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We do not have a natural right to the things we want, only to those we need. “To each according to his wants,” far from being a maxim of justice, makes no practical sense at all; for, if put into practice, it would result in what Thomas Hobbes called “the war of each against all,” a state of affairs he also described as “nasty, brutish, and short.”

—Mortimer J. Adler



THE NATURE OF MAN

The Nature of Man was an appropriate title for the first formal lecture given at the opening of the Aspen Institute for Humanistic Studies. That lecture was given by Mortimer J. Adler on July 1, 1950. Now, in this interview, forty-five years later (1995) he sums up his views on aspects of Human Nature, Nurture, Culture, and their relation to Natural Justice and Natural Rights. (in seven parts)

PART V

ON NATURAL JUSTICE AND NATURAL RIGHTS

Weismann: So far in this discussion, you have mentioned the word justice only once. It was in reference to overcoming and eradicating the mistakes discussed for the sake of social justice. It seems to me that the real issues here have to do with justice, and from my own experience, few people have a clear understanding of the idea of justice. Would you give us your views on this Great Idea?

Adler: The domain of justice is divided into two main spheres of interest. One is concerned with the justice of the individual in relation to other human beings and to the organized community itself—the state. The other is concerned with the justice of the state—its form of government and its laws, its political institutions and economic arrangements—in relation to the human beings that constitute its population.

Here again, we encounter modern errors, two serious ones that affect our understanding of justice. The first, the mistake of giving primacy or precedence to the right over the good, had its origin in the moral philosophy of Immanuel Kant and was given currency in this century in a book, *The Right and the Good*, published by an Oxford philosopher, Professor W. D. Ross in the early

thirties.

It stems from ignorance of the distinction between real and apparent goods—goods needed and goods wanted—an ignorance that could have been repaired by a more perceptive reading of Aristotle's *Ethics*.

Once that distinction is acknowledged and its full significance understood, it will be seen at once that it is impossible to know what is right and wrong in the conduct of one individual toward another until and unless one knows what is really good for each of them and for everyone else as well.

Real goods, which are based on natural needs, are convertible into natural rights, based on those same needs. To wrong another person is to violate his natural right to some real good, thereby impeding his pursuit of happiness. To wrong or injure him in this way is the paradigm of one individual's injustice to another.

Weismann: Do I understand you to be saying that one cannot do good and avoid injuring or doing evil to others without knowing what is really good for them?

Adler: That is precisely what I am saying. The only goods anyone has a natural right to are real, not apparent, goods. We do not have a natural right to the things we want, only to those we need. "To each according to his wants," far from being a maxim of justice, makes no practical sense at all; for, if put into practice, it would result in what Thomas Hobbes called "the war of each against all," a state of affairs he also described as "nasty, brutish, and short."

Furthermore, if as Professor Ross maintained, the right had primacy over the good, we should be able to determine what is right or just in our conduct toward others without any consideration of what is really good for them. But that is impossible.

The second mistake, equally serious, made its appearance more recently in a widely discussed and over-praised book, *A Theory of Justice*, written by Harvard professor John Rawls. The error consists in identifying justice with fairness in the dealings of individuals with one another as well as in actions taken by society in dealing with its members.

Fairness consists in treating equals equally and unequals unequally in proportion to their inequality. That is only one of several principles of justice, and by no means the only principle and certainly not the primary one.

Weismann: If as Professor Rawls maintained, justice consists solely in fairness, then murdering someone, committing mayhem, breaching a promise, falsely imprisoning another, enslaving him, libeling him, maliciously deceiving him, and rendering him destitute, would not be unjust, for there is no unfairness in any of these acts.

Am I correct in that these seem to be all violations of rights, not violations of the precept that equals should be treated equally?

Adler: You are indeed correct, because only when the facts of human equality and inequality in personal respects and in the functions or services that persons perform provide the basis for determining what is just and unjust can justice and injustice be identified with fairness and unfairness.

When, on the contrary, the determination of what is just and unjust rests on the needs and rights inherent in human nature, then justice and injustice are based on what is really good and evil for human beings, not upon their personal equality or inequality or upon the equality and inequality of their performances.

Weismann: Accepting the fact that all human beings are by nature equal, and also equally endowed with natural rights, does that not make their equality or their equal possession of rights the basis of a just treatment of them?

Adler: No, because if only two human beings existed, one could be unjust to the other by maliciously deceiving or falsely imprisoning him. That wrongful act can be seen as unjust without any reference to equality or inequality. It is unjust because it violates a right, not because it is unfair.

Let me be sure this is clear, murder wrongfully deprives an individual of his right to life. Mayhem, torture, assault and battery wrongfully impair the health of an individual, which is a real good to which he has a natural right. False imprisonment, enslavement, subjection to despotic power transgress the individual's right to liberty. Libel, perjury, theft take away from individuals what is rightfully theirs—their good name, the truth they have a right to, property that is theirs by natural or legal right. Rendering others destitute, leaving them without enough wealth to lead decent human lives, deprives them of the economic goods to which they have a natural right.

