

Rawls and Classist Amoralism

KAI NIELSEN

I

John Rawls tries to get more out of rationality *vis-à-vis* morality than the traffic will bear. A member of the most favoured class even in a well-ordered society might very well come to recognize that it is in his interest and in the interests of the other members of his class to act as men of good morals and not as morally good men; that is to say, he might well come to see that acting in accordance with the principles of justice which rational men would adopt in the original position is not in his interest or in the interests of most of the members of his class. There could be a recognition by such men that these principles are, when everyone is considered, collectively rational and it could be further recognized that they should take pains to appear to be moral and to use morality as an ideological device to strengthen the class interests of that favoured class, but such men could realize they need not be just men or even aspire to be just men. What is rational in terms of their class interests is not identical with what is collectively rational. Given the received conception of rationality—the morally neutral conception of rationality utilized by Rawls—they would not be acting irrationally in so overriding moral considerations. Their thoroughly class point of view need not involve any failure of intellect on their part at all. The link between morality and reason is not that tight.

Some may agree that the above claim is at least roughly correct, but deny that Rawls is actually concerned to deny it. They will claim that Rawls is only concerned to argue for the convergence of goodness, justice and rationality. He is arguing that people in a well-ordered society will not find it irrational to be just men. Rationality does not *require* a commitment to the principles of morality, but it is compatible with such a commitment. It is my belief that Rawls is making a stronger claim; he is, as I read him, claiming that the amoralist, including what I call ‘the classist amoralist’, suffers some failure in rationality in rejecting the moral point of view. A human being who is through and through rational would not be an amoralist.

There are, however, three passages in *A Theory of Justice* which seem to run against my reading of Rawls. I shall commence by examining them.

The first one I shall cite comes near to the end of Section 86. Rawls remarks:

The main point then is that to justify a conception of justice we do not have to contend that everyone, whatever his capacities and desires, has a sufficient reason (as defined by the thin theory) to preserve his sense of justice. For our good depends upon the sort of persons we are, the kind of wants and aspirations we have and are capable of (576).

This passage looks as if it were expressing a different intention than the one I attributed to Rawls. Yet there is a way of reading this passage in conjunction with other things he says which makes it quite compatible with the account I have been giving. Rawls can be understood—and, I believe, should be understood—to be contending that with the aims, desires and conceptions of self that some people have, it is not irrational for them, *given their distinctive aims, desires, and the like*, not to desire to preserve a sense of justice even in a well-ordered society. But this is not to say or to give to understand that having such desires and aims is the mark of a rational person or at least a fully rational person or that such desires or aims are rational. Indeed, given what he says in this same section about realizing and expressing our common human nature, he could hardly intend here to claim that these people, with their amoral desires and perhaps even with capacities which limit severely their capacity for a properly moral response, are fully rational human beings with rational desires. He rather should be understood as saying that such psychologically deformed people with the desires, wants, and aspirations they have will not have sufficient reason to be just men. But this is not to say that Rawls believes such people are fully rational people with rational desires. Indeed it is very unlikely that Rawls intended this, given that two pages prior to the passage quoted above Rawls had stated that ‘the desire to express our nature as a free and equal rational being can be fulfilled *only* by acting on principles of right and justice . . .’ (574, italics mine).

The second passage I shall cite takes a similar reading.

Suppose that even in a well-ordered society there are some persons for whom the affirmation of their sense of justice is

not a good. Given their aims and wants and the peculiarities of their nature, the thin account of the good does not define reasons sufficient for them to maintain this regulative sentiment. It has been argued that to these persons one cannot truthfully recommend justice as a virtue. And this is surely correct, assuming such a recommendation to imply that rational grounds (identified by the thin theory) counsel this course for them as individuals (575).

Here what I have remarked in the previous paragraph has even more evident force. What Rawls is showing us in the passage just cited is that 'given their aims and wants and the peculiarities of their nature', they might not have sufficient reason for striving to be just men. But this is not to say that they could, as rational persons with the desires and wants of rational persons, turn away from a commitment to trying to maintain moral principles as regulative principles in their lives. For *such* persons one 'cannot truthfully recommend justice as a virtue'. But that they, with their personalities and wants, have no rational grounds for so acting is not to say or to give to understand that such people are not psychologically dwarfed people who are not fully rational human beings. Remember that Rawls claims in the paragraph just preceding the one cited above that 'how far we succeed in expressing our nature depends upon how consistently we act from our sense of justice as finally regulative' (575). What we cannot do is 'express our nature by following a plan that views the sense of justice as but one desire to be weighed against others' (575). A person lacking a sense of justice, Rawls tells us, is a defective human being unable 'to achieve for the self free reign' (575). This 'damaged human being' is hardly a free rational agent; rather he is a person who has given 'way to the contingencies and accidents of the world' (575).

