

Ethics, Politics and Imperfection¹

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Abstract

Recent social change has produced a relocation of the sense of personal identity from communities rooted in time and place to voluntary associations gathered around common interests. In consequence, the focus of moral consciousness has shifted from natural human values to constructed, systems of rights and obligations.

Against these trends I argue that while times and circumstances change, the principal moral truths remain constant as do their implications for the place of ethics in public life: first, do no evil; and second, do unto others as you would have them do unto you. What lies beyond is not in the field of moral law, though it may be in the field of moral virtue. Here what is required is, as St Augustine, Adam Smith and Aurel Kolnai would say, human wisdom; and it part of human wisdom to recognize that in public life where what is at issue includes the well-being of the community, one does better to strive for the good and the acceptable than to seek for the perfect.

Keywords

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I

Social change takes many forms and proceeds at different rates under different conditions, but in recent decades, and particularly in the last twenty years, there has been a growing sense of convergence

¹ The present essay is a shortened version of a lecture delivered to the conference *Europe in a World of Transformation*, convened by the Pontifical Council for Culture and held at the Hungarian Academy of Sciences (HAS), Budapest in December 2006. The event marked the twentieth anniversary of the symposium on *Society and Ethical Values* organised by HAS and the Pontifical Secretariat for Non-Believers.

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in the forms and pace of social, cultural and political developments in Europe, in North America, and in those parts of the world that bear the imprints of their direct and lasting influence. Summarising, and necessarily somewhat simplifying and over generalising, these developments include four important features.

First, the sense of personal or existential identity has been relocated from family and other natural communities rooted in place and history, to individuals and voluntary associations gathered around common interests.

Second, and in consequence, the focus of moral consciousness has shifted from natural human values encountered in lived experience and mediated through family, community and culture (including religious aspects of these) to artificial, that is to say constructed, systems of rights and obligations. These systems are derived, or at least are held to be derivable, from rational reflection on the basic structure of society as an association of free and equal persons.

Combining these first two changes, one may say that if the guiding idea of traditional European thought is that of the agent as a human being inducted through community, experience and reflection into a range of reality-reflecting human values and virtues, then the regulative conception of present-day social philosophy is that of an autonomous citizen hypothetically contracted into one or more political societies, and located in one or more systems of market exchange.

Notwithstanding the claims of some liberals and libertarians, this second conception is neither part of, nor logically derivable from Adam Smith's understanding of human economy. Famously, Smith writes in the *Wealth of Nations* that 'it is not from the benevolence of the butcher, the brewer, or the baker, that we expect our dinner, but from their regard to their own self-interest' (I, ii, 2). But this latter motive is not selfishness, rather it is that which, in the language of the eighteenth century, might also be termed 'self-love'; and Smith is explicit that this, along with sympathy for others, is a necessary part of virtue. As he writes in the *Theory of Moral Sentiments*: 'Regard to our own private happiness and interest, too, appear upon many occasions very laudable principles of action' (VII, ii. 3. 16).²

In short, and unlike some recent philosophers, Smith does not oppose self- and other-regarding interests as alternative foundations for rational action; rather he combines them in a complex, and highly realistic moral psychology whose structure includes natural bonds of fellow feeling, radiating out from family through immediate community to wider society. Moreover, he has the great merit, in

² Adam Smith, *The Theory of Moral Sentiments*, edited by D.D. Raphael and A.L. Macfie. *Glasgow Edition of the Works and Correspondence of Adam Smith* (Indianapolis: Liberty Fund, 1984), p. 304. see <http://www.econlib.org/library/Smith/smMS7.html>

contrast with the more abstract style of other eighteenth and nineteenth century theorists, of emphasising the concrete realities in which human evaluation and motivation are situated.

Turning next to public life, the *third* development of recent times is that politicians and other state and institutional actors are no longer seen as community leaders serving wisely and paternalistically in the interest of the common good; but rather as managers and administrators of associations organised for mutual benefit.

