

m i n d f u l

U N I V E R S I T Y O F T O R O N T O
J O U R N A L O F E T H I C S

ISSUE 1

2005 – 2006

FEATURES

“HOMEGROWN TERRORISM” AND THE DEMOCRATIC
PUBLIC SPHERE

Melissa Williams

AN INTERVIEW WITH LYNNE RUSSELL:
REFLECTIONS ON JOURNALISM

m i n d f u l

UNIVERSITY OF TORONTO
JOURNAL OF ETHICS

Editor-in-Chief

Shahreen Reza

Editors

Erin Court
Joanna Langille
Jelena Madunic
Gabriel Rauterberg
Jeremy Willard

2006-2007

For submissions to the next issue and for those interested in joining the editorial board, please visit our website:

<http://www.chass.utoronto.ca/pcu/mindful.htm>

m i n d f u l

CONTENTS

| | |
|---|----|
| Editor's Introduction Shahreen Reza | 4 |
| The Primacy of Negative Liberty: A Taylorian Critique Nolan Little | 6 |
| Trivially Yours: Revealed Preferences and the Problem of Tautology Jonathan Horne | 12 |
| An Interview with Lynne Russell: Reflections on Journalism | 19 |
| The Decisional Power of the Hobbesian Subject Emerson Doyle | 22 |
| Babies or Bathwater: Normative Analysis and Descriptive Definitions Billy Cameron | 35 |
| “Homegrown Terrorism” and the Democratic Public Sphere Melissa S. Williams | 39 |

Introduction

Shahreen Reza

Mindful Editor-in-Chief

This is the first annual issue of University of Toronto's student-run philosophical ethics journal, *Mindful*. We are based at Trinity College, inspired with the Brett Philosophy Club, and associated by the university's new Centre for Ethics.

Taking on the task of launching a new journal was far more challenging than I had anticipated. Truth be told, none of this would have been possible without the tremendous commitment of my board of editors. They were undeniably the most brilliant minds in the undergraduate philosophy program. I owe my gratitude to the board of editors for their dedication to this project: Erin Court, Joanna Langille, Jelena Madunic, Gabriel Rauterberg, and Jeremy Willard. I would also like to give special mention to former Brett Club President Colin Chamberlain who helped initiate the undertaking.

Our focus is philosophical ethics, including applied ethics, meta-ethics, political theory and philosophy, international justice, and bioethics. The journal is comprised mainly of papers submitted by undergraduates, and we intend *Mindful* as an intellectual forum, with an eye to peer-review and ethical debate. It has been a pleasure to work with the authors who have submitted to this issue, and we are grateful for their participation.

In addition to undergraduate work, our inaugural issue includes two features. First, an adaptation of comments presented at a Roundtable on "Terrorism in Toronto: What Does it Mean for Canadian Multiculturalism?" at the Munk Centre for International Studies, University of Toronto, June 12, 2006. This piece is authored by Melissa Williams, Director of the Centre for Ethics. The second feature is an interview with Lynne Russell, currently an anchor with the CBC, showcasing her reflections on journalism and the ethical problems surrounding it.

This issue became possible through the generous financial support of:
Donald Ainslie, Chair of the Philosophy Department
Derek Allen, Dean of Arts of Trinity College
Bill Harris, Hon LLD
Margaret MacMillan, Provost of Trinity College
Pekka Sinervo, Dean of Arts and Science
Peter Singer, Director of the Joint Centre for Bioethics
Melissa Williams, Director of the Centre for Ethics
Trinity College Students
Arts and Science Students' Union



THE PRIMACY OF NEGATIVE LIBERTY: A TAYLORIAN CRITIQUE

Nolan Little

In this paper, I first give an account of Isaiah Berlin's analysis of positive and negative liberty in his paper "Two Concepts of Liberty". I then examine his arguments in favour of the primacy of negative liberty, which focus on the possibility of "corruption" of positive liberties. Having shown this, I ask whether a republic founded solely upon negative liberties is viable. In arguing that it is not, I make use of Charles Taylor's communitarian analysis of republics in "Cross-Purposes: The Liberal-Communitarian Debate". I argue that Berlin's analysis fails due to his atomist presuppositions. A more holistic social ontology is required to fully describe human politics and liberty.

In his "Two Concepts of Liberty" Isaiah Berlin delineates both negative and positive liberty, and asserts that negative liberty is more fundamental than positive liberty. However, Berlin does not provide adequate grounds for this position. My examination of the structure of the republic will reveal that this type of political regime is not viable when based solely upon negative liberties, without consideration for positive liberties. Charles Taylor's notion of *we*-identities, expounded in his theory of social ontology, shows that Berlin failed to take into account important aspects of human existence. Taylor's more complete social ontology undermines Berlin's reasoning regarding the primacy of negative liberties. It demonstrates that negative liberties are not the whole story. A notion of public participation, and the form of positive freedom that this implies is also fundamental to modern political systems. Before examining Berlin's account of "negative liberty" and "positive liberty", it is important to provide a clear definition of these terms. "Negative liberty" refers to "the area within which a man can do what he wants".¹ We are free in the negative sense when we are free from the interference of other human beings. A banal example would be that of walking down the street. I am negatively free when no one gets in my way or impedes my progress down the street. I lose this freedom when someone interferes with my action.

The notion of "positive liberty" is more complex. It "derives from the wish on the part of the individual to be his own master".² Berlin defines positive liberty as the ability to direct and control what one does and who one is. We are free in the positive sense when we can make, and follow through on, our own decisions. As it relates to the sources of control in

¹Isaiah Berlin, "Two Concepts of Liberty" (Oxford: Oxford University Press, 2002), 7.

²Ibid., 16.

society, positive liberty is more concerned with the socio-political sphere of human life.³ We have positive liberty in this sphere when we are able to participate in the political decision-making that affects us.

Berlin believes negative liberty to be more fundamental than positive liberty. Negative liberty is, to him, “a truer and more humane ideal”.⁴ It is truer because it recognizes that many divergent human goals are not all compatible. The unrestricted freedom to do whatever one chooses might interfere with the liberty of others. It is clear from everyday experience, “that justice and generosity, public and private loyalties, the demands of genius and the claims of society can conflict violently with each other”.⁵ To avoid perpetual conflict, constraints must be placed on human action. Negative liberty accepts these restraints, but demands that they not hinder our actions within certain spheres.

In contrast, the theory of positive liberty does not recognize this incompatibility of human goals. Proponents of this theory tend to argue that since humans are rational, there must be some possible harmony of our individual ends⁶. If human actions are guided by reason, then there must be a rational answer to the question of how individuals are to live together in society.

The advocates of positive liberty begin with the claim that all problems must have, at least in principle, compatible solutions⁷. All truths must be compatible. A rational agent, by virtue of being rational, can in principle discover these solutions and demonstrate them to others. As a rational agent, I answer the question of how everyone is to live in society with a solution that I arrive at rationally. Others answer this question for themselves just as rationally. We must all arrive at compatible solutions, since it would be irrational for our equally true solutions to contradict one another. It follows that there is a rational solution to the problem of how we all are to live in society harmoniously together. It may seem as if our individual goals conflict, but since we are all guided by reason, this is impossible. All rational agents must recognize that there is a rationally just, harmonious political order, and it would be irrational to refuse to implement it.⁸

However, this hypothetical solution to our political problems does not recognize the plethora of divergent individual goals held by the members of a society. Proponents of positive liberty would attempt to explain these divergences away. However, the incompatibility of these goals is continuously confirmed by everyday experience. Human beings

³ Ibid., 7.

⁴ Ibid., 56.

⁵ Ibid., 53.

⁶ Ibid., 30.

⁷ Ibid., 30.

⁸ Ibid., 30.

have been, and are, perpetually in conflict. These conflicts seem to be an intrinsic part of life. Negative liberty recognizes this incompatibility and allows room in which to pursue our own goals, free from interference, while positive liberty does not. Thus, Berlin believes negative liberty to be superior to positive liberty.

It has also been claimed that negative liberty is more humane than positive liberty. Berlin argues that positive liberty can easily cease to be liberty at all, and become authoritarianism. When individuals believe that there can be a rational harmony of attainable human ends, they demand that society as a whole works towards this harmonization. Those who refuse to comply can be understood as acting irrationally. Although these resisters may not recognize it, it is in their best interest to comply, and they can therefore be justifiably compelled to do so.⁹ It seems that positive liberty can easily slip into oppressive social and political control.

Negative liberties, on the other hand, do not coerce individuals to carry out any specific courses of action. Individuals are free, within limits, to do as they please. They are not subjected to the indignity of being told what they should want or do. Unlike positive liberty, which may be a slippery slope to authoritarianism, negative liberty provides safeguards against the intervention of others into an individual's private sphere of decision-making. At this point, the assertion that negative liberties are more fundamental may seem plausible. They respect the multiplicity of human goals and individual agency. However, in order to evaluate this claim, one should ask: is a regime based entirely upon the negative liberties viable? If it is not, then the negative liberties are not sufficient. They very well may be fundamental, but alone they do not account for the viability of a political system. This points to some requirement beyond the negative liberties that is also necessary, and therefore fundamental, to political organization. Taylor's analysis of the republic is very useful here and will guide my answer to this question.