The last passage I shall cite as putative evidence against my reading of Rawls is a lengthy one, but it will be useful to quote it in full. Rawls first remarks that the problem of justifying convergence should not be confused with the problem of 'justifying being a just man to an egoist' (568). He then goes on to remark

An egoist is someone committed to the point of view of his own interests. His final ends are related to himself: his wealth and position, his pleasures and social prestige, and so on. Such a man may act justly, that is, do things that a

just man would do; but so long as he remains an egoist, he cannot do them for the just man's reasons. Having these reasons is inconsistent with being an egoist. It merely happens that on some occasions the point of view of justice and that of his own interests lead to the same course of action. Therefore I am not trying to show that in a well-ordered society an egoist would act from a sense of justice, nor even that he would act justly because so acting would best advance his ends. Nor, again, are we to argue that an egoist, finding himself in a just society, would be well advised, given his aims, to transform himself into a just man. Rather, we are concerned with the goodness of the settled desire to take up the standpoint of justice. I assume that the members of a well-ordered society already have this desire. The question is whether this regulative sentiment is consistent with their good. We are not examining the justice or the moral worth of actions from certain points of view; we are assessing the goodness of the desire to adopt a particular point of view, that of justice itself. And we must evaluate this desire not from the egoist's standpoint, whatever this might be, but in the light of the thin theory of the good (568).

Again we see Rawls remarking—quite consistently with both his overall approach and with the way things are—that he is not trying to establish that even in a well-ordered society 'an egoist would act from a sense of justice, nor even that he would act justly because so acting would best advance his ends' (568). Given his distinctive ends, the egoist is not even well-advised to try to transform himself into a non-egoist committed to the principles of morality. But this is not to say that the egoist's ends are rational or that an egoist could realize his human nature, i.e. be a fully free and rational human being. Indeed, on the contrary, Rawls tells us that if we have true beliefs and a 'correct understanding of the theory of justice', we will, if we are rational persons, have an effective sense of justice regulating our lives (572). Indeed it is not rational for an *egoist* to act in such a manner but in being an egoist he must exhibit, according to Rawls, some failure in rationality. It is not the point of view that a knowledgeable, enlightened, free agent would adopt.

Rawls surely shows, for persons in a well-ordered society with a 'settled desire to take up the standpoint of justice', that this 'sentiment is consistent with their good' (568). And it is clear

that he is not concerned with the egoist's point of view and with what can and cannot be accounted for from that point of view. But there is an ambiguity in his important remark in the passage quoted above where he remarks that he is 'not examining the justice or moral worth of actions from certain points of view' but is 'assessing the goodness of the desire to adopt a particular point of view, that of justice itself' (568). As the discussions about whether 'Why be moral?' is a pseudo-problem have shown, if we are asking about the *moral* goodness of being just, the answer is plainly and trivially affirmative. A disregard of considerations of justice could not—indeed by *definition* could not—be morally good. Being just or at least sincerely trying to be just is conceptually bound up with being a moral agent. However, if we do not qualify 'good' with 'morally', but just take it as what a rational agent, fully informed, and with deliberative rationality, would through and through, and everything considered, find good *sans phrase*, it is not evident that any rational person would find justice a good that he will categorically commit himself to. His through and through good—what he would with full deliberative rationality want—might not be what is *morally* good.

Rawls' statement could reasonably be taken as claiming that any such agent would find justice as something that is good in itself or categorically good, namely that any rational person would, over and above any utilitarian motives or instrumental reasons, simply want to be just for its own sake if he were properly informed, knew the principles of rationality, and—as a thoroughly rational individual—engaged in deliberative rationality. But it is not beyond question that this is so. It is not thoroughly evident that he must under such conditions on pain of irrationality simply want to be just. At least Rawls has not shown that to be rational he must have such wants. He has not even shown that if he fails to have these moral sentiments his *rationality* is thereby diminished. To give the above passage a non-trivial reading, he must be claiming something of this sort, but, if he is, his claim has not been sustained.