Fourth, because of the diversity of interests, values and commitments existing within the membership of contemporary societies, public figures are now required to limit their policies and justifications to ones that no reasonable citizen could reasonably reject. This negative formulation of one of the main principles of social contractualism, features prominently in the versions of political liberalism fashioned by John Rawls, and it is now common within Anglo-American political theory.³ Such is the ideal of the new social liberalism that it is increasingly being adopted as the public philosophy of modern societies.

This new way of thinking prohibits ineliminable appeal to distinctive moral, philosophical or theological doctrines; and to that extent it imposes a requirement of moral minimalism in the public sphere. Contrast this with 'moral maximalism': the commitment to as full as possible an implementation in the public sphere of comprehensive moral and philosophical doctrines. Considering matters in relation to this minimalist/maximalist opposition, and thinking of theocracies and totalitarian states arranged according to various secular ideologies: communism, fascism, and so on, one might well, and quite reasonably be inclined to favour liberal minimalism over these alternatives.

Certainly just this contrast or opposition is deployed by the advocates of the neutral or quasi-neutral liberal state to counter objections from Christians and other adherents of substantive moralities to 'liberalising' policies in the areas of bioethics, personal and family relationships and public education.

But the contrast between minimalism and maximalism in the public sphere can be otherwise drawn, in a manner that is coherent and compelling and which disadvantages the liberal neutralist, while favouring the adherent of comprehensive morality, at least on one understanding of its application to political society. That understanding was

³ John Rawls, *Political Liberalism* (New York: Columbia University Press, 1993), and *The Law of Peoples* (Cambridge, MA.: Harvard University Press, 1999). For critical discussion see John Haldane, "The Individual, the State and the Common Good", in *The Communitarian Challenge to Liberalism*, edited by E.F. Paul, F.D. Miller, Jr. and J. Paul (Cambridge: Cambridge University Press, 1996), and "Public Reason, Truth and Human Fellowship" *Journal of Law, Philosophy and Culture*, Vol. 1, No. 1, 2006.

developed in mediaeval and early modern thought but was lost sight of as societies became politicised around the idea of the all-embracing state.

II

The motivation for this other way of opposing moral maximalism is anthropological, and historically it has been pressed from within Christianity on the basis of certain theological ideas. It can, however, be freed from this connection and derived from philosophical and psychological reflections. Here it is appropriate to introduce the point by reference to ideas developed by one of the most distinctive and interesting moral philosophers of the second half of the middle period of the twentieth century, a Hungarian thinker whose work has yet to receive the attention it deserves.

The philosopher in question is Aurel Kolnai. Born in Budapest in 1900, educated at the Royal Lutheran Gymnasium from which he matriculated in 1918, Kolnai studied at the universities of Vienna, Freiburg and Berne with such diverse figures as Moritz Schlick, Ludwig von Mises, and Edmund Husserl. Of Jewish extraction, he converted to Roman Catholicism in 1923, mainly as a result, by his own account, of reading the English Catholic convert G.K. Chesterton, and authors of the German phenomenological school, including Max Scheler and Dietrich von Hildebrand, themselves also converts to Catholicism.⁴

During the 1920s and 30s Kolnai worked in Vienna as a writer and journalist. His writings from this period include contributions to *Der Christliche Standestaat*, a magazine founded by von Hildebrand to oppose the rise of Nazism in Austria. Kolnai's articles were written under the pseudonym of Dr A. van Helsing, presumably an ironic reference to the vampire hunter of Bram Stoker's *Dracula*. Two articles from 1934 clearly indicate his identification of, and anger at the corruption of philosophy in the interests of brutish, fascist ideology: 'Der Missbrauch des Vitalen ('The Abuse of the Vital') and 'Heideggers Nihilismus' ('Heidegger's Nihilism'). In the previous year Kolnai had also begun what he later described as "a comprehensive critique of National Socialism and related doctrines". That work, which is certainly a classic of twentieth century political philosophy and commentary, was written in English and published in London in 1938 under the title *The War Against the West*.⁵

⁴ For an account of Kolnai's life and main ideas see Francis Dunlop, *The Life and Thought of Aurel Kolnai* (Aldershot: Ashgate 2002). See also *Exploring the World of Human Practice: Readings in and About the Philosophy of Aurel Kolnai* edited by Zoltan Balazs and Francis Dunlop (Budapest: Central European University Press, 2004).

