

June 8, 1992

Dear Bryan,

The following comments strike me as most important to make regarding your intuitions on the "Humeian System."

1. I'm glad that I am so old-fashioned, and I would certainly never place myself in a photograph labelled "linguistic analysts of the twentieth century." However, I take the essence of 'analytic philosophy' to be a method of analytical thinking, as the name implies, as opposed to, say, expressions of mystical revelations or dogmatic assertions - rather than any particular doctrine, such as the doctrine that philosophy is useless and can tell us nothing except how people use words. It is thus that I often call myself an analytic philosopher. I am not certain that this is how the name is generally used, but I think that Locke, for instance, is supposed to be analytic, or at least, people who study and write about Locke, Aristotle, Kant, et. al. are supposed to be analytic philosophers (as opposed to the people who study Heidegger, Hegel, and other H-people).

2. I think I haven't quite nailed down the definitions of rationalism and empiricism. But keep in mind when trying to define one of them, that I want the definition to name some theory about the nature or source of knowledge, and I want it to state something that rationalists/empiricists would endorse. I think there's more of a chance that Descartes would endorse the view that there are innate ideas than that he would endorse the view that he begins with arbitrary premises, rigidly deduces absurd conclusions, and then refuses to check his initial premises - besides the fact that those activities, which presumably stem from having a certain theory about the nature of knowledge, are not themselves a theory. To define rationalism, we want to name that theory.

3. There is a difference between knowledge and ideas - knowledge is knowledge that some thing is true, while an idea is just a conceptual representation of any object, like the idea of a triangle. I think I said that the rationalists believe in innate knowledge, rather than innate ideas, though they probably also endorse the latter.

4. Is Aristotle an empiricist? Unfortunately, he didn't write an Epistemology. I don't know whether he opined on the existence of innate ideas or knowledge, but if he did, I'll bet he denied them. Maybe he didn't address this issue. In any case, I am unconcerned with exegesis.

I will consider your view about axiomatic knowledge below.

5. Experience and intuition: I might have to see something that looks like a triangle before I get the concept of triangles, so in that sense, my knowledge that all triangles have three sides might be said to depend on experience - but not in the sense that the experience is the inductive evidence on the basis of which I am justified in saying that all triangles have three sides. It is not comparable to my conclusion that all twentieth-century thinkers are boneheads, the level of probability of which (since I have not studied all of the 20th century thinkers) depends on the number of observed cases of bone-headed 20th-century philosophers.

It's not as if additional observations of triangles will further confirm my belief; rather, once I have gotten to the point of understanding the proposition in question, no matter how I get to understand it, no matter how many of what observations I have had, I will see it to be true on its face.

It's true that all experiences accord with logical laws, of course, but that doesn't mean that the experiences are the ground or evidence of the laws.

I distinguish between what helps you understand a proposition or makes the thing occur to you, and what would be evidence on the basis of which the thing follows. Thus, your experiences often have the first role but not the second, vis-a-vis logical laws and other intuitions.

I hold that in the case of an intuitive proposition or one derived from intuitive propositions, experience is no part of the proof or evidence of it.

6. Suppressed premises: you're right that it's not the case that suppressed premises never exist.

Here's another distinction: viz., between a thing that must be true in order for a given conclusion to be valid, and a thing that you must first know in order for a given conclusion to be valid. For instance, in order for me to know that I am about to enter my apartment, it must be true that space aliens with disintegrators are not lying in wait on the other side of the door - but that doesn't mean that I have to first think to myself, as I turn the door knob, "There are no aliens lying in wait in my apartment." I don't have to think, "My apartment exists. The law of gravity will continue to hold. I have two feet. I am on the Earth." etc.

I suggest that many of the things that you can point out as alleged suppressed premises are not suppressed premises but logical implications of the opponent's claim - and that is why it is often a good argument in itself to point them out.

Now why do I want to maintain this view? I'm not sure if anything else hinges on it - if not, we can just say, well, "people should keep promises," "life, prosperity, and freedom are good," and the like are intuitions that we use to derive moral conclusions. (But it's implausible to me to think that we think quietly to ourselves "life is good" - just as we don't normally think "There aren't any aliens in my apartment.") However, I have a suspicion that if my knowledge that x should do A depends on a suppressed premise stating some moral rule, then non-algorithmic ethics would be impossible. I don't think that people should always keep their promises (don't keep a promise to murder someone), so if my knowledge that Jones should pay Smith five dollars depends on knowledge of some true universal rule, it will have to be something other than "people should keep promises" - something stating exactly when people should and should not keep promises - won't it? But I don't know that. I have often known in particular cases that someone should keep a promise, but I can't tell you in general terms all the conditions under which someone should keep a promise. Therefore, it must be that I knew on the basis of the facts of the particular situation at hand that the promise should be kept and not on the basis of a universal rule for determining when promises should be kept.

By the way, my example wasn't too good - "Jones promised to pay Smith five dollars; hence, Jones should pay Smith five dollars"; it doesn't necessarily follow; what I should have had as a premise instead is some detailed description of the particular

events surrounding Jones' promise - but for obvious reasons it would be impractical for me to provide that.

But now, doesn't this mean that ethics degenerates to unprincipled whim-worship? That leads me to

7. Exception-making and arbitrariness: No, exception-making and situational ethics isn't arbitrariness. Nobody thinks that because the chess grandmasters aren't using an algorithm therefore they are just moving pieces around at random.

When I read this chess book I have, it gave a series of recommendations for good play, such as, rooks are worth more than bishops, trade less valuable pieces for more valuable ones, try to fork your opponent (a fork is a threat that one piece makes simultaneously to two opposing pieces), develop rooks to open files, control the center of the board, etc. It also said, do not follow these rules blindly; if the situation calls for it, violate them. And we can't tell you all of the conditions under which the situation calls for it; use your best judgement. Now I assume you wouldn't say that this means that the chess master who wrote the book is advocating arbitrary whim-worship as a method of play, nor that the list of the rules was totally useless and meaningless? Perhaps if you played more chess, you'd be an intuitionist. I'll play you.

