaviour, in particular altruism, among apes. They turn out to frequently support each other, even if it yields no advantage or indeed goes against it, and also when they are not kin.

A Dutch commentator, Chris Rutenfrans, criticized the claim of morality among apes on the grounds that morality entails a philosophy and a debate on ethics, which animals cannot have¹. It would be preposterous to suggest that de Waal entertained the thought that animals do have that. But more importantly, the comment misses the point of de Waal's studies. Moral behaviour does not necessarily require a moral theory or religion. It could be instinctive.

It has long been thought that humans do not have an instinct for altruism because that would not have survived in evolution. Egotism or self-interestedness, to protect one's interests, would have favoured survival and would hence have been favoured in selection. Altruistic genes would have been muscled out by genes for self-interest. If that were so, then altruism would have to be completely cultural, working against evolutionary pressure towards unmitigated self-interest. Then Rutenfrans would have been correct.

However, more recent evolutionary theory came with an argument why next to self-interest also altruism could have survived. I gave the argument earlier in this blog, in item 46, and I will not repeat it here.

The point of de Waal's work now is that it shows empirically that altruism arises even among apes, which is important precisely *because* apes have *no* moral theory that might have given an alternative explanation, and thus the proclivity towards altruism must somehow be in their genes, and if that is possible then it is possible also in Man.

¹ In a review of de Waal's recent book, in the Dutch newspaper 'De Volkskrant', Saturday 6 July 2013.

In other words, while cultural artefacts such as religion may enhance altruism, those are not necessarily the only basis for moral conduct in the form of altruism. To be sure, next to an instinct for altruism the human being also has an instinct for self-interest, to survive in evolution, and any contrary instinct towards altruism would be up against that. When push comes to shove, self-interest will mostly win over altruism. Cultural counterforces would and do help, but de Waals work shows that they may not be indispensable or the only basis.

Rutenfrans also jumps to the conclusion that morality requires a sense of something 'outside' and 'bigger' than the self, and hence requires a God. Earlier in this blog I argued that while religion indeed is best defined as yielding a sense of something 'outside' and 'bigger' than the self, that is not necessarily a God. It may be a sense of awe and respect for nature, life and for the other human being. Here, I drew inspiration from Levinas.

A final comment. In my analysis of instinctive altruism, in item 46, I argued that in-group altruism comes at the price of instinctive out-group suspicion. I wonder if that would be found also in studies of apes: less altruism or suspicion or discrimination concerning apes outside the group (allowing for different ways to define that).

120. Does reading literature make people better? published 17-11-2013

In item 5 of this blog, on free will, I argued that we do not have full free will, we do not have full conscious control over unconscious impulses, but we do have some conscious influence. We can consciously simulate the effects and outcomes of possible actions. While this may not determine the choice of action it may affect it. When we consider how bad smoking is for our health, this may not keep us from smoking, but it may still affect the impulse to do so.

In item 92 I argued that reading fiction helps to develop empathy and the ability to simulate the consequences of acts. *Fiction* is about *possible worlds*, and the reader must *suspend disbelief*.

The Belgian philosopher Patricia de Martelaere argued against this view. She claimed that it is a ruse to maintain the old, failing philosophical view of meaning in terms of *reference* to things in the world. She claims that the very term *fiction* is misguided. The claim of the reference view is that with our words in language we can access 'reality'; that literature is not about this reality and hence must be 'fictive'.

De Martelaere claims, correctly, that we cannot claim to 'represent reality realistically'. We use language not to *mirror* reality but to *form* it conceptually. Presumed 'reality' is already fictive. In literature we simply go a step further, adding 'more of ourselves', in deliberate imagination.

While I agree with this, I still think that it is useful to think of literature as being about possible worlds rather than what we *see* as reality. It makes a difference whether we violate reality because we cannot do otherwise, in language and thought, or do so deliberately, in phantasy.

De Martelaere claims, correctly in my view, that in reading fiction we do not take more distance from protagonists but less. In real life we have good reasons not to identify with others. We might suffer from it in various ways. Our identification may not be reciprocated.

We may have to follow it up with sacrifices. We look away from miserable people lying crumpled on the sidewalk, from personal tragedies we encounter, and from global hardship and terror displayed on TV. We identify more easily with Madame Bovary, or with Othello.

I still think that reading fiction (I maintain that term, notwithstanding de Martelaere's criticism) entails a *suspension of disbelief*, but, and here I agree with her, that it also entails a *suspension of distance*, and leap of identification, at no cost or risk.

Because of that we can experiment, intellectually and morally, with emotions, motives and actions, at no cost and risk, using literature as an exercise in simulation and empathy.

Does the development of empathy make people better? There is warm and cold empathy. Warm empathy is accompanied with feelings of compassion, remorse, and shame, arising in the amygdala, deep in the brain. Cold empathy is a purely intellectual, dispassionate insight in how people think and feel, in the prefrontal cortex of the brain, in a disconnect with the amygdala.

It is a feature of psychopaths, and of other people who remain calm and lucid under danger, violence, risk or what to other people would be stress. Think of surgeons, heroes, and investment bankers. Empathy is for better or for worse.

125. Private and public virtues

published 23-12-2013

Ethics has mostly been approached from an individual perspective: how should the individual behave. There, the proposed universal principle is the 'golden rule' that one should (not) do to others what one does (not) want done to oneself.

Now, most individual ethics are powerless when we turn to public conduct, of states, which are under pressure of geopolitics, aggression, crime, insurgency and terrorism. Torture is clearly wrong but what if by torturing one person one can save a nation?

This was brought home forcefully by Machiavelli's classic 'The prince'. For reasons of state things may need to be done that are blatantly bad, such as torture. However, that does not make it good. What does this do to ethics?

Should one now say that there are two kinds of good and bad: private and public?

I propose that there is no fundamental difference. Ethics and morality are not clear-cut on the individual level either. Also in the private sphere there can be multiple goods and bads, and it is often difficult to choose.

Earlier in this blog (in item 40) I referred to Martha Nussbaum's account of the *Fragility of goodness*, with the example of Agamemnon, who had to choose between his daughter, to whom he had paternal duties, and his army, to which he had the duties of the commander.