Taylor observes that a free republic requires the citizenry's patriotic identification with the republic itself¹⁰. This is because "free regimes are more onerous"¹¹ and require their citizens to participate in public duties and make sacrifices for the sake of the common good, which despotic regimes do not. A despotic regime may hire a mercenary army, while a free regime requires the voluntary participation of its citizens. This voluntary participation, Taylor argues, must flow from the patriotism of the citizens.¹²

Patriotism is a "bond of solidarity [between] compatriots in a

⁹ Ibid., 34.

¹⁰ Charles Taylor, "Cross-Purposes: The Liberal-Communitarian Debate", Charles Taylor, *Philosophical Arguments* (Cambridge: Harvard University Press, 1995), 192.

¹¹ Ibid., 193.

¹² Ibid., 187.

functioning republic [which is] based on a sense of shared fate”.¹³ The republic is a shared enterprise. It is a common good in the sense that it revolves around the citizenry’s participation in a common political entity.

The benefits to the republic that flow from this patriotism cannot be gained by a society based solely upon the negative liberty to act without interference within given domains. It would be extremely difficult to motivate the citizens in such a society to defend the republic itself. If the negative liberties are the only important aspect of civic life, then only a threat to these liberties can warrant a strong response. As long as they remain intact, the citizen has lost nothing of ultimate political value. Each citizen would decide for himself whether his personal interest and individual liberty was threatened before deciding whether to respond to a danger with his fellow citizens. Fear of encroachment upon individual liberties can motivate some sort of response, but a republic could not rely upon such a response for the consistent sacrifices and services of its citizens.

As evidence for this, Taylor notes that the outrage felt by Americans over the Watergate Scandal did not come from evaluations of long-term interest nor general commitment to the principles of the republic.¹⁴ It was patriotic outrage. The American common identity and way of life had been violated. A society based solely upon negative liberties would not garner this sort of patriotism, and so is not viable. Thus, Berlin’s account of freedom is found lacking.

One fruitful way to analyse this deficiency is to compare the social ontologies found in Berlin and Taylor’s work. Whereas Taylor would describe himself as a holist in his approach to studying selves in the world, Berlin is much more of an atomist. To a holist such as Taylor, the self is “situated” under certain influences and conditions. The self exists in a complex web of relations and connections. To an atomist such as Berlin, the self is “unencumbered” by social relations and influences and stands apart from society.

The basic unit of Berlin’s ontology is the I-identity. When considering the citizens in a society, one only considers them as individual “I”s, with particular goals, ideals and life-plans. The individual citizen is a social atom. Of course, citizens enter into relations with the external world, but these are of secondary importance to the individual himself. The importance of the individual in this conception means that he must be protected at all costs. Consequently, the most important form of liberty for these atoms is freedom from external interference and control. The essential type of liberty is negative liberty.

Taylor’s holism leads him to an alternative conclusion. According to his account, human interactions shape the self. These interactions lead to the formation of new identities that are not simply I-identities. They are

¹³ Ibid., 192.

¹⁴ Ibid., 196.

fundamentally new ones. An everyday example of this phenomenon, which Taylor explores, is a conversation between two people.¹⁵ When we “converse”, we share a conversation. This phenomenon is not reducible to the propositions “I converse” and “you converse”. Thus, a new identity is formed during the course of a conversation: a we-identity. I could not describe our conversation on a purely atomistic level. You and I do not deliver separate monologues that just happen to occur at the same time. Our conversation happens in the dialogue that transpires between us. We have to conceive of ourselves as a “we” engaging in this dialogue. “We” can have a conversation; merely “you and I” cannot. This we-identity exists in many of our common actions. It is a basic element of social existence, and one that atomism omits.

This we-identity is not limited to conversations, but is also part of republican patriotism. What centrally matters for some aspects of civic life is that they are common actions and share common meanings¹⁶. In a republic, it is important for citizens to share a common enterprise. Citizens can only become a “we” through common social actions and shared social meanings. For instance, the American way of life is significant to Americans, because it is something that they share and which provides a common meaning to life and helps define what it is to be American. Such patriotic identification with the republic creates a “we”.

This “we” identity poses a problem for Berlin’s account. He would consider it an example of the type of collectivity that can easily oppress individuals. The “we” could become the absolute authority he abhors.¹⁷ However, regardless of whether it makes people nervous, such we-identities are a fact of social life. Everyone experiences them in their daily lives, and a moment’s reflection is enough to convince oneself of their existence. We-identities are at least as evident and as fundamental as I-identities. Social ontology ought to take them into account. Berlin does not, and this is the flaw in his conception.

This flaw explains the flaws of Berlin’s theory of freedom. Within atomism, Berlin gives compelling reasons to consider negative freedoms as more fundamental than positive ones. If one accepts that there are only I-identities, and that people in the world are unencumbered, then one can accept that the area of freedom from interference is primary. Once one sees that there are also we-identities, one cannot accept the notion that freedom from interference is the only necessary freedom. One of the premises of this notion is false. We are not unencumbered. Part of the dignity of human existence is that we participate in these we-identities. Part of the functioning of a normal human is engaging in “we” situations. Negative liberties are certainly very important, but they are not the whole story.

¹⁵ Ibid., 189.

¹⁶ Ibid., 190.

¹⁷ Berlin, 17.

Taylor's work demonstrates the indispensable worth of public participation to the functioning of republics, and thus highlights the necessity of positive liberties. A republic based solely upon the negative liberties is not viable because it omits the "we" of the public. It does not encourage the citizen's participation in this "we". Consequently, it cannot rely upon the citizen for service and sacrifice. The positive freedom of public participation allows the citizen to take part in the social direction of his own life. When the citizen identifies with the "we" of the public, he is identifying with the source of social control in his republic. He is a part of the governing body. As a part of the dialogical "we" entity, the citizen has a say in the direction that the republic takes. The "we" of the republic provides the positive liberty of having a say in the governance of society. Participation in this "we" is essential for the functioning of republics. Thus, this form of positive liberty is also fundamental.

Berlin's assertion that the negative liberties are more fundamental than positive liberty has therefore not held up to scrutiny. A republic could not function if it were based solely upon negative liberties. There must be some sort of common patriotic identification. Its citizens must have common actions and meanings to motivate them to sacrifice for the sake of the republic. In a sense, there must be a patriotic harmony of ends in order for the republic to be viable. Berlin's atomist social ontology cannot account for this common identification, and a brief discussion of the we-identity shows that this demands a re-evaluation of his claims.

Public participation, as an integral part of the "we", manifests a form of positive freedom that is at least as fundamental to a functional republic as negative liberties. Social ontology must account for the we-identity. Negative liberties, while important, cannot alone satisfy the requirements of full human life.

References

- Berlin, Isaiah. "Two Concepts of Liberty". Oxford: Oxford University Press, 2002. 1-57.
- Taylor, Charles. "Cross-Purposes: The Liberal-Communitarian Debate", Charles Taylor, *Philosophical Arguments*. Cambridge: Harvard University Press, 1995. 181-204.

TRIVIALLY YOURS: REVEALED PREFERENCES AND THE PROBLEM OF TAUTOLOGY

Jonathan Horne

Blackburn endorses the revealed preference understanding of rational choice theory. It is not difficult to see why; by endorsing it, he embeds all choices, including ethical ones, into preference. He does away with the need for a transcendental ethic, and makes the very idea of a transcendental ethic ridiculous. Further, by reducing ethical consideration to utility, revealed preference makes of virtues derived variables, which renders the ethics of virtue secondary. Virtues are at best good maxims to follow in maximizing utility.

This paper will examine Blackburn's model of rational choice theory. After providing an exegesis of his position and Blackburn's response to a preliminary criticism, I will argue that Blackburn's model is problematic for four reasons: 1. that his concept of rational preference does not permit practical prediction; 2. that it begs the question against the incommensurabilist, and that this failing is all the more important because the theoretical framework it introduces provides no useful results and; 3. that Blackburn's redefinition makes his theory internally inconsistent.

Blackburn's Position

Although there are technical assumptions made in developing a full economic theory,¹⁸ the bulk of rational choice theory is contained in three axioms. Blackburn's model of rational choice is no exception, and his position is captured by the following three axioms:¹⁹

1. Continuity: for any two bundles of goods A and B, if the agent prefers A to B then there exist bundles of good A¹ which are sufficiently close to A such that A¹ is preferred to B.
2. Completeness: for any two bundles of goods A and B, either A is preferred to B, or vice versa, or the agent is indifferent between the two;
3. Transitivity: for any three bundles of goods A, B, and C, if A is preferred to B and B is preferred to C, then A is preferred to C.

One objection to rational choice theory has attacked the axiom of completeness. The objection holds that our preferences are often

¹⁸ For example, that a given individual experiences diminishing marginal utility for any given good.