The nature of chess-skill acquisition is parallel to that of acquisition of nearly all skills, including skill at living (which is manifested in ethics). You can have a series of rules, such as keep faith with people, and don't use violence, but retaliate if they break faith with you or use violence; benevolence is a virtue; reward virtue and punish vice; eat when hungry; etc. However, you have to use your best judgement in the concrete situation to know when a rule doesn't apply. Kant is the classic, anally retentive example of the refusal to do this: he says, as Fogelin told us, that if you're on a cargo ship and you've run out of provisions, it is immoral to consume the cargo which belongs to someone else. You have to starve to death. Now that's a case of refusing to make required exceptions to rules.

8. The axiomatic argument: I'm unclear on this: From the fact that something is axiomatic, does it follow that it's true? Is truth part of the definition of axioms, or is it just that everybody thinks they're true? I'm assuming the latter.

I think that the propositions you call axioms are intuitive judgements. The fact that they are axioms is not what enables one to see them in the first place. One should be able to just consider the law of non-contradiction and see immediately that it is true. One should not require any argument. And the argument that Aristotle would give, about the denier of the law assuming it, is at best a rhetorical strategy for pointing out to someone of what he already knows that he already knows it. How one originally knows it is by just looking at it and thinking about it. Presumably, then, the reason why the person who is denying the axiom is actually presupposing it is because at some previous time, he did actually apprehend it intuitively, only now he has come to the point of attempting to deny the thing.

The use of axiomatic refutation evidently implies that the axiom to be defended is something that the listener has already perceived by some other means, because it seeks to show him that he has taken it for granted.

If someone thought, falsely, that axiomatic refutation was a means of acquiring new knowledge, then I suppose he might be in a

category other than empiricism, rationalism, and intuitionism. But since such a view is necessarily false, since axiomatic refutation applies only to things we already know (and also since the fact that any given people assume something to be true doesn't entail that it is true), we needn't concern ourselves with this question.

9. Our two cognitive faculties are reason and observation: Yes, that's perfect. And reason divides into direct and indirect, while observation divides into sensory and introspective.

10. The law of Causality may imply the law of Identity, but I have not been convinced that Identity implies Causality. I don't see how to say that an object's nature doesn't necessarily determine all its actions implies that an object doesn't have any nature, or that it isn't itself. But of course, to say an object's nature determines its actions does imply that it has a nature.

11. By the way, "I am conscious" is a fact of observation, sc. introspection, rather than intuition.

12. Your point about making a judgement given some facts rather than deducing a conclusion is well-taken. It sounds right, though now we'll have to figure out what the difference is between judgement and deduction.

13. I don't think everything is intuitive.

14. But now that I think about it, intuitiveness isn't mutually exclusive with provedness, in this sense: e.g., I have a friend who often looks at a math problem and intuitively senses that so-and-so is the right answer, and then proceeds to work out arguments showing it to be correct. In such a case one may believe the proposition both on the basis of its immediate, prima facie plausibility and on the basis of the arguments (which bolster one's certainty), so that it is both intuitively and derivatively known. Now that I think is a general phenomenon, in the sense of something that happens most of the time.

15. When does something require proof: Depends on how sure you are of it. If you're uncertain, then try to prove it. For instance, it might seem as if two angles and a side determine a unique triangle, but to be quite certain, we want a proof on the basis of propositions that are absolutely certain, like "the whole is greater than the part," "things that are equal to the same are equal to each other," and other Euclidean axioms. The latter, of course, are not in need of proof since, when you think of them, you feel certain that they are true.

What makes something more certain? Well, evidently the whole business of proving things stems from our finite intelligences. If we were godlike beings of unlimited mental faculties, we wouldn't have to prove anything: we would think about differential calculus and say to each other, "It's obvious." However, in fact our ability to clearly apprehend some object of thought and hence to determine its nature or its truth depends on (1) its level of abstraction and (2) its complexity, being inversely related to both. Thus, we try to prove complex principles on the basis of simple ones. The method of step-by-step demonstration, as in Euclid (and may I say that this was a quite brilliant development) functions to enable us to concentrate our full faculties,

sequentially, on each step and thereby apprehend the proof in complete clarity and certainty, though not all at once. And this is general: whenever something is too complicated to understand at once, try to examine its parts in sequence.

16. Suggestions for further research on philosophy of mind:

I can define a "flurg" to be the moon plus any left eyeball and any table leg, and there will then be quite a number of 'flurg's around. But it won't bring any new entities or new facts into existence. The world will be unchanged. And I presume that no one would think that flurgs could have emergent properties. That seems impossible. Why? Presumably because the whole (flurg) cannot be more than the sum of the parts because wholes do not have independent existence - they simply are their parts, thought of collectively (rather than individually). Thinking of some several individual things as a unity cannot give them any new powers or properties. And isn't that all there is to the whole/part relationship? If flurgs can't have emergent properties, why are brains any different?

(Hint: One suggestion is that whereas I must form the concept "flurg" by means of first conceptualizing the parts, the moon, eyeballs, and table legs; I do not form the concept "brain" by means of first apprehending neurons. Rather, I form the concept "neuron" by dividing up brains. Does this difference make any difference?)

17. You talk as if that words are coextensive or synonymous were or were supposed to be the sole things that can be known. There are plenty of pieces of knowledge that have nothing to do with synonymy or coextensiveness, such as "seven is greater than five" and "owls have big eyes" (I'm not saying that the only things with big eyes are owls).

Also, I never said that knowledge of mere correlations (without synonymy) was necessarily purely empirical. It could be a priori.

18. On beauty:

It is, of course, quite possible for a thing to both be inherently beautiful and also appeal to one's (possibly genetically determined) emotional or instinctive inclinations. I suppose that, for example, one could make art works out of food, that were beautiful because of their harmonious color arrangements (or whatever) and that, at the same time, were delicious and appealed to hungry people. It is entirely possible that attractive women (or men) are in this case. It is even possible that, so far from it being the case that men are genetically 'programmed' to find women beautiful, rather the women are genetically determined (physiologically) to be beautiful because that would cause men to be attracted to them and give them higher survival value.