I also argued (in item 118) that the golden rule is not strictly universal. There are things that I would do to others that I would not like to be done to myself, because knowing the other I know what s/he appreciates that I do not.

Lying is bad, but even on a personal level I may have to lie to protect someone's interests. Would I lie to keep my child out of prison? I certainly would. Others might not.

I appealed to Aristotle's *virtue ethics*. There are multiple dimensions to what may be good, they are often not commensurable, not amenable to a common denominator, and what is good depends on circumstances. Sometimes I need to be brave and at other times prudent. Next to valour and prudence there are choices between trust and control, 'voice' and 'exit', attack and defence, spontaneity and restraint, truthfulness and lying, etc.

As I claimed (also in item 118), ethics is indeed multiple, debatable. What is to be chosen, and to what degree, is a matter of debate. However, the impossibility of universal rules and judgements is not a passport to the arbitrary. Or to relativism in the sense that any opinion is as good as any other. The striving for justice remains. And an ethical stance is subject to argumentation.

For matters of state there is an International Court of Justice. To justify oneself one needs to show awareness of the bad, evidence that one deliberated, evidence of proportionate action, and the willingness to have one's judgements tested and possibly condemned and punished.

Also as an individual one must submit not only to the rule of law and but also, since the reach of the law is deliberately limited, to ethical judgement of friends, colleagues, and communities. It does not *automatically* suffice for bankers to plead that they are aware that they acted immorally but acted within the law and were forced to act as they did under pressures of competition. They need to argue their case in a balancing of virtues.

Socrates drank the hemlock though convinced that his actions had been right.

162. Obligation and virtue

published 8-9-2014

Here I start a short series on ethics, in particular virtue ethics. It expands on an earlier discussion of Kantian duty ethics (item 38) and Aristotelian virtue ethics (item 39).

Kantian duty ethics looks at proper *motives* for actions. Utilitarian ethics looks at *outcomes* of actions, in terms of wellbeing or utility. Both yield universal rules of obligation or duty, overriding other good things in life. This yields problems that compel us to adopt a third brand of ethics: virtue ethics.

The first problem with rule ethics is that the meaning of the rule can be ambiguous. Athanassoulis² took the example of the rule not to lie. Strictly, lying is knowingly telling an untruth. But how about omitting a relevant truth, or telling irrelevant truths. That may be just as bad as lying, or worse.

Second, there are exceptions. White lies, such as complimenting a host on a bad meal, in order not to offend him/her, may be good.

² Nafsika Athanassoulis, 2013, *Virtue ethics*, London: Bloomsbury.

Third, there may be conflicting obligations. Athanassoulis took the example of having to choose between saving one's own drowning baby and someone else's. Here the obligation of a parent may trump a more general obligation to try and save people.

Fourth, the fulfilment of an obligation may be blocked by circumstances, by bad luck. One may be hindered (restrained to jump into the water), or one may lack the competence (inability to swim). 'Good' can mean 'morally good' but also 'competent'. Competence matters, next to intentions.

Fifth, one may do good unintentionally, and does that count?

Sixth, Bernard Williams showed that moral judgement may be conducted in retrospect and may then be subject to scenarios.³ He gave the example of being unfaithful to one's partner. In retrospect it is bad in the scenario of resolving differences and staying together, but perhaps it is good, as an inevitable move, forcing the issue, in the scenario of breaking up an unworkable relationship.

Seventh, and above all, perhaps, actions also have other than moral values. Next to duties there are virtues of self-realization, bringing one's talents to flourishing. Next to extrinsic value, such as the instrumental value or obligation of an action, the action may have intrinsic value, in wanting to conduct it. Athanassoulis took the example of visiting a friend in hospital. The friend thanks you for it, and you say 'I was just doing my duty'. The friend will not like that, and may even have preferred you to stay away, if that was your motive. As a friend you are supposed to *want* to visit.

In virtue ethics the prime question is not 'what should I do' but 'how should I live'. Virtues are 'excellences of character, which are internalized dispositions of action, desire and feeling'⁴. Examples are courage, sincerity, truthfulness, openness, reason, empathy, benevolence, striving for excellence, creativity, ... For Aristotle, the central, overarching virtue is reason.

The virtue of virtue ethics is that it allows for the problems found for duty ethics. Moral principles become clear only in context, conformance depends on conditions, different rules or principles can be in conflict with each other, and other values and virtues are at stake, such as intrinsic value.

Some philosophers conclude from all this that virtue ethics should abandon duties and obligations, in an ethics without morality. I think that is a mistake. 'How I should I live' has implications for 'what I should do'. The point, I propose, is not that all forms of morality disable the good life, but that morality should not take the form of absolute, strict and universal rules. There can be moral principles or 'guidelines', of virtues, that do not allow for a-priori judgement regardless of context, but provide a logic or language for arguing good or bad, depending on conditions and other values of the good life.

That is what I called 'debatable ethics' (in item 118). Moral judgement entails debate on intentions, motives, competences, outcomes, conditions, and different dimensions of virtue, including intrinsic next to extrinsic value, depending on the context at hand.

³ Bernard Williams, 2008 [1993], *Shame and necessity*, Berkeley, CA: University of California Press.

⁴ Bernard Williams, 2011 [1985], *Ethics and the limits of philosophy*, London: Routledge, p. 40.

For Kant, emotions and human nature were suspect. Emotions and natural desires and instincts are likely to eclipse moral duties. Morality should be a matter of pure reason, undiluted or biased by interests, emotions or natural drives.

In Aristotelian virtue ethics, by contrast, emotions are part of identifying morally relevant situations, and of triggering action. Emotions also contribute to the intrinsic value of moral action. Seeing a face in anguish one may not only see a duty to help, but also a rush of feeling in wanting to do so.

In his later work (*The metaphysics of morals*), Kant did allow for emotions, but they were only possible side effects of morally good actions, as a bonus, still not part of their motivation.⁵

Aristotelian virtue ethics was oriented towards human nature. It was *teleological*, aimed at realizing the distinctive, essential goal that constitutes the nature of the human being. For Aristotle that was the use of reason. That is what distinguishes humanity from other creatures. But clearly human nature, as embodied in the human genome, also has an immoral side. Culture (e.g. ethics) and institutions (e.g. rule of law) are needed to bend or contain evil natural impulse, and to nurture beneficial inclinations such as benevolence, empathy and civic responsibility.