¹⁹ See, e.g., Walter Nicholson, *Microeconomic Theory: Basic Principles and Extensions* (South-Western College Pub, 2001), 66.

incommensurable, that is, that they often cannot be measured on the same scale. A and B are incommensurable if it is neither true that one is better than the other nor true that they are of equal value. I may not have a preference for either A or B; but at the same time, may not be indifferent between them, either. This is not inherently an implausible idea. Quick, which is better, Stonehenge or Fermat's Last Theorem²⁰? Which do you prefer, a life practicing medicine for the public benefit in Calcutta or a successful private practice in Los Angeles²¹? These questions do not seem to have an easy answer; you might not be able to say that you definitely prefer a moderately successful life in the public rather than your private service. But you are not *indifferent* between the two; you would not be content to, say, settle the issue by a coin toss. This suggests that it is perhaps false to claim that our preferences are complete.

This criticism is an outright rejection of the second axiom of the theory of rational choice, the completeness axiom. However, according to the revealed preference theory Blackburn espouses, it is impossible to actually observe utility, for preference (and therefore utility) is inferred from the choices agents make. It is thus impossible to verify the above definition of incommensurability directly without begging the question against revealed preference (by assuming that we actually can measure that the agent does not prefer A to B or vice versa or is indifferent between the two). It is better to use a slightly different test of incommensurability: three options A, B and C are incommensurate if A is preferred to B, B is preferred to C, but it is not the case that A is preferred to C.²²

This definition constitutes an outright rejection of the axiom of transitivity. If we accept it, we must reject transitivity – and with transitivity goes rational choice theory. Thus, anyone interested in defending rational choice theory – as Blackburn is – must be prepared to reject such a definition, and explain cases which we would ordinarily think of as implying this type of incommensurability.

Blackburn does attempt to deal with such cases. He sets out the case of Maurice, an agent with allegedly intransitive preference, but whom we should not wish to call irrational. Maurice prefers vacationing in Rome to the Alps, vacationing in the Alps to staying at home, but prefers staying

²⁰ John Broome, "Incommensurable Values", John Broome, *Ethics out of Economics* (Cambridge: University of Cambridge Press, 1999).

²¹ Hilary Putnam, "On the Rationality of Preference", Hilary Putnam, *The Collapse of the Fact/Value Dichotomy and Other Essays* (Cambridge: Harvard University Press, 2002).

²² This is not a necessary requirement for incommensurability; it is possible for two options to be incommensurate without satisfying this requirement. If it were the case, for example, that a man asked to choose between the death of his children and the death of his spouse could not measure these options against each other, then for him the options would be incommensurate; yet the transitivity requirement is clearly not violated.

at home to going to Rome. Thus, we have $R > A$, $A > H$ and yet $H > R$. Alas, at least according to rational choice theory, it seems that poor Maurice is irrational²³.

Blackburn explains away the case by drawing attention to the context in which the decisions are made. Maurice prefers Rome to the Alps because of the danger; the Alps beats home because it would be unmanly to acquiesce to a desire for comfort; home beats Rome because it is comfortable. The problem with our earlier analysis is that we did not sufficiently define the alternatives. More properly, “home-when-the-alternative-is-Rome” represents one option, “home-when-the-alternative-is-the-Alps” another. We cannot infer from $R > A$ and $A > H$ that $A > R$ because R and A are not constant terms²⁴.

Criticisms of Revealed Preference

In the balance of this paper, I will provide three criticisms of Blackburn’s position. I will first argue that Blackburn’s conception of revealed preference does no empirical work. I will then argue that Blackburn’s negative case against the incommensurabilist is question-begging. I will finally argue that Blackburn’s position is internally inconsistent.

First, note that the bare minimum necessary for prediction is self-identity. I cannot claim that $a > b$ consistently unless, at the very least, $a = a$. If a does not equal a , then the statements that $a > b$ and $a > b$ cannot be assumed to be identical; and therefore, the general statement $a > b$ is predictively meaningless; I cannot infer anything from the fact that $a > b$, because, well, what is ‘ a ’ exactly?

The condition that $a = a$ is met in Blackburn’s reply to the problem of transitivity, but it is important to note how it is met. Imagine that Maurice is faced with a choice at T_1 between Rome and the Alps; imagine that he is also faced with the same choice at T_2 . An argument similar to that provided by Blackburn will show that we cannot assume that if Maurice preferred Rome to the Alps at T_1 , he will prefer Rome to the Alps at T_2 . If changing the alternative from Rome to the Alps changes what it means to stay at home, then we cannot assume that what it means to stay at home is constant through time. The theory does not allow me to make predictions about your behavior at T_2 from what I know about your behavior at T_1 .

This is an important consequence, if only because it makes any empirical prediction impossible. I cannot infer anything about your behavior at time T_2 from what I have observed of it before T_2 ; thus all empirical observation is for nothing. I cannot use my knowledge to predict what you will do in any circumstance at all.

²³ Simon Blackburn, *Ruling Passions* (Oxford: Oxford University Press, 1998), 169.

²⁴ *Ibid.*, 170

Of course, such a result is rather extreme. It seems likely that we can use common sense to predict behavior. If you have done x in circumstances y, then I ought to expect that you will more or less do x in circumstances sufficiently close to y. If you have spent \$200 on food over the course of August 2004, then I ought to expect you to spend roughly \$200 on food over the course of August 2005.

There are two problems with this answer. First, note that the empirical work is done not by the theory of revealed preference – that tells us nothing – but by common sense. For how are we to discover what circumstances “sufficiently close” to y and doing “more or less” x are without referring to background knowledge? To take the above example, how am I to know that circumstances in August 2005 are likely to be “sufficiently close” to those of August 2004 to enable prediction, except without knowing many things about the world? I would, for example, have to know that expenses on food in the same months of different years are likely to be similar, that there was no dramatic fall or rise in your level of income, etc.

More importantly, I would have to know *which* information is relevant. Income level is not salient to my appreciation of Simon Blackburn’s *Ruling Passions*, but only background knowledge is likely to make this obvious. Income level is sometimes relevant to determinations of the value of books or theories; for instance, my endorsement of the ideas in *Das Kapital* is contingent on my level of income. Thus, without having a good deal of common sense, I cannot even know where to look for “sufficiently close” conditions.

Hence, Blackburn’s theory does not in any way broaden common sense, for it does not allow us to make any prediction that we could not make using common sense alone. Moreover, it does not make any hard, systematic predictions at all; all prediction is relative to the “sufficiently close” and “more or less” criteria. Thus, the theory does not recommend itself at all to those interested in using empirical science to further common sense or to reach systematic, generalizable predictions.

It is important to note that the revealed preference argument, if unaccompanied by more compelling reasons, is rather weak. It argues from the fact that individuals do actually make decisions when faced with conflicting goods to the theory that individuals must reduce these goods to a single common value. Moreover, it makes somewhat paradoxical conclusions; it is something of a platitude to say that human life has no price. If we had no other way of understanding what happens when we make a choice, then we might have to pronounce Blackburn’s theory a winner by default. But we do have other ways of accounting for choice,²⁵

²⁵ We have the classical theory of choice. See, e.g., Joseph Raz, “Incommensurability and Agency”, Joseph Raz, *Engaging Reason* (Oxford: Oxford University Press, 2002).

and it is difficult to see why we ought then to posit commensurability of goods.

Blackburn does provide another justification for the revealed preference theory:

Suppose, for instance, someone with a heterogeneous set of concerns: she wants to fulfill her role as mother, keep a promise, and gain some income, but unfortunately in the situation she is in, she can only act to further one of these aims. Then if we cannot say that she is most concerned about the one that eventually sways her choice, how do we discover what she *is* most concerned about?²⁶

Note, however, that unless we assume that there is something which our protagonist is *most* concerned about, in the sense of some one thing which carries the most weight in her utility function, then there is nothing to explain; she simply decided to favor some particular consideration of hers. To suppose that there is a need to have a consideration with which she is most concerned is to assume that she must choose the consideration which has the highest utility ranking. Hence my second criticism: Blackburn's argument begs the question against the incommensurability theorist.

As has already been noted, Blackburn's theory is inconsistent with common sense intuition. However, I argue below that there is a weightier argument against the position: that Blackburn's theory is internally inconsistent.

Blackburn's aim in the sixth chapter of *Ruling Passions* is in part to show that utility-maximizing cooperation requires the introduction of altruistic desires into the individual. For single-shot games, Blackburn can rely on the prisoner's dilemma, which ensures that any single-shot game in which the aggressive option is strongly dominated by the cooperative option will end in the war of all against all. However, for repeated games, Blackburn depends on the two player game of centipede, which can be explained as follows:

1. Each player receives one unit of utility.
2. The first player can give his unit of utility to the second player; the second player actually receives two units of utility from the first player's gift (the benefits of cooperation)
3. The second player can then give one of his three units of utility to the first player; the first player, should he be so blessed, then receives two units of utility.

After one round of cooperation, the players each have two units of utility or twice as much as they had before.

²⁶ Ibid., 185.

Suppose that a limit is imposed on cooperation. After 10 units of utility, the players may no longer cooperate; each, rather, is left with what utility she has after this cooperation. If the players have cooperated as much as the game allows, then each has 10 units of utility.

Note, however, that the last move requires the second player to give one unit of utility to the first player. If she did not, she would have 11 units of utility; more than she would have if she cooperated. Hence, if she is rational, she will not cooperate, but will keep her gains to herself.