My only argument for aesthetic objectivism is this question, "Does it give you a certain feeling because it is beautiful, or is it beautiful because you have a feeling?" It certainly seems as if the former is the right answer.

Another thought I've been having lately, which is almost a middle ground (but more to the objectivist side) between objectivism and subjectivism, is that beauty, perhaps, is not a property of a physical object per se, but rather a property of an image, an image being a mental entity.

19. I don't consider "H.A. Prichard is good" as a central tenet of my 'system,' but if you must know, I think his main virtues are (a) that he is a naive realist and intuitionist with respect to ethics, and he doesn't think that not having an algorithm means we can never know anything about what to do.

(b) He successfully refutes the view that an action can be right because of the motive behind it. (I can't get the appropriate motive (viz., thinking the action to be right) until I already think the action to be right, so it can't be the case that I think the action to be right because I first apprehend that I have the motive in question.) He then distinguishes between acts that are moral (ought to be done) and ones that are virtuous (proceed from good psychological causes), an important distinction - i.e., as far as morality goes, it is not the thought that counts.

(c) I like his quick answers in footnote 8 to two dense yet typical objections to his theory that were made by class members.

(d) His comparison with the theory of knowledge, in which he points out that the rationalistic/sceptical requirement implies that to really know that A is B, what we have to do is first know it in the ordinary manner, and then apply some criterion by which we know that this initial knowledge is genuine - and then points out that if, in order to really know that A is B, I must know that I knew it, then to know that I knew it I would have to know that I knew that I knew it. And his generalization of the intuitionist ethical theory to general epistemology says that to know whether A is B, what you must direct your attention to, unsurprisingly, is A and B - contrary to various other theories of knowledge that say you must determine the nature of some other thing(s) besides A first.

(e) He uses the term "confusion" often.

20. Regarding the impossibility of feeling an obligation to act from a certain motive: (your section 4.6.4) You give the example, I guess, that one can feel the obligation to feel happy to help someone. For this to be a counter-example to Prichard's remark, you must be saying, not merely that you can feel you ought to have this emotion of happiness in this context, but that you can feel you ought to help the friend because of this emotion. This is what I agree with Prichard would be incoherent on your part. For if you truly believe that you ought to help the friend, then your motive in helping him will be, not the emotion of happiness, but the belief that you ought to help him. Hence to feel at the same time that you ought to help him and that you ought to do it from a certain emotion is to impose impossible demands upon yourself.

21. I doubt that any of the instances of "axiomatic ethics" you cite are valid. Frankly, they seem truly desperate, and they probably stem from an abject terror of admitting that one's own ethical views stem from plain old personal judgements, and, contrary to popular opinion, knowledge of morality simply must inevitably derive from the exercise of moral judgement and cannot be gained from arguments that are about some other subject matter.

There is one believable ethical axiom: that one should believe what is true. If someone is arguing with you about whether that is true in the first place, then it is unavoidable that he is assuming that it is right to try to find out what is true (and particularly, whether "we should believe what is true" is true). However, once again, for the same reason I stated above (section 8), this axiomaticness cannot be the source of the

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knowledge that one should believe what is true since what it really shows is that you already believe that you should believe what is true, and, therefore, believe it on some other ground.

22. You're right about the indefinability of truth in non-Intentionalistic terms: something parallel can be said about everything. You can't define multiplication in non-mathematical terms. You can't define squares in non-spatial terms. For obvious reasons. So what?

23. I don't know how to argue for my theory of the motives of liberalism and conservatism. I suppose that it just requires knowing several typical conservatives and liberals. However, let me say that I probably will not accept any analysis of the same that does not trace it back to something illogically emotional. (Some emotional things are not illogical.)

24. Anarchism: This could generate a long comment, but I will try to be brief.

Perhaps the most convincing argument for anarchy is that moderate libertarianism (the minimal state) is not sustainable. This argument could be made on empirical grounds, since the framers of the Constitution did everything reasonably within their power to ensure the perpetuation of a libertarian society, and the state has continued to grow and, if present trends be projected into the future, will eventually wind up social democratic. If this is true, it would mean that the choice is not between libertarianism and anarchy but between social democracy and anarchy - and then my choice is clear.

Perhaps the most convincing reply to anarchism is that it is illogical to go about advocating things that there is no way to bring about. Even you said that it was highly unlikely that the world would become anarchist. One could easily argue that it is actually impossible to get people to accept anarchy.

A second, related question which I asked previously and which I don't recall your reply to, is whether even assuming the existence (non-existence?) of anarchy, it would be maintained, or would powerful people simply begin to set up small quasi-feudal territories - in which case the eventual outcome would probably be much worse than at present.

A third objection is that, while Rothbard and you presented a certain scenario of a possible anarchic society in which private courts and police replace public ones, you don't actually, as far as I know, come close to proving that this scenario - while certainly possible - is what would actually happen. That is, if the government were to abdicate, do you really know that people would set up private protection agencies; or would they be more likely to just make guns, partake of private vigilantism, and/or join gangs?

Furthermore, if such agencies were established, one of Ayn Rand's remarks comes to mind: "Ask yourself what a competition in forcible restraint would have to mean." Would these agencies compete to be ever more dangerous and brutal to alleged criminals? Once the alleged criminal is caught, what reason is there for trying him? By hypothesis, the agency already has the force to restrain him and has done so. He is in no position to bargain. What incentive would there be for treating him fairly, giving him a fair trial, and giving him a merciful sentence? You might say that the government has no incentive to treat alleged criminals fairly either, but at least they don't have a positive incentive

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to be brutal - the judge and police aren't being directly paid by the victims. And assuming that private courts were used, would they compete with each other by advertising, e.g., "We obtain 98% conviction rate," "99% conviction rate," and so on?

About the matter of outlaw protection agencies, Rothbard suggests that other agencies could band together to put them down. They could, but would they? It could be expensive and dangerous, and if I, a protection agency, know that the other agencies are banding together to put down outlaw agency x, then I will figure that there is no reason for me to expend my resources; I will let the others do the job. But since the others will all be thinking the same thing, no one will do it, because he knows that he would be undertaking all of the expense to benefit everybody (the public goods situation again). If you don't believe this, isn't the case of governments parallel? When you have one outlaw government, do the other states of the world unite against it? Sometimes, sometimes they leave it alone, and sometimes they help it. It's not clear to me why protection agencies would be different from governments. (An outlaw protection agency would be, I suppose, a government. In a contest of a government versus a protection agency, who would win?)