While Kantian ethics originally aimed at moral perfection, later Kant recognized that other features of human life had an inevitable place, and he quoted the Roman poet Horace: ‘The wise man has the name of being a fool, the just man of being iniquitous, if he seeks virtue *beyond what is sufficient*.’⁶ There can be too little self-love, in sacrifice of the self to duty.

Aristotelian ethics proposed the notion of the perfectly virtuous individual as a guiding example. However, as Athanassoulis noted, this is not because such an individual inspires ‘the right action’ in any set of conditions. That would be in conflict with the recognition, in virtue ethics, that any set of conditions is, in principle, unique, not allowing for any a-priori, universally good action. What the ethical role model offers is a demonstration of mastery in perceiving morally relevant features of a situation, and arguing what would then be virtuous. He/she does not prompt the proper actions but is a source of learning to better deal with moral perception and judgement, in practical wisdom. Not a perfect model but a teacher in *imperfection on the move*.

How about the other person? In Kantian ethics it is an abstract, generalized, universal other that has to be taken into account, in acting according to the *categorical imperative*.

In Aristotelian virtue ethics the other is part of moral obligations but not a source of moral enlightenment. As in other ancient philosophy, the ideal still lingers of *ataraxia*, invulnerability, tranquillity, in the avoidance of dependence on others for the flourishing of life.

⁵ Nafsika Athanassoulis, 2013, *Virtue ethics*, London: Bloomsbury.

⁶ Quoted in Simon Blackburn, 2014, *Mirror, mirror. The uses and abuses of self-love*, Princeton University Press, p. 3.

In contrast with that, as I have argued repeatedly, in this blog, the self needs the other for its flourishing. In particular for opposition to moral prejudice, for correction of moral myopia. It is not just from the occasional virtuoso in virtue that one can learn, but also from the experience, successes and failures, and resulting insights, of others more in general.

This connects with my discussion, in item 120 of this blog, on how literature can make people better by exercising moral imagination.

In fact, this need for imagination, to grasp the ideas and motives of others, as needed for judgement and thought, is part of Kant's later philosophy (*Kritik der Urteilskraft*).

164. Trust as virtue

published 21-9-2014

Trust yields a good illustration of virtue ethics. Trust is not a moral obligation but a virtue. It requires character. It is contingent, not universal: one should not always trust, blindly or unconditionally, but depending on experience, customs and conditions. Trust can be both emotional and rational. It can yield dilemmas. It requires actions that are appropriate to specific circumstances. It requires practical wisdom to perceive and judge what is salient in those circumstances.

Here I pick up elements from the earlier analysis of trust in this blog (in items 68-73).

As I discussed there, trust is a matter not only of intentions but also of competences. One must not only have good intentions but also the ability to act upon them.

Trust is emotional since it is accompanied by risk, fear, hope and doubt. It is rational in the analysis of reasons why the *trustee*, the trusted person, organization or system, may or may not be trustworthy.

Trustworthiness requires virtues of character, such as being reasonable, forbearance, commitment, endurance, consistency, empathy, openness, courage, and the right amount of self-confidence.

A shortage of self-confidence breeds suspicion, out of an excessive sense of vulnerability. Too much self-confidence blinds one to risks or overestimates ability to deal with them.

Trust requires courage because it presupposes acceptance of uncertainty. If one were certain about what will happen and what people will do, there would be no talk of trust.

Trust requires reasonableness, forbearance, and reciprocity, give and take, in taking appropriate action. When something goes wrong one should not immediately conclude foul play. One should extend benefit of the doubt and give an opportunity to explain what happened. Disappointment of expectations may be due to a mishap that is no one's fault, a shortfall of competence, or lack of attention or commitment, rather than bad intent. Then one must have endurance and commitment to help improvements. In other words, one should not immediately go for 'exit', but give 'voice' a chance.

Conversely, when one makes an error, one should own up to it, explain, help to redress damage, and show how one aims to prevent similar errors in future. One should also be open concerning one's fears. That gives the other side an opportunity to take action to mitigate them. In other words: trust requires openness.

Empathy is needed to understand the motives and position of others, including threats they suffer, in order to take them into account in forbearance, and to judge risks and reliability.

Trust is not 'being nice'. Precisely because there is trust one can afford to be critical.

More trust can allow for less control, but trust is not boundless and where it ends control must start. Trust is not unconditional. In case of persistent error or cheating, controls are tightened, or voice turns into exit.

Trust is imperfect. It breaks under pressures of survival, as in times of crisis. Then self-interest is likely to prevail, and relations may break. The challenge then is to end a relationship in as trustworthy a fashion as possible, helping to limit the damage it causes, and helping the other side in the exit.

One may also face different, conflicting obligations, to family, job, community, and conscience, and one may have to choose.

Finally, apart from trust as a means to govern relationships, it also has intrinsic value: for many people, for virtuous people, dealing on the basis of trust is more agreeable and is part of humane relationships.

In sum, trust requires virtues of courage, self-confidence, forbearance, openness, reasonableness, endurance, and voice. One should analyze specific events in specific conditions, with an open mind, to arrive at appropriate action. One can encounter conflicting obligations. One should seek a balance between trust and control, between self-interest and altruism. And trust also has intrinsic value.

The capability of trust is a good example of what Aristotle called 'practical reason' (*phronesis*).

166. Guilt of unintended harm

published 6-10-2014

Is there a moral justification of harm that is foreseen but not intended? This is a puzzle in ethics (the *doctrine of double effect*).

What if I drive when drunk and cause an accident? What if I use excessive violence to protect myself? What if I protect someone while risking to harm others? What about collateral damage? What if bombing IS can be expected to also kill innocent bystanders?

There is an ethic of consequences and an ethic of motives. On the one hand, if I am the cause of harm, I should take responsibility. On the other hand, surely, intention, the question whether I did harm intentionally, or from incompetence, or by accident, is ethically relevant. However, a claim of accident may be a mask of intention.