But the first player would know this on the next-to-last round. He would know that he was giving the second player a unit of utility, and that he would receive nothing in return. Hence, he would not cooperate on the next-to-last round. Similar considerations will show the second player that he ought not to cooperate on the second-from-last round. And the same argument will show the merits of non-cooperation to the first player on the third-to-last round. The argument thus proceeds inexorably to the first round; where the first player will conclude, paradoxically, that he ought not to cooperate with the second player even though by mutual cooperation the two know that they could each be repaid tenfold.

Here are thus the key features of the game:

1. The game requires cooperation of each player;
2. Both players can trade off eventual overall gain against immediate loss by relying that their partner will do the same;
3. Because both players know that it is in the others' interest not to cooperate, neither one will cooperate;
4. The outcome is a non-cooperative one that therefore fails to maximize utility.

The problem in the theory lies in the third premise. In order to know what is in the other's best interest, each player must know the other's utility curve. Only if both players play aggressively will the game end non-cooperatively; and only if they know the other player will play aggressively will they themselves play aggressively; and only if they know the other player's utility curve will they know that the other player will play aggressively.

But it is impossible by definition to know what the other player prefers because of the changes made by Blackburn in the framework of revealed preference. Blackburn has made it impossible for the theory of revealed preference to be used in any sort of empirical prediction. I cannot infer anything about your preferences from your past performance. For all I know, the current choice situation may be different in some respect; you would then choose differently. All that I do have available to me for prediction are the dictates of common sense. Yet the results of the centipede thought experiment are particularly offensive to common sense. Blackburn himself notes that only a fool would pass up such a substantial

pay-off because of the risk of loss through non-cooperation²⁷. Even if one's partner in centipede is a liar, a thief, and proudly displays his Non-Cooperator of the Year Award on his office wall, it seems ridiculous to pass up an opportunity to multiply one's earnings by 100 simply because of the slight chance that said partner in crime maximizes utility by choosing the aggressive option. Unless I *know* that non-cooperation is inevitable, common sense says to cooperate. But the same common sense operates in my partner. Thus, we can predict that cooperation will ensue more or less whenever there is a repeated game with a large payoff to cooperation.

The above arguments aim to cast some doubt on Blackburn's revealed preference theory. While the arguments are surely not conclusive, they perhaps show us that we ought to treat the theory with some skepticism. To the extent that Blackburn's emotionalism depends on the assumption of the commensurability of preferences, the arguments cast doubt on it as well.

References

Hilary Putnam, "On the Rationality of Preference", Hilary Putnam, *The Collapse of the Fact/Value Dichotomy and Other Essays*. Cambridge: Harvard University Press, 2002.

John Broome, "Incommensurable Values", John Broome, *Ethics out of Economics*. Cambridge: University of Cambridge Press, 1999.

Joseph Raz, "Incommensurability and Agency". Joseph Raz, *Engaging Reason*. Oxford: Oxford University Press, 2002.

Nicholson, Walter, *Microeconomic Theory: Basic Principles and Extensions*. South-Western College Pub, 2001.

Simon Blackburn, *Ruling Passions*. Oxford: Oxford University Press, 1998.

²⁷ *Ibid.*, 173. As Blackburn notes, "this [result] seems very odd: if you're so smart, how come you ain't rich?"

Feature

AN INTERVIEW WITH LYNNE RUSSELL: REFLECTIONS ON JOURNALISM

Lynne Russell was the first female anchor on national prime-time news and became a household image in television-saturated North America. She came with the birth of CNN and 18 years later, left the network and is now an anchor with the CBC. The media has gained tremendous power over the past several decades, with considerable influence on ethical questions, especially in the political sphere. Good journalism is particularly relevant in the current global context as the West engages in the “War on Terror”. Lynne’s vast experience as a journalist has given her insight into media coverage and how news reporting has shifted gears in the United States.

Q1: During the Vietnam War, the media had direct access to the destruction brought about by U.S. forces and it had a direct impact on the mass American public. How has investigative journalism in times of war changed since then?

A1: Because of the immediacy of it, journalism and the public became aware of the possibilities. The difference between a typewriter and computer, on a typewriter I can think first. In broadcast journalism you have to be twice as careful about what you do because you don’t maybe have to think first. It may not be the facts you are reporting but an impression. It’s the temptation to report immediately, the investigative part suffers for it.

Q2: You’ve been with CNN for 18 years. You said you had seen them change, and that it was time for you to go home. How have they changed, or more generally how has US news coverage shifted?

A2: I have a lot of friends there who I respect. [But things have changed since I began]. The larger the organization became, Turner to Time Warner to AOL Time Warner, the temptation to change the presentation of the news became more show biz. There was a lot more drama involved in it. Before, we didn’t have the time or budget.

Q3: Is there a particular slant the CNN projects, perhaps a difference between American news coverage and the BBC?

A3: We never had time to portray one side differently from another side, didn’t make an effort to go one way or the other. My biggest challenge was not to use the word “retaliate”. As for the BBC, I never had a chance to

watch it. When I went home, the last thing I would want to do is turn on the news.

Q4: What is the role of a journalist, especially an investigative journalist? Is there an objective truth in the real world?

A4: Journalism is not glamorous; if you're doing it right it's really hard. It's the truth; we are ordinary people representing other people, we can ask questions and demand answers of those who are responsible. The journalist is the eyes and ears of the public. Journalism is a wonderful world to make a difference, free media is the basis of a free society. You know the story and you're telling the story to the people and it has to be in the style that I would normally speak to someone. Every person's role would be to want to think for themselves.

Q5: What about Guantanamo Bay, why aren't North American journalists asking the probing questions?

A5: I really don't know why that is, it would be something that I would aim for...When I left CNN I wanted to write a book, *The State of Personal Liberties in Post-911 America*. I didn't do the book because I had asked someone else to do it with me and things didn't work out in the end. People really were uncomfortable with the concept, they didn't really want to address it or want to know, it's really frightening to see how far things can go. The American government is not supposed to mistreat people, there's the 4th Amendment, due process, [but things have changed]. Before, the words "I'm from the government and I'm here to help you" might have been welcomed. Now it's a threat.

Q6: But even the Canadian government does not address these issues. The fact that Canadians were responsible for sending prisoners to Guantanamo Bay, they don't want to talk about it. Why do you think that is the case?

A6: If you say something today, you're afraid you're going to want to take it back tomorrow.

Q7: Before launching into journalism, you were studying to be a nurse, how did you make the transition?

A7: As a nurse, I couldn't cope. I went home and cried every night, cried over the patients. I had to find another way to make a living, so I applied to a radio station and told them I could write reports. I've been very fortunate since.

Q8: You're a legend in the world of news anchors. What was your favourite moment of journalism?

A8: There are no big names involved, only small victories. There was a case of a school teacher in Texas. She was unpopular among her peers because she was different. Nasty things were done in a concentrated effort to get her to resign. She was excluded from meetings, her name was erased after she signed into work, her parents' gravestones were overturned. It sounded crazy when she put all those things down on paper, and the principal used it to place her on unpaid medical leave for years. She sold every stick of furniture to pay a psychiatrist. No one would talk about it. I was able to collect enough information for a lawyer to win back her job in federal court. That's my favorite thing about journalism, making a difference, even if it's something small, like getting back that last \$40 for a woman who's lost everything. There is a lot you can do. Ambush interviews? Well, sometimes you just have to.

THE DECISIONAL POWER OF THE HOBBSIAN SUBJECT

Emerson Doyle

In *Leviathan*,²⁸ Thomas Hobbes builds his argument for a commonwealth ruled by an absolute sovereign on the foundation of his notion of human psychology. The Hobbesian person, motivated solely by the goal of self-preservation, realizes that it is in his best interest to surrender his right to all things to an absolute sovereign by entering into a social contract, given that the majority of others agree to do the same. The subjects in essence surrender their decisional power to the sovereign, so that she may wield it for the benefit of all. By acknowledging this sovereign's authority as absolute, the new subjects not only foster peace by ending the war of all against all which exists in a state of nature, but also construct circumstances wherein people entering into contracts with each other can be reasonably assured that all parties will act justly by meeting their obligations. At least, these are the desired outcomes of Hobbes' argument.

When we take a closer look at the interplay between one's interest in self-preservation and their obligation to obey the commands of the sovereign in the interest of maintaining civil society, we see that the Hobbesian person can end up in a situation where his interest in self-preservation appears to conflict with his ability to obey the sovereign's commands. This is especially true in an unstable or newly formed commonwealth. In such situations, it would be likely that the sovereign would have to call on her subjects to take great risks, as the sovereign may lack established means to punish transgressors. When the sovereign directly orders one of her subjects to punish someone else, the subject, as both a reasonable and ultimately self-interested person, must *decide for himself* whether his interest in maintaining social order outweighs the dangers in obeying the sovereign's punishment command. While Hobbes admits that this dilemma exists,²⁹ he does not identify it as a problem for his overall argument. I however, will argue that this dilemma undermines the feasibility of a commonwealth as he describes.

In the first section of this paper, I will establish the dilemma of the Hobbesian subject, detailing both Hobbes' psychology and his consequent argument regarding people's desire to give up their individual private reason and accept the newfound public reason of the commonwealth. It will be my eventual aim to show how these two notions can produce conflicting inclinations within a Hobbesian subject. Section II describes Hobbes'

²⁸ Thomas Hobbes, *Leviathan*, ed. Richard Tuck (Cambridge: Cambridge University Press, 1991).