If you can turn a profit by getting together a group of people who imprison people in forced-labor camps (private jails), then why is it that you think that such procedures would be turned against criminals but not against non-criminals?

I take your observation that any complaint about anarchic people might be made about governments to heart, and I am identifying the difference between government and private protection agencies to see if there might not really be a complaint about the latter that would not apply to the former. The government, at least around here, is run democratically, so that it is roughly run, indirectly, by the general public will. Private protection agencies would be run, indirectly, by their customers, that is, victims of crime. So there is ample reason to expect that they might have different conceptions of justice, one much harsher than the other.

Next, I don't know that you and Murray Rothbard completely answered the worries about degradation of the natural environment. As I said, it is evident that current environmentalist descriptions of the problem are vast exaggerations; I hardly think we are facing the end of life on earth; yet I think it must be admitted that there is some need to control pollution, species extinctions, and similar things. You probably know the story about "the tragedy of the commons": in a grazing area shared in common by many herdsmen, each herdsman will be compelled to attempt to graze as many animals on the land as possible, because he receives all of the advantage from the additional animal whereas the disadvantage from overgrazing is borne by all the herdsmen; and if he doesn't use up all the land, somebody else will. Thus, everybody is forced to multiply the number of animals without limit, and the commons is thereby degraded, to everyone's disadvantage. This is, of course, the public goods situation: if there is some advantage which is to be shared by the whole group while the cost of each of the actions necessary to obtain the advantage is borne by the individual performing said action, then, even when the total advantage is greater than the total cost, the situation that would attain the advantage will not happen. No individual will perform the required action. And of course you can see that something similar would hold if I spoke about averting disadvantages to the group by actions that cost the



individual performing them, or causing disadvantages by actions which benefit the individuals performing them. Do you believe that no such situations exist? I know that the Rothbard solution to the commons degradation is private land ownership, but it is not entirely plausible that, absent government, private air, water, and species ownership would spontaneously arise. And are these things that should properly belong to someone - what would you do, mix your labor with the air in order to acquire it? The difficulty there is that the value of these objects, which is a value to everyone, is not caused by human labor, in contrast to things like cars. That is, the stuff cars are made of becomes valuable because someone did something special to it. This is not so with water and air and the 'ecosystem'; they are just there.

However, I am encouraged by the fact that Julian Simon won his bet. Perhaps environmental problems will solve themselves - or technology will solve them, without any intervention.

Finally, let me make two more notes: (1) in spite of the above, the anarcho-capitalist theory is by no means insane, as one might at first be tempted to think. But I will make you do a little more work before I register Anarchist. (2) I confess that politics is not my greatest interest. In fact, other than philosophy of language, political theory has probably fallen to my least favorite philosophical subject matter. In previous years I had an interest in it but have gotten tired of it. This may perhaps be because it seems to me as if the main task there is not figuring out intrinsically, intellectually difficult things but trying to get through people's prejudices and battling their emotions. Therefore, with that remark, I leave the subject.

25. Although modern professors of philosophy often think long (but not so hard) about contextless and trivial questions such as the workings of indexical expressions, you could hardly say this describes all of modern philosophy. While bankrupt in other ways, Marxism, existentialism, logical positivism, and behaviorism at least are not views that fail to address anything of import.

Nonetheless, you are right that my writings break with the modern trend if that trend is to be measured by the majority of the writings of academic philosophers. I'm flattered by this observation. I will attempt next semester to begin to satisfy your hope of my showing the rest of the world its errors; that is, I will see if I can publish a couple of these papers.

I will include some quotes from your paper on the jacket of my next book. That should sell it.

Sincerely,

*Mike*



June 12, 1992

Dear Michael,

While I'm sure we can talk more about this when you arrive, I couldn't resist the urge to write you back now. I'll try to keep this briefer than your reply (which was itself briefer than my paper) so the length of our writings does not diverge to infinity. I'll use the same numbers you did in your letter for convenience's sake.

2. Now I remember a common definition of "rationalism" that fits your conditions of adequacy; alas, it makes you one of them. Rationalists have often been defined as people who believe that there is some knowledge that we have independent of experience. That would fit both intuitionism, innate knowledge, revelation, and some other substantive views. I'm afraid that this won't do at all for you, since you believe that rationalism is a fallacy. Maybe you should coin a new term for the people with whom you disagree, e.g. "innatists."

3. Sorry. I didn't read you carefully enough. Although I believe in a phone conversation we talked about rationalism and innate ideas, which is where my mis-reading began.

5. Great clarification! "It's not as if additional observations of triangles will further confirm my belief; rather, once I have gotten to the point of understanding the proposition in question, no matter how I get to understand it, no matter how many of what observations I have had, I will see it to be true on its face." The distinction between what helps you and evidence is interesting. Perhaps in the former case experience serves as an "intuition catalyst"?

6. By the way, I had a long argument with Fab over suppressed premises, because he believed that you had to know  $A \text{ implies } B$  to deduce  $A$  from  $B$ . He was obviously under corrupt influences; he thought you were just foolish at first, but finally I convinced him you might be right. Hey, why don't you send him copies of "Intuitionism" and "Moral Objectivism" as a surprise? His address is:

Fabio Rojas  
67 Brookwood Road #5  
Orinda, CA ?????  
510-253-1927 (Call him to get zip.)

Incidentally, when re-reading the section on suppressed premise, I realized that you committed it yourself, sort of. You give

A.  
Hence, B.

as the paradigm case of the exercise of intuition. But the truly pure case is:

B.

without any derivations of any kind at all. After all, intuition is primarily a way of knowing, not of inferring, right?