If we simply take the primary natural and social goods given in the thin theory of good, it is not evident that a recognition of their desirability will be sufficient to convince a rational man that he should desire to adopt, as a maxim for his actions, the moral point of view. Trivially as an egoist he cannot and as a moral agent he must, but simply as a rational individual trying

to decide with deliberative rationality what sort of person to be, it is not evident what he should do. (Recall that all 'shoulds' are not 'moral shoulds'.)

In a well-ordered society, where the individuals have a settled desire to let the principles of justice regulate their good, commitment to the moral point of view is indeed consistent with their good; but the passages I cited do not show that Rawls is limiting himself to that claim. Consider Rawls' further claim about what one must do to realize one's nature. To realize one's nature one must, Rawls claims, have a sense of justice, for without a sense of justice one's rationality is diminished and one's very humanity is dwarfed, i.e. the realization of one's human nature is thwarted. Rawls makes those stronger claims, but he has not adequately supported them. Indeed one is even troubled about what such obscure talk about realizing one's nature comes to. My central quarrel with Rawls here comes to this: Rawls believes that a man fully imbued with the sentiment of rationality must also be imbued with effective moral sentiments on which he acts. I, by contrast, am not convinced that this is any kind of necessity other than a *moral* necessity.

II

Yet perhaps my conclusion here is premature. Rawls seems at least to have a counter to what I have been arguing in his restrictions about whom he is talking about in a well-ordered society. He is concerned, he tells us, only with those who have 'a certain psychology and system of desires', namely only with those rational persons who have a well-entrenched but not invariably effective desire to be just (569). He is not talking about the person 'who wants with deliberative rationality to act from the standpoint of justice above all else . . .' and he is not talking about the egoist (568-569). It is a commonplace that in a well-ordered society it is rational for the former sort of person to be just and a well-entrenched egoist is beyond reach (568-569). In this context Rawls is not interested in the person who is so entangled in his sense of justice that it is thoroughly effective and final; rather he is interested in someone who gives 'weight to his sense of justice only to the extent that it satisfies other descriptions which connect it with reasons specified by the thin theory of the good' (569). That is to say, he is talking about the not inconsiderable number of people whose desire to act justly is not a

final desire like their desire to avoid pain or to satisfy their inclusive interests.

To answer affirmatively the problem posed by congruence, Rawls must show that such a person acting in accordance with the thin theory of good would find his sense of justice confirmed as regulative of his plan of life (570). Rawls starts from a recognition of a deeply entrenched but not invariable desire to be just and fair. Assuming, reasonably enough, that 'human actions spring from existing desires and that these can be changed only gradually' and assuming further that this desire to be just is widespread, Rawls wants to show both that in such circumstances human beings are acting rationally in opting for justice and that they would be acting irrationally if they did not opt for justice. Where the principles of justice are recognized to be collectively rational and where—as in a well-ordered society—he can safely assume most people will have an effective sense of justice, 'our hypothetical individual is considering in effect a policy of pretending to have certain moral sentiments, all the while being ready to act as a free-rider whenever the opportunity arises to further his personal interests' (570). What we want to know is whether such a life-orientation is irrational or is an orientation which for *any* rational person would, if adopted, diminish his rationality.

Rawls' argument is that such an individual with such an infirm but still real inclination to be just, would be irrational and not be affirming his own good if he were to switch to the amoralist's side. Rawls contends, as we have seen, that the psychological costs, given the deception and hypocrisy involved, would be too high. The tensions and loss of spontaneity involved would be too great and the undermining of such pervasive, well-ingrained and personally desirable traits such as wanting friends, 'wanting to be fair with our friends', and 'wanting to give justice to those we care for' would be so personally disturbing and so destructive of the very attachments that we both need and prize, that rational people would not opt for such amoralism. Rawls should not be understood here as moralizing against amoralism. That indeed would be question-begging. Rather his claim is that amoralism is not humanly satisfying.

However, consider the amoralist in a class-divided but still well-ordered society who took a thoroughly class point of view and was himself from the most favoured class. Suppose he

behaves like a morally good man to the members of his own class while being prudently amoral to the rest. If he does this with reasonable finesse he could avoid the psychological risks of a Stirnerian egoist and still have the valuable social bonds that go with 'a community' (his class) while reaping the self-interested benefits of exploitation and control.¹ He indeed has an inclination to be just, but he sees, after rational deliberation, that there is a still greater maximization of expectable utilities for himself and his class by taking the amoralist's road and he takes that option.