²⁹ *Ibid.*, 151 – 152.

regress argument, such that we can understand why it is necessary that the sovereign have absolute decisional power. Sections III, IV and V represent the core of my argument against Hobbes. In Section III I will show that in conceding that the subjects retain their right to self-defence, Hobbes places a *de facto* limitation on absolute sovereign authority. I will argue that this limitation is sufficient to betray Hobbes' argument, as it amounts to an inability for the subjects to surrender their private reason as required by the social contract. Therefore, the subjects seem to possess the ability to undermine the sovereign and consequently the rationality for a commonwealth. I will consider a potential objection to this argument in Section IV. In Section V, I offer three alternatives by which to reconcile the difficulty a Hobbesian sovereign will face due to my argument, and demonstrate that they will all ultimately fail. Finally, I will conclude in Section VI that the conflict within a Hobbesian subject is sufficient to undercut the sovereign's capacity to enforce her rulings, thereby robbing her of a necessary condition for absolute sovereignty and thwarting a persistent commonwealth as Hobbes envisions.

I. Hobbesian Reason and Self-Preservation

Hobbes defines his commonwealth as:

*One Person, of whose Acts a great Multitude, by mututall Covenants one with another, have made themselves every one the Author, to the end he may use the strength and means of them all, as he shall think expedient, for their Peace and Common Defence.*³⁰

The 'One Person' to which Hobbes refers is both metaphorical and real. In coming together and creating a civil society, each individual in the multitude sheds their self-government, opting instead to act as a part of the whole – the Leviathan. At the same time however, the Leviathan needs a visage to represent both the individuals that comprise the commonwealth and the commonwealth as an entity in itself. "[H]e that carryeth this Person, is called Sovereigne, and said to have *Soveraigne Power*; and every one besides, his Subject."³¹ The sovereign then, acts as both a representative of each individual person in the commonwealth as well as a representative of the commonwealth as a whole, to the end of providing greater peace and defence for all than any one individual could provide for him or herself.

Besides this dualism of representation, which Hobbes makes apparent in the introduction to *Leviathan*,³² we can also recognize a dualism

³⁰ Ibid., 121. (author's emphasis)

³¹ Ibid., 121. (author's emphasis)

³² Ibid., 9. Hobbes refers to the commonwealth as "but an Artificiall Man... in which the *Soveraignty* is an Artificiall *Soul*". See also Hobbes' discussion of Actors and Authors: Ibid., 111 – 115.

between private and public reason in the commonwealth. When we as the multitude enter into the social contract we “must, in effect, supplant our private reason and judgment with the reason of the arbitrator, which thereby becomes public reason for us.”³³ Private reason then, is simply one’s own faculty of reason in consideration of themselves as an individual, while public reason relies on the faculty of an arbitrator (or absolute sovereign) and operates in consideration of the best interests of everyone in the commonwealth. Hobbes makes this point very clear in his discussion about right reason, “as when there is a controversy in an account, the parties must by their own accord, set up for right Reason, the Reason of some Arbitrator, or Judge, to whose sentence they will both stand, or their controversie must either come to blows, or be undecided.”³⁴ The necessity to appeal to some external arbitrator arises when two parties come to some disagreement, yet both feel that they have reasoned correctly to their respective conclusions. Herein we see the transmutation of individual to public reason; if the desire to settle the situation is great enough, then the only plausible recourse for each party is to surrender to the reason of an arbitrator.

In either case, we can see reason as grounded in self-preservation – preservation of the individual or of the state as a whole. According to Thomas Nagel, self-interested desires act as the sole motivational force for the Hobbesian person, as he “can never perform any action unless he believes it to be in his own best interest.”³⁵ Certainly, the text of *Leviathan* seems to support this, as Hobbes writes that in “the voluntary acts of every man, the object is some *Good to himself*.”³⁶

Basing our analysis of the Hobbesian person on the understanding that he is motivated primarily by self-interest illuminates the above discussion of duality in representation and reason. The person is willing to do what is necessary to put himself in the best possible position, which amounts to maximizing his ability for self-preservation while minimizing

³³ Michael Ridge, “Hobbesian Public Reason,” *Ethics* 108 (1998): 541. Ridge’s discussion works to uncover a different difficulty with Hobbes’ argument than the one I discuss here. His “Hobbesian Dilemma” shows there to be problems in establishing *either* a limited or absolute sovereign. See especially Ridge, §IV. The difficulty I am attempting to elucidate applies *after* a successful institution of a supposedly absolute sovereign, regardless of how that may come about. I am in essence giving Hobbes the benefit of the doubt in regards to Ridge’s dilemma.

³⁴ Hobbes, 32 – 33.

³⁵ Thomas Nagel, “Hobbes’s Concept of Obligation,” *Philosophical Review* 68 (1959): 74. Nagel’s argument is primarily concerned with establishing obligation from self-interest as the *singular* source of obligation for the Hobbesian, in contrast to Howard Warrender’s view that moral obligations play some key role. Although I find Nagel convincing, this singular source of obligation is not necessary for the present argument, it need only be established that Hobbesian people more often than not act out of an obligation for self-preservation.

³⁶ Hobbes, 93. (author’s emphasis)

his exposure to danger. Since a group of people working together for mutual defence is more effective than a single individual trying to defend himself from everyone else, it is rational that he should desire the institution of a commonwealth. Furthermore, as we have seen, a group of people reasoning individually yet interacting socially will inevitably lead to conflict. Therefore, it is also rational for a person to desire a source of public reason. We can now begin to see how the Hobbesian individual may run into our dilemma between an obligation to self-defence and an obligation to the public institutions that offer a much greater possibility for self-preservation. While we could set up the dilemma solely with this backdrop, it would not yet lead us to our major difficulty, which puts the subject at odds with the sovereign's ability to command. After discussing why the sovereign's power must indeed be absolute, we can return to the main argument.

II. Why the Sovereign's Power Must be Absolute

Hobbesian people decide to supplant their individual reason for public reason because it is reasonable for them to do so individually, provided everyone else is doing so as well. This is simply because letting everyone follow his or her individual reason inevitably leads to a state of conflict. Hobbes famously describes this situation as "solitary, poore, nasty, brutish, and short,"³⁷ referring to this as the state of nature, or the war of all against all. He argues that this social state is so dangerous that it is individually reasonable to lay down one's rights and create an external authority to which all can appeal. What is still not completely clear however is why this authority must be an absolute sovereign as opposed to a limited one, or perhaps even a general body of laws.³⁸

Hobbes' argument for the necessity of an absolute sovereign is referred to as the 'regress argument', because instituting a sovereign without absolute power appears to result in an infinite regress. Jean Hampton³⁹ offers an excellent breakdown of the argument, and its description here is drawn largely from her analysis. The basic crux of the argument lies in people's propensity to come to disparate conclusions while reasoning about the same issue. As we have already seen above, when two people feel that they have reasoned correctly yet come to opposing conclusions, they have

³⁷ Ibid., 89.

³⁸ Many people have given an account of a social contract theory that either has a limited sovereign as its arbitrator or appeals to some set of laws. Ridge gives an argument for the latter. David Gauthier, whom Ridge argues against, promotes the former. The task in this paper is not to assess the strengths of these various forms of social-contract arguments, but merely to point out a weakness in Hobbes'.

³⁹ Jean Hampton, *Hobbes and the Social Contract Tradition* (Cambridge: Cambridge University Press, 1986), 104.

no other recourse but to seek out the arbitration of some third party. The sovereign basically fulfills this role of arbitrator in every circumstance.⁴⁰

The reason appeal to a body of laws is by itself incapable of settling disagreements is that those laws must then be interpreted, but interpretations can always differ. Appeal to a constitution or body of laws is therefore tantamount to an appeal to each individual's personal understanding of these laws, which can again lead to conflict. In attempting to rectify this by appointing a limited sovereign or governing body however, we have an analogue to the interpretation problem yet again. Any limited authoritative power must have the boundaries of their power defined somehow, most likely by a set of guidelines. But if this is the case then some greater power must exist in order to interpret these boundaries for the 'sovereign' in grey areas. This higher arbitrator will also require a set of guidelines to define its power, and so on *ad infinitum*. Alternatively, the 'sovereign' may herself interpret these guidelines, but then she does not seem legitimately constrained, as she could interpret them as she wishes.⁴¹ Since this infinite regress is impossible, some individual must exist with the unlimited right to decide and enforce decisions. This unrestricted, absolute arbitrator is the sovereign.

In determining the specifics of this social-contract then, it becomes clear that some one must accept the role of absolute arbitrator, such that interpretation of the law or disagreement about which laws to enact does not plummet society back into a state of nature.⁴² Basically the buck must stop somewhere. As Hampton points out, this singular concentration of power amounts to a master/slave relationship between the sovereign and her subjects.⁴³ Those who enter the social contract realize this fact, but it is nevertheless plain that giving up all of one's rights to the sovereign is still the rational thing to do so long as everyone else does the same. Hobbes refers to this as *laying down one's right to all things*.⁴⁴

⁴⁰ Hampton points out that for the regress argument to hold, it is critical that Hobbes' assertion of the state of nature as a state of total war also hold. This point is worth making explicit. If people could get along to some degree in the state of nature, then these social conventions would in themselves act as rules to govern people's actions, and an absolute sovereign would not be necessary. It is required for Hobbes that people cannot work together in any meaningful way when left to appeal to their own individual reason. See *Ibid.*, 100.