I don't think that my so-called examples of suppressed premises are really logical implications of the views cited. Rather they are presuppositions. When I point them out I am not trying to say: "Your view, A, implies B. But not-B; therefore not-A." Instead I am saying, "Your view, A, presupposes B. But not-B; therefore some alternative conclusion, A'." I realize it is not plausible to think that "There are no space aliens on the other side of the door" is a conscious assumption. That's why the phrase "implicit assumption" is often used, to indicate that one's view vitally depends on the truth of another view that you have not fully examined.

Your argument that we must be able to judge moral properties without rules is unexceptionable. I'm convinced. As you say, since:

1. You know particular occasions where promise-keeping was obligatory.
2. There are exceptions to this rule.
3. You cannot in general terms explain when exceptions are justified.

You must be able to make moral judgments without the help of rules. "Therefore, it must

be that I knew on the basis of the facts of the particular situation at hand that the promise should be kept and not on the basis of a universal rule for determining when promises should be kept."

7. Once again, you're completely correct. "Arbitrary exception" is a reasonable moral criticism; "exception" as such is not. Now that I think about it, if someone wanted to know why they shouldn't steal cookies, I would say, "It's a much smaller offense than stealing his car, but it is still an offense." My whole problem here was that I wanted a bludgeon to keep immoral cheaters from disregarding morality whenever they felt like it; but if they aren't moral enough to not make arbitrary exceptions, they won't be moral enough to accept exceptionless principles either.

Incidentally, Objectivists always appeal to things like "context" when you ask them about life-boat or starvation or axe-murderer-asking-where- the-children-are situations. Your appeal to use our best judgment is much more sensible and straight-forward.

8. From the fact that something is axiomatic, it doesn't follow that it's true; being axiomatic is being true. As with intuition, one does not first say, "Hmm. A is axiomatic. All axiomatic things are true. Therefore A is true." Instead, grasping that it is axiomatic happens exactly along with grasping that it must be true. It is definitely not the case that axiomatic refutation merely shows that people accept certain things; it also shows that accepting anything else is absurd.

Classifying axioms as intuitions is highly plausible, bordering on convincing. Your point that one can only grasp that something is axiomatic if one already knows it on other grounds is interesting. And you are right that all axiomatic propositions could have been grasped just by thinking about them rather than by thinking about their axiomatic character.

But there is still a problem. Are you saying that object confused nihilists still know these basic truths, and showing them that they are axioms only shows them what they already know? Usually, these nihilists say they "assume" the truth of these things, but say they don't "know" it. And I guess they are right; how can they know something that they explicitly don't believe? I think you are confusing two things:

1. Showing someone what they already know.
2. Showing someone an implication or presupposition of a view that they hold, even though they don't accept that implication or presupposition yet.

While for many people, axioms do #1, for some confused people (such as myself at one point), they do #2.

Maybe this is what you are getting at when you say, "at some previous time, he did actually apprehend it intuitively, only now he has come to the point of attempting to deny the thing."

Maybe what you really want to say is that axioms help us to see truths that we implicitly accept, even if we don't yet know them. (Or you could try to convince me that confused skeptics really know they're wrong.)

10. What can I do to convince you that Identity implies Causality? Consider the following causal claim:

A+B yields C.

Assume that we have in one instance successfully controlled for all other variables, so we have one perfect induction. Now, are you saying that someone who claims that A+B need not always yield C under identical controls is not denying the law of the identity?

It is evident that he is. For the capacity to produce C under those circumstances is one of the properties of being A and B. And what else would be responsible for the difference? Nothing? This would lead you to ascribe causal powers to nothing, which is absurd.

If an object's nature doesn't necessarily determine all it's actions, what else does? If you say other objects, then we could back up a step and say, "OK, but the natures of all of the objects in question together cause all of the effects, right?" If you say nothing, then I think you are in the crazy position of ascribing causal powers to things that aren't there.

If that doesn't convince you, I guess I can only give you a Prichardian "Think about it some more."

16. The difference is between regarding things as a whole and things actually being a whole. Of course, just mentally grouping the moon, any left eyeball, and any table leg doesn't change the world. But if some things are actually a whole independent of our regarding them as

No. he did  
- the  
causes  
How  
chance

such, then emergent properties are quite plausible. And I can think of no better example than the mind itself: we do not make the mind a whole by regarding it as such; we regard it as such because it is a whole.

ok. under what conditions is something a whole? - having a feeling

20. Can't we have two (or more) motives for right actions: the action's rightness, plus the satisfaction of doing the right thing? *Also, I don't have a choice about having a feeling*

21. Perhaps you are correct. They do seem rather desperate. Maybe you should enlighten them.

23. Just because most liberals and conservatives are illogically emotional doesn't mean that the ideologies themselves do not have internally consistent underpinnings. Actually, I didn't realize that the debate was over motives; I thought the debate was over what is the best theoretical explanation for why they believe as they do. If the only question were "What are their motives?" we could just think about the proponents rather than analyze the ideas.

what's the difference?

24. This may not be your main interest; however, the most astute critic of anarchism deserves a good answer from its most astute proponent. (Yours truly.)

I would be disappointed indeed if the best argument for anarchism were that limited government is not sustainable. Actually, I believe that limited government could be sustainable and would have been if only pro-freedom ideology were more widely held. The Constitution, for all your reverence, was designed to enlarge the powers of the state beyond what they had been under the Articles of the Confederation, so it should not be a big surprise that the state just grew and grew. Maybe one of the main errors of advocates of a limited state is that they place too much trust in a piece of paper and not enough in actually convincing each new generation of the value of liberty. See Thomas Paine on this: "the plain truth is that it is wholly owing to the constitution of the people, and not the constitution of the government that the crown is not as oppressive in England as in Turkey." The point here is that both limited government and anarchy ultimately depend on pro-freedom ideas winning wide acceptance, and neither system could survive if most people were authoritarians.

right

Nevertheless, the worry that limited government is not sustainable is well-founded. I believe that the proper question for debate is this: Which is more sustainable: limited government or free-market anarchism, given general public appreciation of liberty which is a precondition of both?

Once we ask the question this way, it becomes amenable to standard economic analysis in terms of incentives and disincentives. Under government, growth can be checked by (1) voluntary restraint by rulers or (2) by a highly active electorate that opposes any growth of government.