Consider the issue of free will, discussed in item 5 of this blog. If there is no free will, nothing is done intentionally, and if lack of intention is an excuse for doing harm, then no harm is morally wrong.

When does collateral damage become a mask of intention to punish a population, or to wreak vengeance, or to set an example?

In this blog I have argued for a *debatable ethics* that takes both consequences and motives into account, as well as competencies, multiple obligations, and circumstances. How does that work out?

Enzio di Nucci gives an answer.ⁱ Look at how courts of justice operate. One should distinguish between guilt and punishment. To establish guilt one should look at one's responsibility as a cause of harm. For punishment, on the other hand, mitigating circumstances are taken into account.

Was the harm an accident, a fluke of hazard, or lack of competence, lack of attention, an act of fear or panic, or a matter of conflicting obligations?

I push someone and he/she falls down the stairs. I claim that it was a playful push, but was it? Or was it a devious murder?

For punishment, past conduct and expectations of future conduct also matter. Did the culprit admit guilt, express regret, and was that credible in view of past conduct?

In my work on trust I proposed that just 'saying sorry' is not enough. To recover trust one must explain how things went wrong, what one intends to do to mitigate the harm and to prevent similar harm in future.

Even in establishing guilt, in some cases mitigating circumstances are taken into account, as in manslaughter (accidental, but still culpable) versus murder (intentional). That may happen even in case of intentional harm. For example: in panic, you shot a harmless intruder. A celebrated recent case was that of Pistorius (the 'blade runner'), who shot his girlfriend, unseen, through a door, and claimed that he thought she was an intruder. He was cleared of the charge of murder but convicted of 'culpable homicide' (manslaughter). Was that a just verdict? It depends on the further evidence.

Collateral damage makes guilty: one has been the cause of it. But the defense may be that it was justified by a larger purpose, and proportionate to it. That would matter before the International Court of Justice. Is there evidence for hidden intent, with collateral damage as an excuse?

One may also be found guilty of *neglecting* to act, as when one stood by as someone was drowning. Was this culpable? Was there a good reason, such as inability to swim, or mitigating circumstances, such as freezing cold water? Or conflicting obligations, such as having to leave one's child unattended on the slippery embankment?

The practice of courts appears to illustrate well how debatable ethics works out.

If thought arises from action and interaction in the world, as argued in earlier in this blog, then it would be odd to doubt the existence of reality.⁷ To renounce belief in it would be to renounce the origins of oneself. Here, Descartes gets turned around: not ‘I think therefore I am’ but ‘I am, therefore I think’. I, the world and others exist, and as a result I think.

However, the assumption of the existence of reality, taking it for granted, the absurdity of denying it, does not imply that we know it as it is, independently of our thought, or even what such knowledge would be, or what ‘independence of our thought’ would mean. We cannot simply step out of our conceptualizations of the world.

However, occasionally, and with great effort and trouble, fundamental concepts of the world can be shifted. One example is the radically counter-intuitive notions in modern physics and cosmology, which work only because they are formulated in mathematics, not ordinary language. My efforts to see through what I call an ‘object bias’ in thought and language, earlier in this blog, are another example.

Another argument for the existence of reality is that without it one cannot make sense of evolution. Evolution requires a selection environment that exists more or less independently from the forms of life that are selected for fitness, indeed the notion of ‘fitness’ would not make sense without it.

As noted by Braver, for similar reasons it does not make sense to doubt the existence of other people or empathy, the possibility of some understanding of what others feel and think. However, the very word ‘empathy’ misleadingly suggests that selves pre-exist before they interact.

We develop a sense of identity by inference from what we see other people do or say, and by trying to look at ourselves from their perspective. Without empathy we could hardly develop ourselves. It is precarious to be an autist.

In sum, reality and empathy are to be taken for granted. David Hume already recognized that humanity is based on custom, habit and empathy.

In this blog I have paid much attention to the notion of trust: what it means, its viability, its basis, and its limits (items 68-73). I argued that empathy is crucial for it: the ability to view one’s actions from the perspective of the other.

Rational self-interest of the autonomous individual, as assumed in economic theory, is self-defeating. For life, to be a self, one needs socialization and that requires empathy, with a non-rational foundation in feelings and perceptions (Braver, p. 170). Wittgenstein saw that trust must come before suspicion (Braver, p. 166).

How would the economy look from this perspective? Soon in this blog I start a long series on that: on economics and on markets.

⁷ Here, as before, I employ Lee Braver, 2012, *Groundless grounds; A study of Wittgenstein and Heidegger*, MIT Press.

174. Moral realism?

published 26-11-2014

Moral realism claims that there are foundations for morality beyond subjective opinion and social convention.ⁱⁱ In a strong form it proposes that moral precepts are *independent* from our thought, beliefs or opinions. In a weaker form, it proposes that they are *not 'up to us'*.

Where do I stand in this, with the 'debatable ethics' proposed and discussed in this blog? My stand is realist in the weak but not the strong sense. I believe that morality is not independent from our thought but that it is not (entirely) 'up to us' either. The possibility remains that its source lies partly in our thought and social convention and partly in some 'outside', more objective conditions.

A key question concerning claims of 'good' or 'bad', is 'good or bad for what or whom?' That in itself already entails that they are not 'independent from us'.

Morality is constructed in interaction between people. In Wittgenstein's terminology: they are part of *language games*. In that they are not purely subjective and are largely social. The self needs debate with others, with different views, to test its own moral views. But realism requires that morality is not up to us even 'if we all agree'. What, then, lies beyond language games, beyond tacit or explicit social consensus? Is there any more 'objective' warrant?

I think morality is also subject to an evolutionary selection mechanism as an external cause. I am confident, but cannot be sure and cannot prove, that moral systems that go against the flourishing of life and society will sooner or later fail to survive, and will succumb in revolution or disintegration.

But what, then, does flourishing of life and society entail, and how 'given' or 'objective' is that? Much more than in nature, in society the conditions that constitute the evolutionary *selection environment* that determines the survival or failure of morality are not fixed or given and are to a greater or lesser extent affected by the morality they select. In other words, to some extent there is *co-evolution* between society and its selection conditions. To some extent societies create the survival conditions conducive to them.

