

TOPIC 4:

“For man, when perfected, is the best of animals; but, when separated from law and justice, he is the worst of all.” – Aristotle, *Politics* I, 1253a31

Socrates, in Plato’s *Republic*, expresses a famous view: “We are discussing no little matter, but how we ought to live.” Indeed, the rules and principles upon which a community is organized have had a fundamental significance for mankind. Moral and political philosophers have for millennia endeavored to fathom and regulate what for Hobbes was “a state of nature, the primitive state of mankind, devoid of any civility or organization. Societies have confronted this complex problem with primarily two structures: law and ethics. First I will be analyzing how people were compelled to form communities, based on the “social contract”, in order to regulate human behavior and reap the benefits of organization. Apart from law, nevertheless, morality has been at the core of human nature, and as I will show, has been fundamental in the “perfection” of man, according to Aristotle. Three main schools of moral thought have prevailed: utilitarianism, deontology and virtue ethics. In my opinion, the most accurate and complete, which has also been the oldest, originating from Socrates and consummated by Aristotle, is that of the ethics of virtue.

Why was mankind so eagerly compelled to form communities and laws? Hobbes, along with Rousseau, gives a very thorough explanation of how, by means of their reason, humans were forced to abandon the lawless condition and engage in a “social contract”. As stated by Hobbes, life without laws is “solitary, brutish and short”. Aristotle would add that in this case, “man is the worst of all animals”. In such conditions, the sole purpose of human existence is survival. The anarchy of such a state is dictated by two main principles: First, that everyone fundamentally acts out of self interest (the luxury of altruism is particularly rare). This is rather intrinsic in the very natural laws that govern the fight for survival. Secondly, that all men are fairly equal against each other. This is mainly due to lack of central power, hence enabling coalitions only for the sake of survival. In this sense, no man has the ability to overpower the rest, as they would collectively turn against him. Hobbes thus concludes that mankind, being rational, realized that the lack of society could only perpetuate the chaos and anarchy of the lawless condition. Hence, humans consented to the “social contract”, a set of common rules or laws governing human behavior. They had to capitulate some of their freedoms, so as to enable society to organize itself. This contract was interpreted differently by Hobbes and Rousseau. In face of the civil wars that tyrannized medieval Britain, Hobbes envisioned the social contract to be best embodied in the “Leviathan”, an all-powerful sovereign that would have supreme authority within its territorial jurisdiction. Similarly to Bodin, Hobbes viewed the sovereign as a transcendent entity that was not accountable to the people but merely established by their rational consent to organization. Rousseau, on the contrary, who was influenced by the liberal spirit of the French revolution, viewed the social contract more democratically, as a mutual exchange of the freedom of the individuals with the rights given to them within society. Rousseau writes that this organization of individuals radically changed the very nature of mankind, fostering creativity, innovation, discovery and ultimately civilization, one of the most significant achievements of the human race. Hence, in any of its forms, law civilized man and gave him the potential to make wondrous achievements.

Nevertheless, law has certainly not been enough in “perfecting” mankind. The most significant aspect of this perfection, the spiritual, lies deeply within the essence of moral thought and ethics. One of the fundamental questions posed by ethics, and

the one that most accurately reflects what Aristotle calls “justice”, is “What is the right thing to do?”, which often differs with “What does the law command?”. Furthermore, we need to ask “Why is this the right thing to do?”. All these questions can be examined after close scrutiny of every specific moral school. But first, why is morality fundamental in human behavior, apart from law? The famous exclamation of Karamazoff in Dostoevsky “If God does not exist, everything is allowed” tells us less about the nature of God but more about the essence underlying religion, morality: the inexistence of morality, a deeper sense of what is just, and of how one ought to live, would lead to a state similar to Hobbes’ “state of nature”. Hence, we can readily reject amorality, and statements as “Everything is allowed” that Friedrich Nietzsche would be so fond of, on two bases: First, that the lack of the moral direction they espouse would lead to anarchy (this is what a utilitarian such as Bentham might stress most). But most importantly, that they fail to give a full account of the intrinsic values that characterize individuals and that may ultimately lead to eudemonia, or “wellbeing”, according to Aristotle.