1. I suggest you don't hold your breath for the first: even Jefferson became a broad-constructionist once he became president, backing the Louisiana purchase and other expansions of state power.

2. Voter restraint is almost equally feeble, for if ever there were a case of a pure public good, this is it. Everyone benefits from intelligent voting, but that takes time and thought, the costs of which are borne by the individual. And while the public's instincts might be libertarian, they always get lost amid the particulars and abstractions. As Bastiat pointed out, the benefits of government programs are always visible, while the costs can only be seen with the eye of the mind. That is why so many people react with horror when you favor abolishing any government program: they only see the benefits that will be lost, and don't envisage what would exist if the government programs hadn't existed to begin with.

Compare these frail checks to those of a free market. There each firm can only gain market share by pleasing consumers, not by unilaterally declaring itself to have more powers. There is every reason to think that there would be 20,000 or more firms in the police industry (see Bruce Benson, The Enterprise of Law) -- way too many to collude against the public. Instead of relying on a few hundred politicians with very similar interests (expanded state power) we rely on many thousands of entrepreneurs with diverging interests (increased individual profits, gained by serving consumers).

Of course, anarchism also relies on general public support for a free society, just like democracy. But it relies on it at the general, vague level that regular people can appreciate, not on the issue-by-issue level of politics that leads regular people to gradually throw their freedom away.

Second: Is it illogical to advocate something you can't convince people of? Really, Michael,

this objection is unworthy of you. You have not, I trust, convinced any philosophy professors of the truth of your views; you have no immediate prospect of doing so. And yet you don't moderate your views to find something they will accept. Why not? The only answer, I think, is: We should believe and advocate what is true. Also, like me, you may hope to lay seeds that will slowly take root in the intellectual climate.

But they:  
descriptive  
views not  
policies

On a more hopeful note: Speaking out in favor of what you genuinely think is true has been very effective for other movements that started out small. For example, socialism. Their ideas were very radical at first, but they eventually became a dominant intellectual force. Probably a lot of it has to do with its appeal to idealism. We may disagree with their goals, but their strategy worked brilliantly.

Next, would feudalism prevail? If you abolished the state today with people's current attitudes, maybe. Maybe there would be a civil war. But that is no objection because I never claimed that anarchism could make bad people good. I only claimed that given the level of human goodness, it is more likely to produce a free society. What checks would there be on the emergence of feudalism? I can think of these:

1. Lack of legitimacy. As Rothbard points out, government draws much of its strength from the voluntary, indeed enthusiastic, support of its citizens. A bandit lord could never receive that. Furthermore, most governments rely on ideology to control their armies, too. Most people wouldn't become hired killers no matter how much money they made -- unless they thought the killing were legitimate. Ever notice that during revolutions people ask, "Would the soldiers fire on their own people?" They ask this question because even brain-washed troops have some moral sense left and sometimes refuse to do what they think is wrong. Now try this thought experiment. Imagine that instead of serving a government, the soldiers serve Trump Enterprises. Who would they be more likely to defy if they thought they'd been given immoral orders? *I agree*

2. Alternative defense sources. There would be other defense firms to whom oppressed people might turn. When you say that putting down outlaw firms is a public good, you are just dead wrong. Each firm has a vital private interest in keeping its customers protected from outlaws. If outlaws dominate your customers, you go bankrupt. Moreover, if a firm decides to appease an outlaw, their customers may simply hire another firm that won't appease. And since, as I said, our best estimate is that there would be 20,000 police firms, no one will ever be isolated before an outlaw agency.

3. Why bother? If you are a powerful person who wants to make money, why would you try to conquer an area, which always leads to massive losses of resources? Why not just invest the money? In fact, it is government armies that tend to become pawns of powerful people. No wealthy Americans ever financed their own wars in other parts of the world; but they have lobbied to get American armies sent there at the tax-payers' expense. The reason is clear: it is fairly cheap to lobby to start a war; it is terribly expensive to actually pay for the war. That, incidentally, is why people lobby instead of paying mercenaries directly. To take an obvious example, the Kuwaiti government spent about \$9 million to lobby for the Gulf War, which cost .5 to 1 billion each day. But if there were no state, all of the Kuwaiti reserves of \$100 million would not have sufficed for a single day of warfare!

power?  
hungry?

okay

As for the next objection: Well, would you join a gang? I wouldn't. Most people I know wouldn't. In fact, as you know, gangs only thrive when there is a lot of money to be made from trade in victimless crimes; the Crips and Bloods don't get rich from being hitmen. They kill people to secure their drug trade.

But lots of  
people do

If you remember my Hobbes-Locke paper, I suggested that even Hobbesian people wouldn't be aggressive, because they value their lives more than a chance of gaining some extra food. The same applies here. And as I said, most people aren't Hobbesians, anyway.

Now if the government abdicated today, I don't know what would happen. Probably civil war, because people aren't intellectually prepared. But we don't need to worry about that, because the abdication will only come after a large part of the populace is prepared.

When I think about it, chaos would be more likely to break out if the government abdicated because people irrationally fear the absence of government, not because they would opportunistically try to rob and murder other people.

Fourth. This fear -- regarding the rights of the accused -- actually contradicts your other fear, which was that criminally inclined police firms would dominate the market. Which is it -- will the law execute all the apple-thieves, or will Charles Manson become the chief of police? But seriously, here is my two part answer:

1. Your fears about advertising conviction rates ("98%! 99%!") could be turned on their head: we might fear that firms will advertise that they will get people off no matter what. ("Only 5% of our clients are ever convicted.") However, since inter-police company disagreements are a repeated game, the nice strategy of tit-for-tat wins. Fighting it out for one client or protecting axe-murderers might be a good one-game strategy for making money (though I doubt it) but in the long-run firms know they are going to deal with each other a lot, so they might as well play fair.

Rights of the accused would be protected, of course, by one's own police firm, which, until proven otherwise, would assume you are innocent and deserve their protection. That is what gives the other firm the incentive to give you a fair trial, etc.