The flourishing of life and society may come to mean submission to some authoritarian regime. As I argued earlier in this blog, Fukuyama's claim that 'history has ended' in the definitive victory of the liberal capitalist democracy is not valid.

All this makes my moral stance realist only in a limited sense. It is not the strong realism that most moral realists like claim. My moral realism is also weaker than my realism of knowledge of the natural world. There, the evolutionary pressure of the laws of nature that constitute the selection environment of our thought is more rigorous and more independent from our thought than in morality.

175. Morality of causes

published 8-12-2014

In the preceding item of this blog I discussed the causality of morals: where do moral principles come from? Here I discuss the morality of causes: how do moral principles affect behaviour?

In classical Greek philosophy it was assumed that knowing good automatically produces doing good. Clearly that is not the case. Sociopaths know of good and bad but don't care, or even enjoy going against that knowledge. We often suffer from weakness of the will: we know how we should act but are not motivated to do so. And there may be other causes that enable or prevent moral conduct.

To proceed, I make use of a multiple causality of actions, going back to Aristotle, that I used before in this blog, in items 96-99. Multiple causes are tailored to human conduct, with an *efficient cause* (the agent), a *final cause* (motives, goals), a *material cause* (available material, means, resources), a *formal cause* (method, skill, technology), a *conditional cause* (conditions that ground, enable or disable, the other causes), and an *exemplary cause* (a role model).

I now propose that these different causes of conduct determine how morality affects conduct, yielding a *morality of causes*. This, I propose, may help in the practical implementation and adjudication of morality and in dealing with moral complexity.

In the preceding item in this blog I proposed that cultural principles are social, cultural constructs that are not arbitrary but emerge from selection in the evolution of societies. I now propose that moral principles yield the conditional cause of moral conduct, which also requires other causes.

Moral principles are institutionalized in legal, educational, medical, and other practices and standards. Together, they enable, constrain, and impel moral conduct. They are external to the agent.

To have an effect on conduct, moral principles must be supported by the motivating factor of the final cause, goals and desires, internal to the agent. This includes emotional drives of guilt, shame, and fear of social retribution. It also includes a balancing of moral considerations and the flourishing of the agent's own life.

How this works out depends on the efficient cause, i.e. the moral agent, with its corresponding positions, roles and responsibilities. This may include features of the networks in which agents are connected (such as structure of the network and positions in it).

These positional features of the agent determine the requirements and available options for moral choice, with complexities of responsibility towards different individuals and institutions, and the resulting moral dilemmas. A politician or manager has to weigh individual and collective consequences of possible actions. The collateral damage of bombing, for example. A parent has to include responsibilities towards his/her children.

Next, moral conduct is also affected by availability of the means needed for requisite conduct, in the material cause, and requisite abilities and know-how, in the formal cause.

The material and formal causes, and to some extent also the positional features of the agent, are external to both the agent and the moral principles.

The material cause entails the materials for moral deliberation, such as relevant logics, practices, literatures, precedents, cases, and illustrations.

The formal cause entails knowledge and skill, in the ability to see events as morally salient, to engage in moral conduct, and to argue in moral debate, given the complexity and context-dependence of moral considerations. They yield the ability of Aristotelian ‘practical wisdom’.

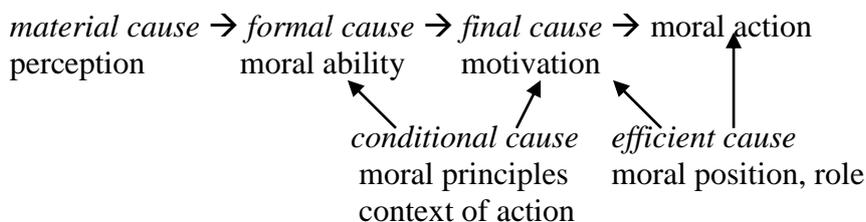
The exemplary cause is the ‘moral hero’ who can manage the complexities of Aristotelian virtue ethic well, in practical wisdom. This can be an exemplary manager, politician, arbiter, judge, or author, for example. Moral decisions vary with the context, and cannot be codified in universal protocols. The moral choices of the hero cannot be copied from one situation to another, but exemplary behaviour concerns the ways in which he/she goes about navigating moral complexities.

176. Moral failure

published 15-12-2014

The multiple causality of moral conduct set out in the preceding item in this blog can be employed to analyse moral failure.ⁱⁱⁱ

It can be put together in the following scheme



Moral failure can now be traced to lack in one or more of the causes.

First, moral principles may be lacking. Second, one may fail to have the requisite perception of a situation. Third, one may be unable to see its moral salience in relation to the specific context of action, or one may be unable to conduct the requisite action (for example inability to swim and make a rescue). Fourth, there may be lack of motivation to act accordingly. One may disagree with the moral principles (people ‘should be left to fend for themselves’), be weak in will, be simply too lazy, give priority to self-interest (afraid to drown oneself), or be confronted with conflicting duties (leaving an infant in hazard on the embankment if one jumps in). The last depends on the position of the agent and roles he has to play.

Moral role models help to develop especially moral ability and motivation. Think of parents, friends, teachers, sages, etc. Here literature may help, as an exercise in moral judgement, as I argued in items 92 and 120 of this blog. Take, for example, Ian McEwan’s latest book (*The childrens act*), in which a judge is faced with a series of moral conflicts and paradoxes.

In tragedy, as a special case, the moral agent has a choice only between morally bad options. The classic case is that of the Greek general Agamemnon who had to choose between sacrificing his daughter or the army he led. As DeLapp pointed out, here moral failure can be condoned, but it would be morally dubious if the agent were not plagued by qualms of self-doubt or self-recrimination.

As DeLapp also pointed out one may profit from a morally dubious situation without being causally responsible for it. The example he uses is profiting from discrimination (in getting a

job, say), while disapproving of it. But the question then is how much effort one is making to 'change the system'.