⁵ A. Kolnai, *The War Against the West* (London: Gollancz, 1938).

Politically speaking Kolnai was, like Chesterton, Scheler and von Hildebrand, a sort of humane conservative. They also shared a sense of the general loss within their own lifetimes of levels of cultural depth and common understanding that had taken centuries to achieve. Looked at through the simple framework of today's political categories, however, Kolnai, Chesterton, Scheler and von Hildebrand are hard to place. That is because, for all its subtlety of positioning and public presentation, contemporary political discourse is intellectually crude and has few terms of ethical analysis, and even fewer insightful reflections on lived experience. Kolnai, by contrast, was a crowd of ideas and insights, at once united but also diverse. And rather than regarding that complex identity as problematic, he viewed it as a due reflection of the complexity and diversity of the human condition, something that those in public life should appreciate, however inadequately.

In the period following the Hungarian uprising of 1956, by which time he was living in England (after a decade and a half spent in the USA and in Canada), Kolnai was developing his ideas on the place of ethics in politics. Concerning which he writes that:

The basic intuitions of mankind – which Right and Left alike cannot but take for granted as a premise for their moral appeal – provide no solution, except in a prohibitive and limiting sense, for the permanent or topical problems of political organization and choice.⁶

Sometime later he wrote the following:

It should be noted that when we speak of 'respecting' alien property (as also of [respecting] life or rights) we use that word in its weak sense of 'leaving alone', 'not touching', 'not interfering with' . . . not in its strong sense of positive appreciation for something distinctively noble and respectable.⁷

III

These ideas, as elements of a broader view developed by Kolnai, serve to counter not only utopian or totalising political and social ambitions, but also suggest that the tendency to invest the political with extensive moral ambitions, or to make it a principal site for their attainment, is a profound mistake, and one likely to do serious damage both to politics and to morality.

⁶ A. Kolnai, 'The Moral Theme in Political Division' *Philosophy*, 35, 1960. p. 254.

⁷ A. Kolnai, 'Morality and Practice II, The Moral Emphasis', in F. Dunlop and B. Klug (eds) *Ethics, Value and Reality: Selected papers of Aurel Kolnai* (London: The Athlone Press, 1977) p. 105.

[T]he practice of men in Society, with their divided interests, divergent tastes, and conflicting purposes in need of being aligned and concerted, calls for moral guidance and inspiration. Political controversy involves moral issues. Genuine moral experiences will thus come to be evoked, actualized and deepened, but on the other hand dragged into the tussle of non-moral concerns and adapted to exigencies of ideological argument and of the self-assertion of rival camps.⁸

Simultaneously, however, Kolnai indicates a way in which substantive moral values and requirements should constrain the making and implementing of policy, namely in protecting certain fundamental moral interests. I mentioned a motivation for opposing moral maximalism that derives from Christian theology. I had in mind the idea of fallen human nature: ‘human depravity’, if you favour Calvinist accusatory strong talk; ‘human woundedness’ if you prefer a sympathetic, psychotherapeutic idiom. And, relatedly, an interpretation of ethical requirement deriving from the logical character of the Decalogue as being almost wholly a set of negative directives or prohibitions. These notions connect and bear on the minimalism/maximalism issue as follows.

If you think that human beings have a heritable liability (be the means of transmission biological, psychological or cultural) to fail in otherwise good intentions, to distort or obscure the perception of goods, to lapse from high to low motives; or worse to form bad intentions, to only rarely and dimly see the good, and to relish the base, then you will see reason to limit the scope for organising and regulating the lives of others (particularly others whose own moral inclinations may conflict with one’s own) on the basis of a moral or moralised political ideology.