OK. But what about convicted criminals? That is another story. You see, in economics there is a problem known as adverse selection. Roughly, it says that when you sell some kind of insurance, the first people who buy it are the one's who will be very high-risk cases. Thus, people who buy medical insurance most eagerly are the terminally ill; people who want accident insurance are people in risky professions, etc. The same holds true with police protection: if firms sold protection even if you were convicted of a crime, then the criminals would all buy it first, raising the average costs very high -- probably prohibitively high. So I doubt that a firm would offer to protect your rights after you are convicted, even for a high price, because this clause would attract the wrong kind of customer.

I admit that there is a problem here. But here are my thoughts on the matter:

1. First, there is historical evidence. Restitution-based systems of market-like justice never degenerated into massive overpunishment, even though, as you rightly point out, there is a positive incentive to do so. One can examine the cases of Iceland, Germanic tribes, Celts, early Britain, etc., and in all cases there was a sharp sliding scale for different magnitudes of offenses. Actually, in Iceland even murder had a fine equal to only a few years of labor earnings, which seems too low rather than too high.

2. Second, there is public opinion. If a firm grossly overpunishes, then their action will be commonly seen as itself criminal. This may lead to loss of customers, boycotts, etc. If you doubt it, think about all the money companies spend on public relations.

3. Criminals would work more effectively if they have an incentive. That's why, as Sarich says, slavery is inefficient -- the slave's labor is worth more to the slave than to the slave-owner, which is why the slave can often buy his freedom. It would often be counter-productive to exact excessive fines, since it would leave the convict no incentive to pay off his debt swiftly.

4. Last, there is private charity. As the ACLU demonstrates, there are many people who care about the rights of the accused. Everyone in the law enforcement area agrees that the ACLU is the major force that keeps increasing the protections of the accused; they just disagree about whether it is a good thing.

(Incidentally, this is where we see state legal systems have the opposite problem, and a very severe one. Current laws regarding criminal procedure are so strict that only a tiny percentage of violent and property crimes get prosecuted. Because victims have no alternative legal channels, they are stuck with courts dominated by liberal judges who, in the words of Prof. Lino Graglia, "Never saw a criminal they didn't like.")

And private charity is a booming industry despite massive taxation and a paternalistic government, increasing from \$80 billion to \$120 billion during the 1980's alone. (See Giving USA: 1990) I suspect that with lower taxes and the clear understanding that either private citizens give or no one does, this figure would greatly increase in a free society. And since there would be few legally forbidden activities, it shouldn't cost that much to protect the rights of criminals.

However, as I alluded to above, state systems often have another bias, which is total indifference to victims; and I think that even if we assume the worst, executing all real criminals would be less an injustice than the current injustice of our government to all of the ignored victims of murders, rapes, and looting.

It is quite bizarre that you think that voters as a group will differ much from victims of crime as a group. With whom do you think most voters sympathize more: victims or criminals? And victims are not the only customers of defense firms; accused individuals are too. The representative customer knows that either role is a future possibility.

It is true that government courts would be more lax, but for a different reason: it is not voters but special interests (namely the ACLU and the California Peace Officers' Association) who really determine day-to-day policy. Voters just don't have the attention span to observe what the thousands of government agencies do, but special interests make it their profession. In a way, this supports your general point: government courts are more lenient. However, the evidence is that the government departs wildly from the proper balance, so the harm caused by government control over criminal proceedings should still concern you.

As for Rand's question: It is grossly unfair. The real question should be, "Ask yourself what a competition in protection from crime would have to mean." In that case, more competition is clearly good. Rand's question, if applied to a limited government, would imply that it should be ineffective at what it does: "Ask yourself what efficient forcible restraint would have to mean." Neither side favors "forcible restraint" for its own sake; we both favor prevention of crime. The only question is: which system prevents crime more effectively, including that of the enforcers themselves?

I find all of your use of the public goods argument to be most entertaining because I am going to write my honors thesis on this topic. You might be interested to discover that modern economists find public goods problems everywhere, and always call for state correction. And my answer to you is the same as my answer to them, which I call Caplan's Law:

**The state is not a solution to the public goods problem, but is rather the primary instance of it.**

By this I mean that once you create a state to solve a public goods problem, you merely create a new public goods problem; only now the problem is how to control the state. And control of the state benefits us all, but requires that all of the costs be born by individuals like myself who care about freedom. And indeed, the public goods problem, applied to government, explains why government is such a failure. Consider:

1. We all benefit if we don't give tax-money to special interests. But no individual has an incentive to lobby for the repeal of any pork-barrel bill because he bears all of the costs and only gets 1/250,000,000th of the payoff. Therefore special-interest legislation just grows and grows.
2. We all benefit if the growth of government is restrained; but every bureau wants to grow without limit. The bureaucrats get concentrated benefits, but the public bears all of the diffused costs. Therefore government grows continuously.
3. We all benefit if people think and vote intelligently. But the costs of doing so are born by the individual who educates himself. Therefore we have few thoughtful citizens.

I do not deny the public goods problem in markets; but rather I hold that it is invariably larger for government. Your case of the environment is instructive. True, markets don't adequately preserve the commons. But when you create the EPA, you create an organization that issues regulations to solve imaginary problems, that imposes huge costs on all of us, and so on. In essence, the EPA is another special interest; it is run for the benefit of Green fanatics who hate all industry and technology. (No, I don't think I'm exaggerating.) This is another case where governments and markets have opposite but parallel problems, and I estimate that the government's deviation from optimality is greater than that of anarchy.

These are my comments on the environment.

1. First, privatizing lands, ocean rights, forests, etc. solves most environmental problems. These are all government-caused problems that markets could solve with ease. Protection of species is about the same, assuming you want to preserve species for their possible commercial value. That is, if each of the million species of slug in the Amazon might become a cure for cancer, then it would pay a firm to buy up a Noah's arc worth of them and preserve them on the chance that one will be the cure. Animals might also be saved by for-profit zoos, for-profit parks that appeal to nature-lovers, etc. Preserving species would only be a problem if we all loved them but there were no way to make money from our love. I doubt that this is the case.