⁴¹ Hampton offers a more involved discussion of the reasoning behind this argument, see *Ibid.*, 103.

⁴² Interestingly, according to Hobbes the sovereign need not be a single individual; it can in fact be an aristocracy or democracy, see Hobbes, 129 – 135. I have left out discussion of this issue, as it is not directly relevant to my argument, as well as for the sake of simplicity.

⁴³ Hampton, 104.

⁴⁴ Hobbes, 92.

There is no doubt then, that Hobbes intended his sovereign to wield absolute power, and that those entering the social contract do so under the rational precept that it is the best course of action in furthering their self-preservation. However, while the subjects in this new commonwealth have willingly turned their rights over to the sovereign, substituting their individual reason for that of the sovereign and understanding the rationality behind the commonwealth, there is at least one right which Hobbes believes they simply cannot relinquish. This is the source of the Hobbesian dilemma.

III. Why the Sovereign's Power Cannot be Absolute

Recall that entering into the social contract is both individually and publicly reasonable, as it secures greater peace and defence for all. The social contract creates an arbitrator, such that people can settle disputes by appealing to some third party. Although it is reasonable for individuals to enter into the commonwealth and work together, some people are still going to break the law⁴⁵ or reason poorly such that they willingly or even unwittingly bring harm to others. These individuals must be punished to set an example, “detering of them from doing dis-service to the [commonwealth].”⁴⁶ It falls to the sovereign, as absolute arbitrator and judge, to impose punishment and see that it is carried through. This *de facto* ability to issue punishment commands, or commands of any sort for that matter, is necessary for it to be reasonable to obey the sovereign – otherwise there would be no motivation for a subject to do so, because lawbreakers would run as free as their fellows.

Looking upon a commonwealth just after it has been created and a sovereign appointed, we see that the sovereign does not yet have any sort of standing army or police force with which to capture and punish criminals. This is not surprising as the commonwealth has yet to witness any criminal behaviour (at least, none that has affected the civil-state). Unfortunately, the Machine-Gun Bandit⁴⁷ begins to terrorize the commonwealth, ransacking homes and killing people. The sovereign, acting on behalf of the populace and in their best interest, realizes that she needs to give some lawful subjects the task of capturing this criminal so he can be brought before the sovereign, tried, and punished. However, all of the weapons in

⁴⁵ Although I have forgone a discussion of Hobbes' justice, we need only know that whatever the sovereign decrees then becomes civil-law which all the subjects must follow. Not surprisingly, the sovereign is above this sort of law. See *Ibid.*, 125; *Ibid.*, 184.

⁴⁶ *Ibid.*, 126.

⁴⁷ The Machine-Gun Bandit is a term coined by the author so-named precisely because he has a machine gun. It is important to the argument that the bandit be significantly more dangerous than any one, or any group of subject(s). Otherwise there would be no reservation in attempting to capture him.

the commonwealth are currently being used to defend its borders, and henceforth the sovereign is forced to issue water-balloons to the newly formed posse as a means to subdue and catch the Machine-Gun Bandit.

The subjects selected for this posse immediately face a dilemma: while they have agreed to obey all the commands of the sovereign, surrendering their private reason in exchange for its public counterpart such that the commonwealth is maintained, they also continue to have an overriding interest in their own self-preservation stemming from their continuing *capacity*⁴⁸ for private reason. This self-interested reasoning, despite the subject's concession to obey public reason, is rooted in the subject's continued right to self-defence. According to Hobbes, this right persists even in the face of punishment implemented by the sovereign for some legitimately punishable misdeed, such as breaking the law or endangering other members of the civil-state:

A Covenant not to defend my selfe from force, by force, is always voyd. For (as I have shewed before) no man can transferre, or lay down his Right to save himselfe from Death, Wounds, and Imprisonment, (the avoiding whereof is the onely End of laying down any Right,) and therefore the promise of not resisting force, in no Covenant transferreth any right; nor is obliging.⁴⁹

Although the members of the posse are not under any immediate threat, in agreeing to follow the sovereign's commands, they will be agreeing to put themselves in a situation where one may reasonably believe that his actions will involve a substantial risk of death. Therefore, they can claim self-defence in refusing the assignment altogether, as would be the case if the sovereign were to issue them a command to stick their head in the mouth of a hungry lion – either action amounts to the same thing.

One might assume that in this act of defiance the social contract has been obviously violated by the abstainer, as he is refusing to subject himself to the sovereign's authority as he had originally agreed. However, Hobbes clearly indicates that the right to defend oneself from direct attack is inalienable,⁵⁰ something that simply cannot be laid down during the creation of the social contract, or at any other time for that matter. Consequently, not only is the subject perfectly within his rights to abstain, he is also not in violation of the social contract, as the right to self-defence is something that

⁴⁸ While the subjects of a commonwealth have chosen to forgo their individual private reason and submit to public reason (in essence the reason of the sovereign) in exchange for substantial personal benefits such as greater defence, the ability to work with others peacefully, etc., the subjects cannot in any case *transform their minds*, i.e. lose the ability to reason privately. Hence, the Hobbesian subject retains the ability to look at a situation from their own point of view and act accordingly, even though they have agreed by entering the social contract not to act as such.

⁴⁹ Ibid, 98.

⁵⁰ See especially Ibid, 93; but also Ibid, 150 – 152.

he could not have ceded in agreeing to enter the commonwealth in the first place. Here it seems Hobbes' argument is in trouble.

Although the sovereign was designed to be absolute – indeed this seemed a necessary conclusion when we looked at the regress argument – this now appears to be impossible. It is the subjects that will inevitably make the decision to obey or disregard any of the sovereign's commands which put them at risk. As a consequence of this, the sovereign is strictly limited in her ability to catch the Machine-Gun Bandit. Therefore this decisional ability, in the hands of the subjects, severely limits the sovereign's ability to perform her duties. This in turn diminishes the cogency for any subject to submit to public reason, regardless as to whether they have been specifically chosen for the posse. When the subjects realize that the sovereign lacks the ability to enforce her decisions, the motivation for creating the commonwealth is compromised. The result is that the replacement of private with public reason has difficulty getting off the ground.

Whereas the sovereign was to represent the actions and exert the reason of the subjects as a whole, the subjects have instead retained a large domain of control. It seems then, that Hobbes simply overlooked this point in his argument, "Hobbes both wanted to give the sovereign absolute sovereignty and, at the same time, hold him to some standard."⁵¹ The converse is that we have missed something in our analysis, and I will now consider an objection to this effect.

IV. Sovereign Authority and Subject Ability

I have shown that subjects in a commonwealth retain the power to undermine the sovereign simply because they cannot give up their right to preserve themselves from grave harm or death. Accordingly, should their sovereign command that they do anything that violates this obligation, the subjects immediately face a dilemma between complying and maintaining the commonwealth, or abstaining and preserving themselves. If the situation were as dire as the one described above, it seems that the subjects would be forced to disobey their sovereign.

However, while the subjects do possess the very real *ability* to impede the sovereign; this does not entail that they have the *authority* to do

⁵¹ Ridge, 560. Ridge brings up this point in discussion of Hobbes' claim that the sovereign should act equitably. This presumably is a hope to lessen the fears that empowering an absolute ruler would in effect "create a monster" as Ridge quotes Gauthier. We can apply the same line of reasoning to the present argument, as Hobbes must make a person's right to self-defence inalienable, otherwise it would be individually unreasonable to enter into a social contract – the sovereign could literally keep his subjects enchained and torture them on a whim. Instead, we keep our right to self-defence, giving us hope that, should the sovereign turn out to be a monster, we are still within our rights to defend ourselves.

so. The subjects actually possess very little authority, or the *right to perform some action*, as they have surrendered these rights to the sovereign via the social contract. Obviously then, the sovereign possesses almost complete or absolute authority, as not only does she maintain her rights, but in acting as representative of all her subjects, she also gains their accumulated rights to exercise in their stead.⁵² As we have seen, the sovereign's authority is limited only in respect to a person's right to self-defence – a person maintains this right exclusively. In terms of ability, I have shown that the sovereign is limited in her ability to enact laws or otherwise exercise her authority by the mere fact that she may have no force with which to do so. Conversely, the subjects have a surprisingly large ability to either hinder or otherwise help the sovereign in her endeavours.

So while the subjects legitimately have both the *authority* and the *ability* to exercise their right to self-defence, they are strictly limited in this practice by the social contract. The force of this objection comes in realizing that I have perhaps conferred the subjects with more power – more authority – than they should actually possess in Hobbes' social contract. While the subject maintains his right to self-defence, this is the only authority he possesses in the commonwealth. In the posse example above, I have assumed that this right to self-defence justifiably allows the subject to abstain from pursuing the Machine-Gun Bandit for fear of death. However, when the subject is presented with the dilemma and chooses to abandon the posse, he has in effect exercised authority which he does not legitimately hold. Because the subject is not in imminent, mortal danger, he is not actually exercising his right to self-defence, but is instead deliberating over whether or not the sovereign's command is reasonable. It is obvious however that the subject has no authority in this matter, or any other matter besides his own defence from attack. While he does retain his ability to deliberate using his own private reason, by entering the social contract he has opted to substitute public reason on the grounds that it is in his best interest to do so. In essence then, the subject is obligated to follow the orders of the sovereign, as his obligation to self-defence is not applicable to this deliberation, only to another, related situation.