In item 166 I discussed the issue of moral justification of harm that is foreseen but not intended. Collateral damage of bombing, for example. I showed how this can be approached distinguishing between guilt and punishment. To establish guilt one should look at one's responsibility as a cause of harm. For punishment, on the other hand, mitigating circumstances are taken into account, such as the ones discussed above, lack of ability, pressure of self-interest (e.g. survival), conflicting obligations. Past conduct and expectations of future conduct also matter. Did the culprit admit guilt, express regret, and was that credible in view of past conduct?

What about the conduct of bankers in the recent financial crises? They made profits while hiving off risks of failure onto society. They claimed that they were not aware of the risks of their conduct for society (material cause), or that their conduct was dictated by the demands of capital markets or organizational culture (conditional cause), or that they obeyed prevailing ethics in financial markets (conditional cause), and were unable to escape from them (formal cause), or were forced by the responsibilities of their positions (efficient cause). Those arguments are either not credible or not adequate. They are mostly excuses for masking the self-interest of profit, bonus or job (final cause).

177. Tolerance and forgiveness

published 22-12-2014

The debatable ethics that I propose in this blog requires the ability and commitment of tolerance, in an effort to understand and perhaps forgive what appears to be moral failure.

Kevin de Lapp (p. 152)^{iv} proposed three forms of tolerance: normative, epistemic, and pluralistic. Normative tolerance entails 'this is not my business'. It is close to indifference. Epistemic tolerance is modesty: 'I don't know, can't judge'. Pluralistic tolerance entails the recognition that there may be alternative moral views or systems. Thus one may recognize as different but valid a consequentialist ethic where only outcomes matter, not motives, as well as a Kantian ethic where motives matter regardless of outcomes. This view can perhaps be seen as relativistic.

Epistemic tolerance may yield the effort to understand apparent moral failure, in recognition of the complexities, dilemmas and tragedy that may be involved in moral choice. What appears to fly in the face of one's moral principles may upon scrutiny hide a commonality of such principles. Epistemic tolerance may lead to forgiveness.

For this, I propose, the causal analysis discussed in preceding items in this blog may help, with an analysis of the material, formal, final, efficient and conditional causes of action.

In debatable ethics this is to be combined with 'voice', extending the benefit of the doubt, listening to reasons given, and the effort at empathy. Only when that persistently fails should one resort to the 'exit' of censure, condemnation, or separation. That is also what I recommended for the building and maintenance of trust, in items 68-75 of this blog.

Concerning the material cause, one may find that the culprit did not see or have the morally relevant information on what happened.

Concerning the formal cause, one may find that he/she did not see or understand the moral salience of what happened.

Concerning the final cause, one may find that he/she saw a conflict between what was morally required and what was in his/her interest. Here the motive matters.

Concerning the efficient cause, one may find that he/she had conflicting moral obligations. In case of tragedy all options were bad.

Concerning the conditional cause, one may find that he/she was following different moral principles, at odds with one's own.

Concerning the exemplary cause, finally, one may find that he/she was following a bad example that to him/her was presented as a good example or an example of customary conduct.

All of these depend, in one way or another, on upbringing, education and social conditions.

So when does forgiveness arise? Clearly, when there was lack of perception, lack of moral ability, conflict between obligations, or tragedy, forgiveness is easiest. With respect to motive especially there is need for debate. How understandable was self-interest in comparison with moral obligation? That depends on the moral principles and their underlying ethic that were at play.

What if one disagrees with the underlying ethic? One may accept that it is an established ethic, even if one disagrees with it. This is pluralistic tolerance. Then a debate is in order to compare the alternative ethics. Here, voice may meet its limit, in the inability to agree or accept, and this may yield exit. When one can only see the other ethic as evil or unacceptable under any circumstances, exit is inevitable.

Such debate may stall in the inability to cross cognitive distance, or in emotions attached to morality, obstructing empathy and understanding. Then a knowledgeable and wise third party may help, as a go-between, to help cross cognitive distance, defuse suspicion, dampen emotions and make repairs when debate is torn. Or in other words: to help voice and try and prevent exit. Providing an exemplary cause.

178. Moral instinct

published 29-12-2014

The analysis of morality according to the causality of action, discussed in the preceding items in this blog, may suggest that moral conduct is a conscious, deliberate affair. It may suggest that there is a deliberate matching of perceived situations with conscious moral principles, to be confronted, next, with interests and motives of the agent in question, in some rational trade-off. But while this may occur, morality is largely subconscious and driven by emotions.

In item 119 of this blog I proposed that even animals could exhibit moral conduct, in particular in altruism, as demonstrated in Frans de Waal's experiments with apes. This claim was based on an analysis, in item 46, of how altruism may have survived in evolution, to evolve into an instinct, in tension with a rival instinct for survival and self-interest.

The drive to survive as an individual and the drive to be a loyal member of a community, in give and take, in some degree of altruism, are both deep instincts of human conduct, and constitute rival mental frames of action. Depending on the situation one may be in one frame or the other, and events may trigger a shift between them. One may be in a benevolent frame until one feels threatened in one's existence.

I discussed this earlier in my treatment of trust, in items 68-73.

How would all this be embodied in the brain? How do cognitive habits form, even in competition with each other? Cognitive scientist Gerald Edelman proposed *neural Darwinism*. Associations in thought arise from more or less random tentative connections between parallel neural networks, triggered when those are active simultaneously in specific conditions. Such tentative connections are reinforced as a function of experienced success (presumably arising on an in some sense 'higher' level of neural circuitry). There may be competing emerging circuits, selected according to success, as a function of conditions. Hence the notion of neural 'Darwinism'. This is how I read Edelman.

Much, if not most, of this goes on subconsciously, and this explains how much of our thought and action is subconscious, limiting the scope of free will, as discussed in item 5 of this blog.

So, the morality of action, and the perception of moral action, may shift according to conditions, triggering one mental frame or the other.

How does all this work out in terms of the causality of action discussed before? The mental frame one is in, loaded with feelings of threat or safety, self-interest or benevolence, depends on conditions (conditional cause) and on one's position as an agent (efficient cause), and will determine what motives (final cause) are salient, and will colour or select the moral sense one attaches to observed situations (formal cause), or even those observations themselves (material cause). In this, one may be driven by emotions such as those of fear or bliss.