*a dubious assumption*

2. For problems like air, rivers, etc., I know as well as you that markets won't work. But that doesn't mean that the free society fails generally; markets are only one component of the free society. The next important method of solving environmental problems is charity -- which, as I mentioned, is \$120 billion strong, and would probably become greater in a free society. \$120 billion could clean a lot of air.

3. There are class-action suits, in which a large number of victims may enjoin a big polluter.

4. As much as I deplore the inculcation of unearned guilt, I have to hand it to environmentalists: they really shame people into recycling, driving less, and doing other things to "help the environment." A free society might use this kind of social pressure for more pressing problems; it might also use boycotts and the like to induce firms to protect the environment.

If you think that these solutions are all band-aids, I can only say this: are you more afraid of some smog or puritanical rule by a Green elite? I fear we are headed for the latter.

Anyway, I'm sure that they will convince you at IHS. Your comments on anarchism (one of my favorite topics, even if politics is second-to-last on your list) were the most insightful I've ever read. But perhaps that merely indicates the confusion of the opposition.

Sincerely,

*Bryan*  
Bryan

P.S. Incidentally, our legal system also creates positive incentives to convict innocent people - only these are on the part of ~~the~~ people who want to make false accusations in order to get blackmail money. Also, you can illegally give judges positive incentives <sup>for bribes</sup> about bribery, which is reportedly rampant in many regions. And since impeaching a judge is almost impossible - why not try it?



February 5, 1993

Dear Bryan,

Here is a photocopy of that letter of yours -- this is what you wanted, right? It has some of my comments written in the margins. I don't know if I transcribed all of them into responses to you in a letter at some time last year, or not. In case not, I will briefly explain them so that you won't be perplexed in seeing them:

page 2: The denier of the Law of Causality isn't someone who admits that in a given case A and B result in C but claims that in another case they do not result in C. I agree that would be contradictory. The denier of the Law of Causality is, rather, a person who won't agree that A and B result in C in the first place.

pp2-3: You're right about this: an emergentist should give an objectivist theory of the whole-part relation. I wrote a paper last semester on why 'the Atomistic/Subjectivist Theory of Composition' renders emergence incomprehensible. (The Atomist/Subjectivist Theory says that the only things that really, objectively exist are elementary particles; and everything else, like cats and mountains, is just an arbitrary concatenation of elementary particles, designated an 'object' by convention.) I still have not, though, succeeded in articulating the alternate theory, that is, in defining the whole/part relationship in such a way that it (a) is objective and (b) doesn't apply to just any arbitrary collection.

top of p3: I think the issue was whether you could be obligated to do an action from a certain motive (as opposed to being obliged just to do the action simply). My comment here is that you can't have an obligation to do something out of a certain emotion, because you can't have emotions by choice. (That's debatable, though.)

Page 3 again: I couldn't tell the difference between a theoretical explanation for why liberals hold their views, and a description of liberals' motives.

Top of page 4: One can 'advocate' the belief that p simply because p is true, even if no one is likely to agree. Its truth doesn't depend on getting people to accept it. But a normative view, since its purpose is practical, depends on the possibility of its implementation -- that is, the view that some action should be undertaken implies it is possible that it be undertaken. Doesn't this mean that advocating a general social policy presupposes that there is some way of bringing about general compliance with it? And if there is no way of getting the mass of men to accept anarchism and anarchism won't be good unless people accept it, then does it make sense to advocate that we have anarchy?

Perhaps this objection is somewhat academic, or merely verbal. I'm convinced that it would be good if people were to believe in anarchism and there were to be no government. I just doubt that either of these conditions can be brought about. I think we're in agreement, now.

Page 6, bottom: The environmentalist theory is that species have to be preserved not primarily for future commercial, medical, or entertainment value, but for the sake of ecological stability. If too many species get destroyed, there will be a food chain collapse, a chain reaction in which more and more species will become extinct, due to the fact that all creatures are interdependent. This will cause all sorts of global ecological catastrophes, such as extreme climate changes and famines and, of course, death of many intrinsically valuable life forms. I'm sure you know about this, though.

Of course, there isn't much chance of this actually happening. Besides which, there isn't any particular reason why the government, e.g., has a special incentive to protect the environment.

Anyway, I neglected to mention at the time that your arguments are quite skillful and convincing. I'm convinced. I notice you haven't asked about that in several months.

Here's another argument to show that we don't need to know inference rules in order to know the conclusion of an inference -- e.g., if I infer B from A, I don't need to know any rules of logic: Because an inference rule is nothing but a proposition which states that certain things entail other things, or that it is valid to infer B from A, for example. Now such a principle, if false, would of course never assist our acquisition of knowledge. And if it were true, then it would not be required, for if indeed A implies B, as the rule says, then what that means is simply that A is an adequate ground for B -- i.e., that no information other than A is required to obtain B; hence, in particular, no knowledge of the rule itself is required. So to grant that an inference rule is true is (among other things) to grant that it is *not required* to know the conclusions of the inference type that it describes. Or, to put it more cleverly, to say that we can know inference rules entails that we do not need to know them.

Remember when you were joking about the property of coolness? You parodied one of my arguments by saying, "This view would imply that Fonzie is not cool!" Well, what if someone brought this up as an objection to my argument:

Your argument for moral objectivism, Mike, implies that practically anything is objective. For example: The property of *cuteness* must be objective, for

- (a) "Baby harp seals are cute" seems to be an assertion, expressing a proposition. It does entail other propositions, like "Harp seals exist" and contradicts "Harp seals are ugly," so it must be a proposition.
- (b) It is a true proposition. We surely would not want to be committed to the absurd view that harp seals are not cute.
- (c) And it doesn't depend on the nature of the observer, for harp seals would be cute even if I didn't exist. Nor, if everybody else were to decide that harp seals weren't cute, do I think that they would cease being cute. Similarly, Fonzie is cool, and would be cool even if people didn't know he was cool. So the judgement that something is cute or cool corresponds to facts in the external world.

Isn't this a *reductio ad absurdum* of the argument for objectivism?

I don't know what to say about this, except that maybe cuteness and coolness are objective after all.

- Mike Huemer