The response to this objection is that the subject's right to defend himself cannot be divorced from his deliberation in this matter, as obeying the command will lead him directly into the lion's mouth as it were. If we were to try and 'cash out' this objection, we could grant that the subject would be singularly obligated to follow the sovereign's command until such a time as he is in imminent, personal danger. The result is merely that we have suspended the subject's uncooperativeness, and at some 'imminent danger point' he will be allowed to exercise his authority in the matter.

⁵² Hobbes, 92 – 93. Hobbes notes that in *Transferring* one's rights one is "Obliged or Bound, not to hinder those, to whom such Right is granted..."; see also *Ibid.*, 139.

Analysis of this objection does bring to light a further interesting point about the nature of the sovereign-subject relationship, namely that there is a large element of co-dependence. It is somewhat trivial that this is so however, as the sovereign, for all her authority, is still but one person. She must employ minions if she is to govern effectively, and is thus to some degree dependent upon them.

This insight somewhat clarifies my argument and why it seems that Hobbes is destined to fail. A true absolute sovereign must be absolute in both authority and ability in order to ensure that her judgement is enacted. Hobbes' sovereign in essence fails on both accounts. We have seen that she is quite limited in her ability; but further still, Hobbes limits the sovereign's authority, and in essence betrays his own project. It remains to be seen exactly how this situation will affect Hobbes' commonwealth.

V. The Sovereign's Trilemma and the Failure of the Commonwealth

The example in Section III demonstrates the difficulty posed by the inalienable right to self-defence. We have seen that this is indeed a serious problem for Hobbes, as it amounts to a limitation on sovereign authority, an authority which is meant to be absolute. Indeed, the regress argument requires this, and without an absolute sovereign, the commonwealth falls into its regressive chasm and back to a state of nature. What recourse then, does the sovereign have against this decisional ability of her subjects? The sovereign has three possible responses in an attempt to stabilize the commonwealth. Firstly, a benevolent sovereign may simply accept the selected subject's decision to stand down, ordering some other subject to catch the Machine-Gun Bandit instead. Alternatively, a more tyrannical sovereign may attempt to coerce the subject by threatening to punish him should he not obey her orders. Finally, a moderate sovereign may choose to modify her original commands, attempting to equip or number the posse sufficiently, such that pursuing the Bandit becomes less of an individual risk for the subjects.

These first two options tread on very shaky ground. The benevolent sovereign may ignore her uncooperative subjects, but there is no reason to believe that any of her other subjects will individually reason differently. As such, the sovereign very quickly runs out of subjects to command. The tyrannical sovereign encounters nearly the same situation. While the threat of direct violence would clearly motivate the uncooperative subject to re-assess his deliberation, if the sovereign cannot in the first place amass a group to punish the Machine-Gun Bandit, how will she convince her subjects to punish this uncooperative subject? It seems the sovereign is left without the ability to enforce her orders.

Hampton attempts to offer a solution to the sovereign's difficulty in following these first two options. She maintains that it can be individually reasonable for the uncooperative subject to join the posse and pursue the

Machine-Gun Bandit, provided that the risk to him is *less* than the risk of no one complying.⁵³ If our subject realizes that, like him, nobody wants to pursue the Bandit out of fear for their own lives, this situation in itself becomes very dangerous for him, as he may just as well be the Bandit's next victim. His deliberation of the situation now begins again, weighing the option of pursuing the Bandit and likely dying, against that of no one pursuing the Bandit and remaining at the mercy of a machine-gun-toting madman. The balance tips in favour of the pursuit even more if the sovereign has smartly determined that it would be beneficial to the posse for the posse to have more instead of fewer members. As each new member is added, the likelihood of our uncooperative subject dying decreases and it becomes increasingly more reasonable for him to comply. Although each member of the posse would still rather have someone else go, the situation is better if someone goes than if nobody does. It therefore becomes reasonable for each member to fill his balloons and proceed.

This consideration seems to eliminate the problematic limitation on the sovereign's ability to issue punishment commands, however the sovereign is not free and clear to rule just yet. In ordering multiple subjects to form the posse such that it becomes individually rational for each of them to go, the sovereign has become a slave to the decisional power of her subjects. This very quickly leads to the path of the moderate sovereign, and amounts to the sovereign striking a deal with her subjects as discussed below. Even if this is not the case however, given the example above, it may *still* not be individually rational for a group of people to pursue the Machine-Gun Bandit, as it would take but one wrong move and a few seconds for them all to perish at his hands.

Alternatively, the problem of the Bandit running around may altogether not be that pressing to any single individual, as it is unlikely that any *one subject* would perish before the Bandit ran out of bullets or befell some other such misfortune. In order to make it individually rational for each subject in the posse to pursue him then, the sovereign may have to concede to their individual self-interests and either arm them accordingly, or otherwise entice them to partake in the pursuit. Remember, however, that all of the commonwealth's guns are currently being used to guard the borders, so in taking them away and putting them into the hands of the posse, the sovereign has made a massive concession, demonstrating that her power is indeed severely limited.

Finally, the moderate sovereign may offer some sort of reward or incentive to the posse should they return with the Machine-Gun Bandit. This may tip the scale as it were, provided the rewards are beneficial enough to reasonably outweigh the risk in joining the posse. Hobbes cannot accept this solution however, and we can easily see why this is the case. The

⁵³ I provide here a brief overview of Hampton's reasoning, whereas Hampton explains the point using a much more detailed game-theoretic model. See Hampton, 176 – 185.

sovereign herself cannot enter into a contract with any of her subjects, for the simple reason that there is “no Judge to decide the controversie: it returns therefore to the Sword again...”⁵⁴ The simple line of reasoning here is an appeal to the regress argument. Should the sovereign enter into any sort of contract with the posse, effectively offering a bounty, there is no common arbitrator to which both parties can appeal should there be a contractual dispute. Henceforth, the contract is null and void before it is even created.

The best the sovereign can do in this case is to decree that she will deliver some reward should the posse capture the Bandit. This however, is equivalent to conceding the guns to the posse in an effort to make it individually reasonable for each member of the posse to join. The only recourse for the sovereign in answer to the subject’s dilemma then, is to make concessions in her orders such that it remains individually reasonable for each subject to follow them. In opposition to this was Hobbes’ initial notion that in authorizing the sovereign as absolute representative, the subjects should also accept public reason in lieu of their own. It is obvious that within the confines of Hobbes’ argument, this simply cannot happen. The effects of this realization can play out in several ways; in the final section I will lay out the possibilities for Hobbes’ commonwealth.

VI. Conclusions

In order for the sovereign to have any authority whatsoever – that is, to enact any laws or enforce any punishment upon those that violate those laws or commit an injustice against their fellows – the sovereign must have the *ability* to punish her subjects. The right to self-defence, which the subjects of a potential commonwealth are unable to relinquish, can through duplication of the posse example above undermine the sovereign’s ability to govern in any meaningful fashion. Although the sovereign might indeed have the authority to enact laws and punish transgressors, the ability to do so remains in the hands of her subjects. The sovereign-subject relationship amounts to one of much more co-dependence than I believe Hobbes envisioned.

I have shown that while Hobbes attempted to argue for a commonwealth in which it is individually reasonable for everyone to enter and then submit to public reason, there is a serious difficulty with enacting this project. By asserting that the subjects of a commonwealth retain their right to self-defence, Hobbes has betrayed the decisional power of the sovereign. Although it is rational to give the sovereign almost absolute authority such that she can in theory command, it is impossible for the Hobbesian person to surrender the necessary ability to the sovereign. In developing an argument that makes it reasonable for people to choose to enter a social contract in the first place (by asserting that people are

⁵⁴ Hobbes, 123.

motivated largely by self-interested concerns to the goal of self-preservation), Hobbes concedes that people cannot relinquish absolute power.

In a worst-case scenario, a benevolent or tyrannical sovereign is incapable of governing effectively. A situation that places the members of a potential posse in grave danger results in that posse not being formed. If this is the case, it seems that the institution of a sovereign was for naught. With no fear of punishment, subjects in the commonwealth have no pressing reason to obey the sovereign's commands. Although it is still reasonable in theory for individuals to create a commonwealth and institute a sovereign, when applied universally, the state of nature would quickly re-emerge.

The sovereign's final option is to offer incentives for the posse to carry out her punishment commands. While this may result in a commonwealth which seems to function properly on the surface, it too betrays the relationship between sovereign and subject that Hobbes attempts to create. The sovereign in this scenario is anything but absolute, and while she may avoid falling prey to the regress argument, she becomes unable to perform her duty and govern in accordance with the best interests of all. She must instead constantly take into account the dispositions and needs of individual subjects over the whole, betraying the original basis for Hobbes' argument.