So let us closely assess how the different schools of moral thought respond to the aforementioned questions about morality and justice. One of the leading schools commonly encountered today, especially in the world of business, is that of utilitarianism (otherwise consequentialism, or teleology, from the Greek word $\tau\acute{\epsilon}\lambda\omicron\varsigma$ =aim). Utilitarianism is a doctrine solely concerned with the consequences of people’s actions, the incentives being entirely irrelevant. Utilitarianism is governed by the principle of maximizing wellbeing and happiness in society. Jeremy Bentham would exclaim that the very essence of morality is best summed up in acting so as to achieve “The greatest amount of good for the greatest amount of people”. Utilitarians claim that the “utility” of any given action can be measured by evaluating the “balance between pleasure and pain” that it incurs. The method of such a calculation is that of “cost-benefit analysis”. So for example, a utilitarian would claim that honesty is morally just, in the case that lying might harm general welfare or have costs (such as lack of trust in the future) that outweigh the benefits of the lie. It is clear that the intrinsic act of lying can not be deemed to be immoral, insofar its consequences have not been evaluated.

However, there are two fundamental defects in this doctrine that may produce paradoxical results, and hence urge us not to accept it as an accurate and full account of morality. The first is that utilitarianism fails to fortify individual rights. The famous case of the Christians and the lions in ancient Rome effectively illustrates my point : In ancient Rome, one of the most popular events that often took place in the Coliseum were the legendary fights between Christian prisoners and blood-thirsty lions. A utilitarian could easily accept such events as moral, on the basis of their utility: on the one hand, they offered happiness and welfare to the citizens of Rome who fanatically watched the fights, while on the other hand they cause pain on the Christians. It could be argued that the collective benefits offered, since very large-scale, outweigh the costs. Such a proposition screams as brutal and inhumane, and no reasonable account of morality can be allowed to include it. Another utilitarian might reject it, once again with regard to its utility, claiming that the long-term social cost of making violence appear acceptable might outweigh the proclaimed benefits. In both cases, nevertheless, the doctrine fails to recognize the rights and the freedom of individuals. John Stuart Mill, the successor of Bentham as a utilitarian theorist, tried to take such considerations into account. He was inevitably forced, though, to recognize that the importance of choice for individuals derives from the value of character, hence escaping from the confines of his doctrine and alluding to the ethics of virtue, which I

will later analyze. Secondly, utilitarianism fails to provide a common currency for evaluation. An egregious claim was made a few years ago by Ford Motors, whose managers, under clear utilitarian influence, concluded that taking a safety precaution in one of their cars was not worthwhile based on a cost-benefit analysis. After a series of fatal accidents later occurred, they admitted that they had evaluated human life at \$200,000, and that the costs of taking the precaution outweighed the benefits of saving lives. Such barbaric claims reveal that dogmatic application of utilitarianism, without any other intrinsic moral guideline, cannot safely lead us to justice (rather on the contrary, make us look like “the worst of the animals”)

The second widely accepted school of moral thought is that of deontology, the main establisher of which is Immanuel Kant. The deontological theory of Kant, ant diametrically opposite to the utilitarian doctrine, is based on a universal imperative that everybody by duty is obliged to adhere to. There are three fundamental distinctions that the deontological doctrine makes, so as to establish morality. Firstly, it distinguishes between acting because of duty and acting as of inclination. As Kant proclaimed, “one should not only obey the moral law – but he should also act for the sake of it”. To illustrate his point, Kant told the story of the “calculating shopkeeper”. When a little boy went to the bakery, the baker could have been dishonest about the price of the bread, since the boy was unaware of it. However, he didn’t cheat the boy. This action by itself does not guarantee that the shopkeeper is moral: his motive might have been his reputation in the future, and the fear that people wouldn’t buy from him because of mistrust. He hence acted out of inclination and not out of duty. If so, then his actions are not worth of moral respect: only honesty for the sake of honesty has value for Kant. Secondly, Kant distinguishes between autonomy and heteronomy. Autonomy is the state of being the author of the rules one obeys. Kant claims that if our will is determined out of pure reason, then our conduct will be independent of our inclinations or of our nature, but will be autonomous creatures. Heteronomy, on the contrary, is best reflected by the following opinions: Hobbes claimed that reason is “the scout of desire”, while Humes stated that it is “the slave of passion”. In such cases, our will is determined by forces independent of our freedom. Kant maintains that rational human beings are capable of pure, “a priori legislated” reason, and hence of autonomy. Finally, the Kantian essence of morality is summed up in his two versions of the Categorical Imperative (as opposed to hypothetical imperatives, which are conditional to individual circumstances): First, “one should act, so that the maxim of his actions may be safely made a universal law. Second, that “mankind should be treated, in the face of us and of others, as an end and never as a means”. Hence, under those two principles, one should never lie, not because of the consequences of his actions, but because the maxim of such an action would suggest he places his self interest over that of others (since lying could not be made a universal law), and because he would use others as means, in order to achieve his goals, and not as ends, worthy of dignity and respect, as Kant would claim.