Augustine wrote in the *City of God* and elsewhere of the principal effect of our ‘fallen-ness’ or ‘original sin’ (*peccatum originale*) as being an enduring abyss of ignorance from which all humans have to struggle to get free, and an extensive disturbance of the passions, including attractions to flattery, fraud, theft, betrayal, envy, violence, cruelty, depravity, shamelessness, lechery, and so on. The disturbance of the appetites and of the emotions, which includes oppositions of bad against bad as well as of bad against good, produces conflict within and between us all. Certainly human beings also have orientations towards the good; but this has to be accurately identified and kept sight of, and not just at the level of generalities, but in all the (often messy) complexity surrounding particularities: for it is with particularities that action is ultimately concerned. Given intellectual limitations we could not antecedently expect to do well in orchestrating the moral lives of even small groups, let alone

⁸ A. Kolnai, ‘The Moral Theme in Political Division’ *Philosophy*, 35, 1960. p. 254.

entire societies. Experience and historical observation, as well as personal phenomenology, all of which feature extensively and to great effect in Kolnai's writings, tell us that, in fact, the attempt to regulate societies according to comprehensive moral doctrines results in, at best, hypocrisy and bad faith, and, at worst, in tyranny and death.

I said that Augustine identifies intellectual and emotional failings as effects of the Fall; and since the latter is a controversial, empirically unverifiable, theological postulate, one might conclude that so also must be the ideas of human darkness and disturbance. But the inference is invalid, transferring characteristics of a proposed cause to its purported effects. Augustine reasons abductively from observation to explanation, and even with a lapsarian theology in place he identifies intellectual darkness and emotional disturbance as natural effects of a supernatural event or process.

Kolnai's adopted theology gave him reason to believe in the Fall, but experience taught him about human fallen-ness – indeed recognition of this as a recurrent feature of mankind was part of the reason for his conversion. It is rhetorical to say, with G.K. Chesterton, that 'the only Christian doctrine for which there is empirical evidence is that of original sin'; but it is not at all an exaggeration to observe that every thoughtful person knows that human beings have recurrent liabilities to injustice, cruelty, malice and other forms of maltreatment of others, and destruction of self.

There is, therefore, reason drawn from observation and reflection, with or without theological elaboration or endorsement, to conclude that it is a bad policy (a morally irresponsible policy) to seek to order the political sphere according to an extensive scheme of morality. This is something for us to take note of when thinking about the recently ubiquitous idea of renewing ethics in public life. Notice that unlike the neutralist liberal, Kolnai and like-minded opponents of moral maximalism do not think that it is in principle or *per se* wrong to organise society on the basis of a substantive and even a comprehensive moral doctrine; only that it is wrong even to attempt this – given what we know about human nature as it actually is.

IV

In issuing this caution, however, it remains the case that there are questions to be posed and answered about the form of moral life and about the role and extent of moral requirement in shaping this. Here we return to the Decalogue and to Kolnai's observation that 'the basic intuitions of mankind . . . provide no solution, except in a prohibitive and limiting sense, for the permanent or topical problems of political organisation and choice' (op. cit.).

One may think of morality as a comprehensive system of positive and negative imperatives (prescriptions and proscriptions) that apply to any evaluatively significant choice. So conceived, it is only the principle of autonomy, on the interpretation of it according to which each must choose for him- or herself, that might seem to block the full implementation of the moral system in the circumstance of political choice. But the principle of autonomy is relevant to moral responsibility or accountability and cannot as such serve as an obstacle to acting for moral reasons contrary to the will of another. Otherwise it would be morally illegitimate to introduce and enforce any policies designed to impose constraints or demands upon others. The Kantian idea that rational beings may never be treated as means only, is quite a different matter, and is compatible with acting contrary to the will of others. Whether it is always right to try to stop wrong-doing is one thing, but it cannot always be wrong to seek to do so. That way lies contradiction.

The route to this paradoxical position began with the idea that morality is a comprehensive system of imperatives covering every significant choice. But this claim is ambiguous: it is one thing to say that any choice may be subject to this sort of regulation; it is another to say that every choice is subject to and decidable by it. The Decalogue sets out a limited set of prohibitions; and a conscientious believer will consider whether a course of action is forbidden by one or more of them (that it is forbidden by at least one will be sufficient for eschewing it). If it is not, however, then the action is not thereby excluded, though there may be other reasons for avoiding it, including ones having to do with non-self-regarding, or self-love, related values.