In all these instances of injustice, which consist in the violation of rights, the ultimate injury done to the unjustly treated individual lies in the effect it has upon his or her pursuit of happiness.

Weismann: Is this what is meant in part by Jefferson's profound precept in our Declaration of Independence?

Adler: Yes, the circumstances under which individuals live and the treatment they receive from other individuals or from the state are just to the extent that they facilitate his pursuit of happiness, unjust to the extent that they impair, impede, or frustrate that pursuit.

Weismann: Would you give us some examples or circumstances where unfairness does apply to the idea of justice?

Adler: Unfairness enters the picture when unjustifiable discrimination takes place. To pay women less than men when they hold the same job and perform the same function equally well is an unjust discrimination. It is unjust because it is unfair. It treats equals unequally. It is also unfair and therefore unjust not to discriminate when discrimination is required because relevant considerations are present. Not to give greater rewards to those who do more is unfair. Unfairness occurs in any transaction between individuals when, in exchanges or distributions of goods and services, one receives less than he deserves and one gets more than he deserves.

Weismann: It seems the use of the word "deserves" in our discussion of fairness introduces the notion of rights into our understanding of fairness. If that which an individual has a right to is something he or she deserves, why is not every injustice that is a violation of rights also an instance of unfairness?

Adler: The answer derives from which consideration comes first in the determination of what is just or unjust. When what an individual deserves is based on what he has a natural or legal right to, that right is the criterion for regarding an action as unjust because it is violated.

When what an individual deserves is determined by comparison with what another individual also deserves, and when the comparison is made with respect to what both individuals have done or are able to do, then the equality or inequality of their performance or of their ability to perform is the criterion for regarding the treatment accorded them as just or unjust because it is fair or unfair.

Weismann: If fairness and unfairness in distributions to individuals always involves some comparison of the merits or deserts of the individuals concerned, does that comparison always involve considerations of equality and inequality?

Adler: Yes, fairness and unfairness in exchanges between individuals always involve some comparison of the value of the things being exchanged, and that comparison also always involves considerations of equality and inequality. Therein lies the essence of the justice and injustice that is identified with fairness and unfairness.

Weismann: In contrast, do I understand you to say the injustice that is identified with a violation of rights calls for no comparison of the merit of one individual with that of another, or comparison of the value of one thing with another?

Adler: That's right, nor does it involve considerations of equality and inequality. The existence of a right in just one individual suffices to make any action that transgresses that right an unjust act.

Weismann: I would now like to move to different theories about justice that began with the Greeks. In Plato's dialogues we are confronted with the fundamental issues about law and justice and about justice and expediency. This calls attention to the fact that there are different theories with regard to the idea of justice. May we have your brief analysis of these still current controversies?

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LETTERS TO THE EDITOR

Hello Max:

I want to let you know that I have finished an essay on

human nature. It has a different take on the subject than Adler's, but I have relied heavily on Aristotle for its content, so perhaps it might tweak your interest.

http://www.interlog.com/~girbe/human_nature.htm

Best wishes to you and Mortimer,

George Irbe

Dear Max,

As anticipated, I enjoyed TGIO #123, and ordered the 14 volumes, to serve as a family library for my now-middle-aged children. Great books, with truths contained within.

The distinction between matters of truth and matters of culture, seems to me to be applicable to many world problems today, and a prerequisite to a world society. But I fear we're still far from that possibility.

The 'unlikelihood of a global nuclear holocaust', for example, doesn't seem to agree with the information about the state of the world's nuclear arsenal still in place and ready to launch, which information is available on the Internet... the Brookings Homepage shows 550 US ICBMs and 751 Russian ICBMS, and about 400 each SLBMs. Also, for long range nuclear bombers they list 92 for the US and 70 for Russia.

At www.fas.org/nuke/Usa/Weapons/Allbombs.html one can view the staggering volume of weapons (listing just ours) produced in the last 50 years, including many designed for use at sea, artillery, and other uses than ballistic missiles. Many of these remain in our "enduring stockpile".

The explosive grade Materials for these devices are being produced not only by ourselves and Russia, but

also by France, China, India, and other nations not publicized. Literally thousands of devices, worldwide, each equal to or larger than the 'Fat Man' and 'Little Boy' that wiped Hiroshima and Nagasaki out, are surely now available in the Middle East and in the Far East. We should recall that exploding a mere 100 of these things would, according to Carl Sagan speaking for an unimpeachable group of scientists, cause a nuclear winter and the end of civilization on Earth. Just 100; and we still have many thousands.

As if this isn't enough, now we may read of preparation for another kind of holocaust, as genetic modification of some terrible diseases that were thought to be wiped out, are being created in Russia and probably also here and elsewhere, making the diseases like the horrible smallpox untreatable. A less controllable kind of holocaust.