Actual conduct may then be in conflict with what one would rationally see as morally justified action. The resulting tension will evoke excuses in terms of the causes of conduct. One claims not to have seen, not to have judged appropriately, to have been unable to act appropriately, or to have had competing obligations.

179. Moral robots?

published 5-1-2015

There is talk of robots developing beyond human cognitive capacity. There is fear that they will even come to dominate humans. In particular, the fear is that they will behave like sociopaths, with superior rationality but without human morality, without human values of empathy, compassion, and without practical wisdom of action.

If there is any ground to this fear, it is important to develop moral sense in the design and development of robots. How is that to be done? It requires, I propose, collaboration between engineers, software developers, cognitive and neural scientists, and philosophers.

But first, let us consider how robots could equal and surpass human cognition. That would require, among other things, a capability to develop tacit knowledge and associative, creative thought.

In the preceding item of this blog I discussed how cognition might develop in the brain, in *neural Darwinism*. I see no reason why that could not be emulated in robot brains. In fact, present robots already have been programmed to have an evolutionary learning capacity, where more or less random trials are reinforced or weakened in performance.

How about morality, then? I argued earlier that in humans moral instincts have evolved in a long process of biological evolution, with rival instincts of self-interest and altruism. For robotics to reproduce this, the development of robots, with some selection process in their functioning, would have to be speeded up enormously to match the long evolution of the human brain. Perhaps that can be done. But who defines and sets the selection conditions for survival of conduct? What if those are somehow set to *prevent* the selection of altruism?

In item 46 of this blog I argued that in human evolution an instinct for altruism might have developed from a benefit in group selection, under certain conditions, and that in-group loyalty probably arose at the price of out-group discrimination. Would this also have to be reproduced in the evolution of robots? And couldn't humans then be seen as the out-group, suffering all the more from robots?

Alternatively, could robots be programmed to act morally according to the multiple causality of moral action discussed previously? They would then have to be made to adequately perceive situations in a morally relevant way (material cause), to interpret their moral import and match them to moral principles (formal cause), taking into account situational conditions (conditional cause), depending on the agent and its position and role (efficient cause).

Would they also need to take into account their own interests (final cause), such as their own survival or 'health', not to self-destruct too easily?

And what moral principles would be programmed, according to what ethical system? Utilitarianism, Kantian duty ethics, or some form of virtue ethics?

Would there be exemplary robots for robots to imitate (exemplary cause)? Or could they learn to imitate their human teachers? Or could humans at some point learn from exemplary robots?

I argued earlier that in the exercise of practical wisdom intersubjective debate is needed, in *debatable ethics*, between different moral perspectives and assessments of situations, to fine-tune, moderate or revise moral perspectives. Would such debate need to occur between robots and humans, or robots among themselves? Or would robots help in debates between humans?

To sharpen their moral sense and become morally more adept, would it help to let robots read literature (see items 92, 120 of this blog)? Could they produce literature for humans to sharpen their moral sense?

Economic science claims to be value-free. It does not make choices, it says, but only calculates the economic consequences of choices made in politics. But that calculation is based on theory and methods that derive from a utilitarian ethic, and the choice of an ethic is a choice of values, even if that choice is not deliberate and has been imbibed in the nursing of economists. As a result economics is blind to the values that it tacitly adopts. It does not occur to economists to put them up for debate, and if you do it they don't know what you are talking about.

Utilitarian ethics looks only at the consequences of acts, in the form of welfare. Intentions and the quality of motives are immaterial. The foundation of this ethics lies with the 18th century philosophers Jeremy Bentham and John Stuart Mill, and was introduced into economics by Adam Smith. And then striving for self-interest turned out to be a motor of prosperity.

For Adam Smith self-interest was to be subordinated to collective interest, but in the later development of economics self-interest of the autonomous individual came to reign supreme.

In economics, utility as a consequence of action is considered to be universal and all encompassing. All outcomes can be assembled under a single measure of utility, of which one can next calculate the optimum. Apples and oranges can be added up. Preferences can always be specified for everything, and regimented neatly into a consistent ordering.^v

Utilitarian ethics stands in contrast to the duty ethics of the philosopher Kant. There, it is quality of motives that matters, regardless of the consequences of acts. The central moral precept is that one must act according to principles that one can rationally want everyone to follow. Lying is bad because you would not want everyone to lie. This is a form of the ancient 'golden rule' of 'Do not do unto others what you do not want done upon yourself'. This is not about self-interest, and the individual is not autonomous.

A third form of ethics, for which I plead, in this blog, is virtue ethics, which goes back to Aristotle. That is about both motives and consequences of actions. 'Virtue' sounds moralistic, but it is about values such as sincerity, truthfulness, empathy, reliability, loyalty, responsibility, commitment, willpower, courage, consistency, ...

Those values are not necessarily commensurable, not reducible to a single measure, and which values count, and for how much, depends on conditions. In the preceding item in this blog I offered a way of tracing morality in different aspects of actions.

The balancing of disparate values is a task for politics and should not be relegated to economists. The core of that process is debate, not calculation. Civilisation counts because it does not count.

224. Ethics and justice

published 1-11-2015

As discussed in item 62 of this blog, Levinas made a sharp distinction between his ethics of the face of the individual, and public justice that transcends individuals. Is this distinction viable? To quote Mari Ruti: 'Ethics and justice are irreconcilable but also indissociable'.^{vi}

There are good reasons for the distinction. Justice, in laws, should be regardless of interest or position, to avoid class justice, cronyism, corruption, ... Laws are intentionally impersonal, without regard to the Levinassian face.

In this blog, I criticized the strict universality of Kantian duty ethics, but there is a kernel of truth in it. What is just should not depend on individual interests and emotions. However, while I would apply that to laws, I do not apply it to ethics.^{vii}

While Levinas sharply distinguished between ethics and justice, he did not separate them. Voices from the ethic of the other should continue to inject their spirit in the formation and application of systems of justice. To repeat a quote from Levinas: ‘One sometimes hears them in the cries that rise from the folds of politics that, independently from official institutions, defend “human rights”; sometimes in the songs of poets; sometimes simply in the press and in the public spaces of liberal states ...’^{viii} The ethics of the individual forms the conscience of collective justice.