It begins to look, it might be argued against Rawls, as if this mode of action—this classist amoralism—is not only not irrational for such people but positively rational. That the bonds of fellow feeling extend rather widely in a well-ordered society is no rational deterrent to switching to such an amoralism, for, as fellow feeling has historically expanded, it can also be made to shrink. What, in the above situation, rationally justifies not shrinking it? It is, morally speaking, wrong—indeed immoral—to do so, but that in this context is not to the point. How can we show—or can we show—that rational people so placed would *not* be acting rationally if they taught a moral ideology designed to reinforce false consciousness in the less favoured classes, but actually and quite deliberately acted themselves strictly in accordance with their own class interests? (I am not, of course, suggesting that they must so act to be acting rationally.)

Such a thoroughly class point of view at least seems to square as well as does Rawls' account with 'the social nature of humankind'. It allows, as well as does justice as fairness or any moral account, for the fact that 'our potentialities and inclinations far surpass what can be expressed in any one life, not only for the means of well-being but to bring to fruition our latent powers' (571). Indeed within his own class such an individual needs a social union and a community with something like the mutual acceptance of principles of justice but to get the requisite satisfactions here there is or at least seems to be no need actually to adopt the moral point of view and extend that attitude to all humankind.

It could in turn be argued on Rawls' behalf, and in the manner

1 Quotation marks were placed around 'community' to flag the fact that 'a class' is not 'a community'; but it still could be a sufficiently well-knit group to have at least many of the desirable features of a community mentioned by Rawls.

in which he conducts such arguments, that if we so knowingly arbitrarily limit our moral concern to our own class, even when we are the most favoured class, that that very moral arbitrariness will backfire in our own class by undermining certain key moral relations there. What does friendship, trust, love, solidarity or fraternity mean or come to when it is admittedly arbitrarily limited to the people within one's own circle? These are relations any rational person would prize, but they are spoiled when (a) it is recognized that being loved, trusted or being a friend is contingent upon one's class membership and (b) when it is also recognized—as rational people could not fail to recognize—that that class membership carries no kudos. It is this which partially unpacks the claim that amoralism is not humanly satisfying. Such considerations are perhaps not sufficient to show that amoralism is less rational than a genuine moral response, but if supplemented by other such considerations it would help shore up Rawls' defence of the superior rationality of morality over amoralism.

III

Rawls might also claim against my qualified defence of a kind of amoralist that there is something confused about my conception of rationality. If it is rational, as I conceded, for one person in a well-ordered society with no restrictions on information, to desire to be just, then 'being rational for one, it is rational for all . . .' (567). But this could not mean, I would in turn respond, it is rationally *required* of all. People in class-divided societies, even in 'well-ordered class societies', sometimes have different and indeed conflicting interests. What is rational for the least well off to want need not be what is rational for the most favoured class to want. Rawls has not shown that their good is the same and that they indeed have a community of rational interests. He has not shown that what is rational for one to want is rational for the other to want.

What Rawls wants to show, and what in my judgement he succeeds in showing, is 'that it is rational for those in a well-ordered society to affirm their sense of justice as regulative of their plan of life' (567). An effective sense of justice can be in accord with a rational individuals' good, but it is also possible for his sense of justice not to be in accord with his good or his rational life plan and for him not to be any less rational for all

of that. Yet Rawls wants also to show that if that individual is rational, he must generally act in accordance with his moral beliefs or feel guilt or shame and strive to alter his behaviour when he does not.

A central but, I believe, mistaken argument for his last claim occurs on pages 574–5, which in turn, at key points, rests on some key claims made on page 572 of *A Theory of Justice*. Rawls claims that a *necessary condition* for realizing ourselves as free rational persons is to establish and maintain an effective sense of justice (574–5). I think Rawls has been tricked into thinking that that is fairly evident by confusing the commonplace he asserts on page 572, i.e., the ‘desire to act justly and the desire to express our nature as free *moral* persons turns out to specify what is practically speaking the same desire’ (italics mine) with the non-trivial proposition he needs for his above claim, namely that ‘the desire to act justly and the desire to express our nature as free *rational* persons turns out to specify what is practically speaking the same desire’. But only the first truism is Rawls’ actual claim; but what he needs is not that truism but the second statement mentioned above. Yet (a) he has not asserted that and (b) it is difficult to know how, if at all, it could be established to be true; indeed it appears at least to be false. For it looks as if, at least in a plain sense, there can be free and rational amorality who still express their natures as social beings. Only the rather inconclusive argument I developed in the last paragraph of Section II appears to be disconfirming evidence. But by itself it is such slender and ‘speculative evidence’ as hardly to bear the weight of falsifying that claim.