The main defect of deontology as a complete account of moral truth is that it fails to answer how one should act, when two of the absolute moral values he has to obey clash. The famous question of the “Inquiring murdered”, which was posed to Kant, and suggests the clash between never lying and allowing the killing of an innocent person cannot be resolved, exposes this inconsistency in the Kantian logic. The main criticism that Kant has hence faced is the lack of hierarchy, or lexicographical order, in his principles.

The most accurate and complete account of morality, in my opinion, should be attributed to the Virtue Ethics school, developed progressively by Socrates, Plato and

Aristotle. The great value of virtue ethics lies in that it is agent-based, and hence takes into account both the intentions and the consequences. The three main pillars on which the theory is based are *arête* (virtue), *phronesis* (practical reasoning) and *eudemonia* (flourishing or well-being). *Arête*, first of all, deriving from the Greek word *αρετή*, entails not only virtues, such as courage, honesty and compassion, that one should possess, but furthermore a complex mindset that should accompany those virtues. This mindset includes possible reasons for action (intentions), as well as genuine emotional reactions that ought to emanate from the virtue. In this way, the virtue has become *hexes* (*ἕξις*=deep-rooted habit, which has become intrinsic), and is genuine in the disposition of the person. Hence, the Kantian regard of morality as regard for acting for the sake of the moral law is included. A person who possesses the virtue of honesty should be truthful for the sake of the truth, and his emotional reactions should genuinely reflect that. Furthermore, the second fundamental pillar is *phronesis* (practical reasoning), which essentially solves the inconsistency that occurs as a result of the absolutism of the Kantian logic. *Phronesis* is best summed up in Aristotle's account of virtue as "the mean between two extremes". *Phronesis* essentially enables the agent to recognize what is just in each particular case, so as to avoid abuse of the virtues (generosity is the mean between frugality and lavishness – both should be avoided). *Phronesis* rests on two ideas: firstly, that the agent acts as of his experience. This makes the distinction between a genuinely virtuous adolescent who might act rashly and an experienced adult) Secondly, that the agent should make situational appreciation of the question at hand, just as a doctor that cannot rule a therapy without appraising its situation independently. Hence, the "Inquiring Murderer" problem becomes easily solvable according to practical reasoning: it is preferable to tell a white lie than to be responsible for the loss of an innocent life. Finally, the concept of *eudemonia* sums up the results of the previous ideas : *eudemon* is the one who leads a morally virtuous and meritorious life, and may enjoy the genuine fulfillment that leading such a life offers. Even though it may seem more complex than the other two, the virtue ethics approach takes the fullest account possible of morality, taking into account both the intentions of one's actions and their consequences. But most fundamentally, it addresses the question: "What kind of person should I be, and what kind of life should I lead?"

Hence, it is evident that the perfection of man ultimately lies on two principles, adherence to the law, that was formed as an integral part of the social contract, and adherence to morality. The most full and accurate account of morality lies in the wise words of Aristotle, his teacher and the teacher of his. The words of Elizabeth Annescombe thus gain ever greater value: "We should not talk about what is just or unjust, that is, morally just or morally unjust, but of what is charitable and courageous, as opposed to selfish and cowardly"