

ways be satisfied (thus egoism is subject to an impossibility theorem); and (b) egoists cannot adhere to an agreement to select an optimal outcome, as required by (iii), unless the outcome is also in equilibrium.

I consider two interpretations of thesis (8). Suppose the final clause is completed 'y maximizes x's expectable utility given the actions required by the system for the other agents'. Then thesis (8) is genuinely egoistic, but violates my condition (iii) on utility maximization, just as egoism does. It is therefore not rational, and not acceptable. Suppose, however, that the final clause is completed 'y maximizes x's expectable utility given the utilities provided to the other agents by the outcome that is the product of the actions required by the system'. Thesis (8) is then nonegoistic, conforms to condition (iii), and is true and acceptable. I therefore adopt this second interpretation.

Furthermore, thesis (8), as a correct elucidation of morality, must be understood to refer to an agreement by rational persons, not from positions of ignorance, but from their actual situations. Otherwise their agreement might violate condition (i) on maximization, and be irrational. Thus I hold that morality is a system of agreed selection of actions, intended to achieve optimal outcomes, in a manner acceptable to actual, rational, maximizing agents. Since each agent must expect a utility at least equal to his maximin, this essentially Hobbesian view is incompatible with utilitarian (whether understood as highest-average-utility or highest-total-utility) and Rawlsian (lowest-minimum-utility) conceptions of morality. On my interpretation, reason, maximization, and morality constitute a mutually compatible mean between egoism and utilitarianism.

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ETHICAL EGOISM AND RATIONAL ACTION *

PROFESSOR BRANDT argues that a necessary but not sufficient condition for establishing "ethical egoism" is to establish that "the rational act is that which maximizes the agent's long-range (expectable) utility." He then argues for the

* Abstract of a paper to be presented in an APA symposium on Ethical Egoism, December 28, 1972, commentary on Richard Brandt, "Rationality, Egoism, and Morality," this JOURNAL, this issue, pp. 681-697.

truth of that necessary condition. I shall argue that we should not even give the "ethical egoist" that much *Lebensraum*, for we have good grounds for believing that it is false that a person acts rationally only if he acts in such a way so as to maximize his own expectable utility. This is so, I shall argue, even if we accept Brandt's distinctive characterizations of "rationality," "rational desire," and "expectable utility." To establish this I shall develop and then inspect, with Brandt's thesis in mind, two rather different counterexamples. (In this abstract I shall give only one of them.)

Suppose I am staying for a day or so in a strange town in a foreign country and, upon arriving at a cinema, which is playing a film I very much want to see, I note a long line waiting to get in. The situation is such that if I am willing in this circumstance to cast fairness to the winds, I can readily sneak in ahead and be able to see the film, but, if I keep in line, it is nearly certain that I will not get in. Unless I have a particularly prickly conscience, it is very likely that my self-interest and maximal expectable utility will be best served by my sneaking into line. I will, if I am at all normal, feel badly about doing it, but I will also know that my acting in this manner, if undetected (as it very likely will be), will not upset the moral order of things. I will not cause extensive discomfiture. Soon I will be taken up in the film and very likely intensely enjoy it, and, though I will regret that I may well have kept someone out, I also know, since it is not after all a matter of great moment, that soon I shall forget about it. Moreover, I will have reasonable grounds for believing that some others are likely to behave in the same way and that I am likely simply to lose out if I do not sneak in myself.

If, these considerations of self-interest notwithstanding, I keep my place in line because I believe that to do otherwise would be unfair and neglectful of the legitimate expectations of others, I have reasons for my action, just as I would have reasons for allowing my conduct to be guided solely by considerations of self-interest. Moreover, there is no justification (or at least none has been given) for thinking that in keeping my place in line I have acted less rationally than I would have acted if I had snuck into it. But on Brandt's account this could not be so, if indeed my self-interest would best be served by sneaking into the line.

It will not do to respond that a rational man will have so high a regard for fairness that it really will not be in his interest to run rough-shod over what he acknowledges to be fair and indeed to be the morally required behavior in such a situation. It is not correct to

claim that a rational man will necessarily have such an image of himself that he will feel more misery than pleasure if he overrides such elementary considerations of fairness.

A rational man, whatever his attitudes toward morality, will indeed be concerned with having in the society in which he lives people committed to principled and fair behavior. He is perfectly aware that his life would be much less pleasant if this condition did not obtain. In that way he will have a regard for fairness. But if we mean by 'a rational man', 'a fully informed man', as Brandt does, then it will not follow that a rational man will necessarily be concerned to be fair in all situations, though he will not wish to be *seen* to be unfair. It is quite possible that he will be "a free-loader" in his society and that he would sneak in line and not be any the less rational for all that. We cannot simply assume that a rational man will be a principled man, though a rational man will see the value of principled behavior in society. Given Brandt's morally neutral characterization of 'rational', there can be no guarantee built into the very conception of a rational man that he will be a man of moral principle committed to what is at least conventionally regarded as the moral point of view.

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THE JUSTIFICATION OF GOVERNMENTAL AUTHORITY *

AUTHORITY is now widely held in contempt, probably none more than that of law and government.¹ Some would say that, provided the proper limits of governmental authority are clearly set out and provided governments adhere to these limits, governments can justifiably claim authority over their subjects and may use coercive sanctions against those who refuse to obey. Others find this the most objectionable approach. They might be willing to put up with the tyranny of the majority or even the brutality of the police as long as governments do not attempt to cover up their bloody business with the wig and gown of justice and authority.

Recently, two interesting arguments have been advanced (I shall call them, somewhat arbitrarily, the arguments from freedom and

* To be presented in an APA symposium on Authority and Autonomy, December 29, 1972. Commentators will be Carl Cohen and Gerald Dworkin; see this JOURNAL, this issue, pp. 716 and 716-718, respectively.

¹ Cf., e.g., Robert Nisbet, "The Nemesis of Authority," *The Intercollegiate Review*, viii, 1/2 (Winter/Spring 1972): 3-13.