There is a need to continually mediate between ethics and justice, to fritter ethically at the boundaries of the law. This is nothing unusual: judges do it all the time, trying to apply the law not only to the letter but also to the spirit behind it, taking into account personal conditions.

For an illustration of the problem, see the present efforts to accommodate the hosts of refugees streaming into Europe. From an ethics of compassion, laws and rules are bent, but this imposes great stress on feelings of justice among the population, where people have to allow precedence to refugees in the allocation of housing and jobs.

So, what more can be said about how are ethics and justice are related? As elsewhere in this blog, I take a dynamic approach: how do they affect each other in their development? For this I have two proposals.

First, I go back to my discussion of meaning, earlier in this blog, where I picked up the distinction between sense and reference, taken from the work of Frege, but with a twist (item 32). As is customary, I took reference to be what a term or expression is intended to refer to (or the truth value of a proposition). Less customary, perhaps, I took sense as the way in which identity is identified, or truth established. Reference is public, outcome of intersubjective agreement. Sense is private, tapping from personal repertoires of associations collected along one’s life path. People individually construct what is to be intersubjectively agreed.

Could this serve as a model here? Could personal ethics similarly form, construct, reconstruct or break through public justice?

Second, to complement this, I go back to my stories about the ‘hermeneutic circle’ (item 36) and the ‘cycle of discovery’ (item 31). By applying existing general, publicly accepted, ideas in novel contexts, one detects their limitations or errors, and insights in novel opportunities from local practice, to arrive at experimental hybrids that may develop and consolidate in novel general ideas of wider scope and application.

In the present context: established normative ideas, principles of justice, taken as universal, are applied in new fields of society, new conditions, new cultures, to discover conduct that

does not fit and yet somehow ‘works’ in the local context, raises empathy, and may yield new perspectives, in experimentation with hybrids, which may develop into a new, more widely shared moral universal.

Here the distinction between normative and intentional universals (see item 222) appears. In applying norms as widely as possible, as one best knows how, the wider universality of intention opens up benefit of the doubt, detection of the limits or errors of norms, and new possibilities, which may yield hybrids, in experimentation, possibly yielding consolidation in new, perhaps more widely shared norms.

230. The virtue of distinction

published 4-12-2015

In classical Greek, next to *eros*, passionate love, and *philia*, loving friendship, there is *agape*, generalized, undifferentiated love for one’s neighbour. The latter became a paramount value in Christianity, seeing people equal as creatures of God. Nietzsche, and following him several others (e.g. Onfray), rejected this, opting for variety and distinction. Achieving distinction and making a distinction between people one deals with.

For *making distinction*, maintaining emotional distance to people, Onfray recalls Schopenhauer’s parable of the hedgehogs. In winter they are cold and want to creep close to each other for warmth. But then they prick each other and move out again. So they move in and out until they find a distance with maximum warmth with minimum pricks.

Onfray proceeds to use the notion of concentric circles.^{ix} In the innermost circle loved ones, *eros* and *philia*, with whom one has a sense of shared destiny, or identifies with, in mutual dedication, sharing, and altruism. In the second circle acquaintances one associates with regularly, socially and in work, with forbearance and empathy. Next, a circle of people one meets and deals with superficially, haphazardly and incidentally. Then, a circle of anonymous people one is indifferent to. Finally, a circle with enemies or people one despises, or hates, and avoids.

The closer the circle, the more one needs to maintain and nourish the relationship. For this, the innermost circle especially needs to have a limited number, five or so, to achieve this quality and closeness of relationship. With Internet, a large number of ‘friends’ on Facebook, impossible to all attend to closely, this quality is bound to deteriorate.

I have two qualifications to make. First, while fairness, altruism and reciprocity apply more for closer circles, justice should apply to all. Second, even towards more distant circles one should remain open to the other, for pleasant or constructive surprise, even when perhaps also guarding against threat. Open to strange beliefs and their possible warrant, and open to debatable ethics. This basic openness and respect remain from Levinassian ethics.

For *achieving distinction*, there is the notion of *virtú*, with classical and Nietzschean virtues of excellence, courage, strength, agency, creation, and putting up a fight when challenged or constrained.

Here, autonomy is sought even while the self is socially constructed. Achieving distinction meets openness in making distinction, in the opportunity from openness to others to improve or transform oneself.

Machiavelli extended the notion of virtú with leadership, effective use of power, in conduct of the prince or war-leader, acting for reasons of state, ruthlessly when needed, including actions that by any other morality would be seen as outright evil. There is debate on whether this was intended as a normative statement of how a ‘prince’ should behave, or no more than a descriptive statement of actual conduct.

What is my answer to Machiavelli? I do grant that on the collective level of the state morally bad actions may be needed to survive. But one should be prepared to give arguments for them, for each specific case, in front of a tribunal, again and again, in terms of necessity (there were no alternatives) and proportionality (to the threat that was inflicted). That is part of what I called ‘debatable ethics’.

ⁱ Enzo di Nucci, 2014, *Ethics without intention*, London: Bloomsbury Press

ⁱⁱ For a recent discussion, see Kevin DeLapp, *Moral realism*, London: Bloomsbury, 2013.

ⁱⁱⁱ As in the preceding blog I employ the moral issues raised by Kevin DeLapp, *Moral realism*, London: Bloomsbury, 2013. However, my arguments and conclusions differ.

^{iv} Kevin DeLapp, *Moral realism*, London: Bloomsbury, 2013

^v E.g. satisfying the axiom of transitivity: if A is preferred to B and B to C, then A is preferred to C. It has been shown in the economic literature this does not apply when utility has several incommensurable dimensions.

^{vi} Mari Ruti, 2015, *Between Levinas and Lacan; Self, other, ethics*, Bloomsbury, p. 35.

^{vii} Elsewhere in this blog I adopted an Aristotelian ethics of multiple virtues. How does that connect with Levinassian ethics? Perhaps the virtue of compassion is the prime virtue, instead of the virtue of reason,

^{viii} In: Immanuel Levinas, 1991, *Among us, essays on the thinking of the other*.

^{ix} Michel Onfray, *La sculpture de soi; La morale esthétique*, Grasset, 1993.