Living a good life, on this account, involves engaging in two kinds of thoughts: the first about what it would be wrong always and everywhere to do; the second about what it would be good, or, presuming one is choosing between goods, what it would be better to do. The first sort of thought involves observing rules; the second requires developing habits of good choice. The role of rules is to exclude possibilities; the role of virtues is to discover benign options in what remains.

Speaking naturalistically, rather than in the supernatural order of grace and redemption, human imperfection is an indisputable and seemingly ineliminable feature of our condition (and if one is a philosophical naturalist then *speaking naturalistically* is the only way of speaking). Combining this thought with the recognition that our fallibility is most dangerous when dealing with the lives of others, particularly where those others are many, remote and unconnected by bonds of familial love and loyalty, we may then conclude that moral minimalism is warranted in the sphere of political organisation and public policy. This is not for the reason voiced in the liberal mantra that it is wrong always and everywhere to invoke substantive

moral considerations in relation to public affairs. And so far as concerns moral considerations identified as prohibitions, where these apply to social choices they (morally) must be invoked. Hence the intolerability of the position sometimes invoked by politicians, which holds that abortion is morally absolutely impermissible while yet maintaining that legislation providing for it should be enacted. The truth, from the perspective I am proposing, is that to the extent that one believes abortion should be legally permitted, this is because one also and antecedently believes that it is morally permissible. In regard to the intentional destruction of innocent human life the moral and the legal (should) proceed hand in hand.

But such moral considerations are like boundary walls, excluding certain areas while yet leaving it indeterminate where in the space remaining one may choose to go. Here again, therefore, we find support for resisting moral maximalism in politics. Morality, in the respect of prohibitions, even supplemented by such positive absolute requirements as there may be, is insufficient to determine the good life.

What is not prohibited is permitted; but not every permissible course of action is desirable. Here autonomy is indeed relevant; not to blocking the implementation of prohibitions, but as recognising that it is for individuals, singly or in natural or chosen associations to pursue their own good; and not for the state, politicians or other public agents to prescribe it for them.

V

Given the nature of the changes in society and in the understanding of it with which I began, it is no easy matter to say how the place of ethics in politics and public life more generally can be drawn away from the individualist, contractualist, neutralist liberalism I described, and instead brought closer to the anti-utopian, but non-sceptical blend of absolutes and virtues that I see in the work of Kolnai and of Augustine.

It is worth noting, though, that the latter is rooted in an ancient and still unrefuted anthropology, whereas the former is relatively new-born and evidently under theoretical as well as practical strain. Those who think that neutralist liberalism is the only option have nowhere to go, should it fail or be rejected. Whereas those in the other camp (and most thinkers about society since Aristotle have been in that other camp), can believe that there is a genuine and philosophically more credible alternative which reflects the realities of human experience and reflection. That last point also suggests that the best means of renewing ethics in public life is by getting people to think about the nature of human beings and the purposes of society. The

task is broadly one of philosophical education, drawing upon pre-philosophical moral common sense.

Times and circumstances change but the principal moral truths remain constant as do their implications for the place of ethics in public life: first, do no evil; and second, do unto others as you would have them do unto you. What lies beyond is not in the field of moral law, though it may be in the field of moral virtue. Here what is required is, as Augustine, Smith and Kolnai would say, human wisdom; and it part of human wisdom to recognize that in public life where what is at issue includes the well-being of the community, one does better to strive for the good and the acceptable than to seek for the perfect. The pursuit of perfection in the structuring and management of society is an aspect of the utopianism we should by now have learned to reject; but beyond this is the danger that in failing to achieve it public figures will easily find reason to abandon ethics altogether.⁹

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⁹ Some of the ideas discussed here were also presented to this seminars at the University of Virginia and at Princeton in Summer 2007. I am grateful to members of the audiences on those occasions for discussions that will be reflected in a more extensive future treatment of the issues.