To these possible causes of fast mass death we have the many items Dr. Adler mentioned, somewhat more leisurely destroying of our planet's ecology... the unrestrained use of fossil fuels causing global warming which destabilizes the global weather, and the destruction of the rainforests and thousands of irreplaceable species every year, not to mention the continued production and use of single-hull supertankers which sink and pollute our oxygen-producing oceans with regularity, the unstinted rape of our fishing livestock by factory ships of other nations, taking even the breeding basins' stocks so that the entire fishing industry of our northeast coast barely survives... and so on.

It seems to me that there is a basic 'human' cause for such colossal and short-sighted suicidal stupidity. I suggest it may be greed. Philosophically speaking, Aquinas named greed as the greatest sin... meaning 'antisocial act'.

Once we allowed the formation of 'corporations' in

the early USA, these legal shields against personal liability and responsibility of the greedy, excessively wealthy persons everywhere were shielded by their corporate masks. In our own nation, where we permit these persons who represent only a half a percent of our population to fund their own candidates to stand as ‘our’ representatives, which candidates then make, administer our laws for their own good, we have in our society reverted to the kind of plutocracy that destroyed Rome... when the rich stopped paying their taxes to support the government that they required to protect their property.

The main tool of the greedy, I think, is the traditional but unfair practice of inheritance, by which great wealth created by a disciplined and good people is accumulated by a ‘taker’, usually; and then, after he dies and no longer owns it, we allow it to be transferred to children who have done nothing to deserve it, and who then use the power of that wealth to retain it, and slow progress to maintain their control in a comfortable status quo... so that now, in the last century and a half, these relatively few people in the USA own outright thirty percent of everything, and worse, with that thirty percent they can and do Control more than 90 percent of all our nations’ assets. Factories, farmland, mines, forests, etc. And this method used by the greedy is generally true, I think, for most nations. The rich get richer... in not a new idea, but it needs correcting. No one questions the right of contributing, creative persons to get rich; but by what logical right do they pass wealth to those who have contributed nothing. I’m sure many disagree with this. But the effects appear to be the Truth, though unpleasant.

Dr. Adler pointed out that the pursuit of truth is global. And he added that truth depends on men thinking logically—but we do not even teach logic in our schools. The discipline of school courses on Language Arts does a fair job, quietly... but not good enough. Fourteen-year-olds in medieval times could pass Logica Parva

tests that I doubt most of our Supreme Court ‘Justices’ could master. We see the result.

It is unimaginable that We, the People, will ever give up our tradition of inheritance, even though it is destroying us, even as we watch our Sports and our Soaps, and say ‘Ho hum’. It is equally unlikely that our elected Representatives are going to vote themselves out of campaign finance sources, so that they are going to continue to make worse the unfair distribution of our national wealth. We distribute mainly by taxation, but we have never even had public discourse on ‘What is Fair Taxation?’ Shouldn’t the persons who own the businesses pay for the cost of highways, commerce laws, military protection of their property and resources, without which they cannot profit? The greedy claim ‘its their money’, but it is not. What have they personally contributed to the betterment of society, to deserve it? Do they all have high IQs? Do they all create and patent new ideas? Have they paid their fair share (ethically, not ‘legally’) of the cost of government? How can we find out? What wealthy person would sponsor such a public discourse? Right. So we have this problem.

With the ownership of our Media now in the hands of just a few very wealthy persons who own businesses-for-profit, who among us could believe that the media will somehow again just start giving us the truth, the whole truth, and nothing but the truth? Instead, it seems we now are getting more—to quote Dr. Adler—“Unchecked equivocation in the use of words (which) generates fallacious arguments, whether in philosophy or in mathematics of science.” ‘Lust’ becomes ‘love’, and ‘lust’ disappears. ‘I think’ becomes ‘I feel’, and thinking fades out.

Without the newspapers and television and radio to inform us, we now have only the Internet, and books.... and one must suspect that these last vehicles of truth will be slowly taken away from us, probably by imposition

of Internet fees, taxation of the publishing sources, or restricted use of 'classified information' that is rationalized perhaps by 'matters of national security' or some other such buzz-word phrase. Control of the media, all of the media, by a profit-driven handful, seems to be a trend. Isn't the public's right to know a much higher priority than personal profit? What has been the effect on our society, of allowing our 'fourth estate' to be effectively monopolized by vested interests? This seems to me to be the true situation, because....

Because: we have not solved the problem of how good men (without wealth) may routinely confront and stop selfish and greedy men (with vast wealth), in order to maintain our government of the People, by the People, and for the People, who produced all that wealth. Does not the dissemination of and development of TRUTH depend upon Freedom Of Information and discourse?

Has philosophy any suggestions to this end, in this new age of technology, where those who control government can compile FBI information files on any citizen for any reason, without them even being obligated to so inform us? Do de' words 'third reich' mean anythin' to y'ous?"

Perhaps one small step by philosophy towards practicability is in order. Perhaps an experimental, special branch of philosophy, perhaps named something like "Philosophical Prudence", that is also everybody's business? What do others of us think about this?

Terrence O'Neill

As always, we welcome your comments.

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