Why should it be, or indeed even is it the case, that one can express one’s nature as a free and equal rational being *only* by acting on principles of right and justice as having first priority? (574). If, on the one hand, one builds something *moral* into ‘equal’ one turns it into a grammatical or at least a quasi-grammatical remark; if, on the other hand, one treats ‘equal’ as simply signifying ‘non-subordinate, similar abilitied and claiming individuals’, it is not at all evident that Rawls has shown that such people can *only* express their natures by committing themselves to the moral point of view and maintaining their sense of justice.

‘Expressing our nature’ and ‘realizing our nature’ are not pellucid notions and they do invoke the murky ethics of self-

realization. Rawls does not help us much here. He introduces such an idiom but he does not face or even seem to recognize the well-known conceptual difficulties connected with it. He claims that an essential element in the realizing of our nature is the having of a desire—the desire to be just—which regulates all our other desires and is not in a balancing act with other desires as merely being one desire among the rest. Rather it is a higher order executive desire which gives us a priority in deciding what to do and how to regard ourselves. But in giving such priority to the desire to be just how is it that we can and should be said to have realized ourselves? And if we do not have this executive desire how is it known that we must have failed to realize ourselves no matter who we are so long as we are rational? Again we need to ask not only *why* these things are so but first *whether* they are so. The realization of our nature is, as Rawls points out, not an all or nothing matter, but even so why should the expressing of our nature be so dependent on our having such a single regent among our desires such that our sense of justice is finally regulative for us? This may make our behaviour more predictable, but it is not evident that we will, because we have this effective desire to be just, be freer, more rational or more fully realized (whatever that means). Why should this sentiment of justice reveal more fully than other sentiments and other strategies for acting and responding what it is to be a *rational* human being? Moreover, can we reasonably answer any of these very general questions in abstraction from a consideration of particular sorts of people—people subjected to certain definite types of socialization and certain definite types of family experience? I do not think we can sensibly answer such a question in such a social and psychological vacuum.

We see Rawls here at a very key place appealing to self-realizationist conceptions which are normally both the prerogative and the cross of the perfectionist. Such conceptions are indeed suggestive but they are hardly clear enough to build anything on without very considerable and careful explication and critical examination. They do not square with Rawls' frequently announced and often well-practised strategy of seeking out unproblematic conceptions concerning which there is an extensive consensus, for surely self-realizationist conceptions do not have such a status.

This is not to give to understand that nothing can be made of such claims but simply to remark that nothing has been made

of them. Again I ask: why *must* the classist amoralist be less free, realize himself less and consequently [*sic*] be less rational? Such an amoralist need not be Plato's wild man.

It in short has not been made out that a sense of justice is rational for anyone—no matter who he is and how he is placed—and hence rational for all. What a human being has reason to do or what it is that it is rational for him to do may not be something which can be abstracted from the distinctive interests that he has and these in turn may be very much affected by who he is and what position he has in society. Rawls tries to show that in a well-ordered society it must be rational for any rational man to be moral and irrational for any rational man to be immoral or amoral, but nothing this strong has been made out and perhaps nothing of this sort can be made out from a conception of rationality such as Rawls uses which is itself morally neutral. (The non-neutral conceptions utilized by Horkheimer and Adorno have other problems.) Indeed 'the desire to affirm the public conception of justice as regulative of one's plan of life *accords* with the principles of rational choice', but the principles of rational choice do not *require*—or at least seem not to require—of a rational individual a commitment to the moral point of view (577, my italics). Reason, we should realize, cannot settle everything. There are even things of the utmost human importance where its voice is not decisive.¹

UNIVERSITY OF CALGARY

1 To make such a claim and to argue as I have is not in anyway to be committed to what Habermas has characterized as scientism. Even if his sustained arguments against scientism are in the main well-taken nothing in my above argument is weakened in the slightest. My argument surely can and should admit the rationality of reflection. Indeed it involves the use of that rationality.