References

Hampton, Jean, *Hobbes and the Social Contract Tradition* (Cambridge: Cambridge University Press, 1986.).

Hobbes, Thomas, *Leviathan*, ed. Richard Tuck (Cambridge: Cambridge University Press, 1991.).

Nagel, Thomas, "Hobbes's Concept of Obligation." *Philosophical Review* 68 (1959): 68-83.

Ridge, Michael, "Hobbesian Public Reason." *Ethics* 108 (1998): 538-568.

BABIES OR BATHWATER: NORMATIVE ANALYSIS AND DESCRIPTIVE DEFINITIONS

Billy Cameron

As a discipline, ethics relies on the practice of normative analysis. Before engaging in normative analysis however, it is necessary to identify the subject of one's analysis. As a part of this, a working definition for normative analysis, that is free of inherent moral content, is critical. This essay will show both that such freedom from inherent moral content is necessary for normative analysis to avoid either absurdity or tautology, and that a definition of some kind is necessary in order to address the morality of an issue whatsoever.

Normative ethics seeks to perform a "rational inquiry into how to act and how to lead one's life".⁵⁵ Thus, normative analysis simply constitutes the particular execution of such an inquiry for a particular act or issue; it is the means, whatever that may be, for determining the "rightness" or "wrongness" of any one instance. Ethics asks, "What are the principles that distinguish right from wrong? What principles should guide our treatment of others?"⁵⁶ One of the primary features of such questions is that they look to the future, indicating how we ought to act, not merely how we should have acted in the past. For this reason, the analysis of ethical issues involves application to all analogous contexts, as well as generalization from concrete cases and thought experiments to similar cases in which established principles might be applied. This generalizability is a key goal in ethics. The ability to derive principles from past and present reasoning, which can be used to guide future action, allows a moral agent to make ethical judgements ahead of time.

Some argue that it is impossible to generalize across contexts, because every morally relevant occurrence takes place in unique circumstances. This view is empirically true insofar as all real-world occurrences are factually different from each other. However, the error in this view lies in automatically extending the existence of *factual* differences to imply the existence of *moral* differences. Consider the case of a bank robbery by a Robin Hood-type thief. One might consider that the morally relevant dilemma is that of determining whether it is permissible to steal from the rich to give to the poor. In this case, relevant moral considerations include the severity of the need of the poor, whether any of the crime's victims were injured, and how such acts might encourage other, more

⁵⁵ Oliver A. Johnson and Andrews Reath, eds., *Ethics: Selections from Classical & Contemporary Writers* (Toronto: Wadsworth, 2004), 1.

⁵⁶ *Ibid.*

sinister crimes. On the other hand, irrelevant considerations include the weather on the day of the robbery or the height of the thief. Where the morally relevant factors vary, different conclusions might be reached about various instances of robbery.

A description of the circumstances relevant *and* irrelevant to ethical generalization thus sets the framework of examination; it establishes which considerations are pertinent to normative analysis. This framework might be called the “definition” of a term or issue. Its usefulness lies in its ability to aggregate those instances suitable for collective discussion and exclude those which are inappropriate, while remaining flexible enough to accommodate future cases. Accordingly, to continue the Robin Hood example, the framework for analyzing such robberies, that is to say their definition, would be similar to the following: the forcible taking of the property of a privileged party by another, in the interests of a disadvantaged third party. This description includes the morally relevant aspects of the practice, allows for future occurrences, and ignores details irrelevant to ethics. It need not be the best definition for the purposes of normative analysis, but it is specific enough to frame debate. Additional details can always be included subsequently.

One of the critical features of this definition, and of any ethical definition, is *non-normativity*, which is the absence of inherent moral content. This refers to the definition’s purely descriptive, analytic nature. Any definition constructed for ethical analysis which already contains moral judgements is flawed, as it has already delimited the range of possible analysis.

To illustrate, let us return to the Robin Hood example. If one were to identify Robin Hood-style crime as robbery, and then define robbery as impermissible under any circumstance, the ethical conclusions would be predetermined, making the exercise of normative analysis fruitless. A philosopher hypothetically arguing for the permissibility of Robin Hood-type crimes within such a framework is thus driven to absurdity, since the argument takes this form: AA is by definition always wrong, but under some condition B, A is permissible. This is a logical contradiction. Conversely, if one concludes that such crimes are always wrong, no new information is produced. It is tautological to say “A is always wrong, and thus A is wrong,” and no tautology will be helpful in normative analysis, since it produces no new information which could then be generalized into the future.

A potential objection is that these definitions represent extremes, and that weaker normative claims could still be included in definitions, along the lines of AA is usually wrong, but it is not *necessarily* so under a set of conditions B. This seems neither absurd nor tautological. However, such a definition, without accompanying conditions and justifications, is actually *devoid* of any moral content, since it only makes an empirical claim that most actions which fit certain criteria are wrong; a normative analysis is

still required in each present and future case to determine whether it in particular is permissible. This is true even if one knows that ninety percent of such actions are wrong. Consequently, the only sound defence against the contradictions and tautology described earlier is to examine an issue as independent from a normatively-weighted definition. Normative analysis demands definitions free of inherent moral content.

This conclusion raises difficulties, however, which call into question the use of definitions in ethics as well as the field's ability to judge right from wrong. The requirements established for adequate definitions entail that they are both *a priori* and synthetic. After reviewing each requirement, the objection that no definition can satisfy both will be examined.

Ethics is *a priori*, in the sense that its moral judgements must be made without the benefit of direct and specific experience, insofar as it entails generalizability, the capacity to apply present conclusions to future cases. Such ethical analysis is necessarily done without experience of the future cases in question. Of course, one might challenge the assumption that ethics makes such predictions, and argue that ethics can function without a cross-contextual dimension. This is a weak position, however, as it allows ethics to only examine past and present scenarios. This denies ethics the ability to make normative conclusions about what ought to be done in future cases, eliminating its role as a guideline for contemplated action. For ethics to have this practical role, it *must* have an *a priori* dimension, allowing it to evaluate actions without being confined to the present.

Ethics must also deal with *synthetic* knowledge. Insofar as any practice is right or wrong *analytically*, or by definition, it is not a question of ethics since, as shown, any conclusion reached on the basis of that definition would be either absurd or tautological. Rather, the moral analysis of a practice must be separate from its non-normative definition.

This relates to debate over the logical possibility of prescriptive ethics itself: whether it is even possible to gain synthetic *a priori* knowledge about the right and wrong of actions themselves. David Hume is the voice of the skeptic in this debate:

Take any action allowed to be vicious: Wilful murder, for instance. Examine it in all lights, and see if you can find that matter of fact, or real existence, which you call *vice*. In whichever way you take it, you find only certain passions, motives, volitions, and thoughts. There is no other matter of fact in the case. The vice entirely escapes you, as long as you consider the object. You never can find it, till you turn your reflection into your own breast, and find a sentiment of disapprobation, which arises in you, towards this action. Here is

a matter of fact; but it is the object of feeling, not of reason.⁵⁷

Hume argues that moral status cannot be established from a factual analysis of practices. Consequently, the link between prescriptive ethics and synthetic reasoning is devoid of normative content, since, as explained earlier, we must isolate actions from their ethical status in order to avoid definitional triviality. However, as Hume points out, this leaves us with definitions from which moral content cannot be extracted: we are forced to throw out the baby if we are to rid ourselves of the bathwater. This is because “the rules of morality...are not conclusions of our reason”⁵⁸ as Hume puts it. Moral content is not contained *a priori* in an act, but is rather the result of an *a posteriori* judgment made by the observer based on the sentiments evoked by the act.

This seems to remove any quality of generalizability from ethical reasoning. If *nothing* more than the feelings evoked by an action pertain to morality, then no ethical issue can be evaluated prior to knowing the nature of the sentiments of those affected. A consequentialist might argue that the results of an action, that is, the “feelings” evoked, can often be understood sufficiently to include them in *a priori* moral evaluations. Accordingly, Hume's criticism only applies where it is impossible to know those consequences. This ties the moral status of an action directly to its consequences, but it does not eliminate the possibility of attaining synthetic *a priori* ethical knowledge.

The place of non-normative definitions in ethics thus hinges on other philosophical debates. The importance of such definitions cannot be doubted, however, by those who view morality as the proper guide of human behaviour. Non-normative definitions must exist, if there are to be prescriptive guidelines for the future, free of absurdity and tautology. These definitions frame debate without foreclosing upon it.

References

Hume, David. “A Treatise of Human Nature,” in *Ethics: selections from Classical & Contemporary Writers*, eds. Oliver A. Johnson and Andrews Reath. Toronto: Wadsworth, 2004.

Johnson, Oliver A. and Andrews Reath, eds. *Ethics: Selections from Classical & Contemporary Writers*. Toronto: Wadsworth, 2004.

⁵⁷ David Hume, “A Treatise of Human Nature,” in *Ethics: Selections from Classical & Contemporary Writers*, eds. Oliver A. Johnson and Andrews Reath (Toronto: Wadsworth, 2004), 184; emphasis in original.

⁵⁸ *Ibid.*, 183.

Feature

“HOMEGROWN TERRORISM” AND THE DEMOCRATIC PUBLIC SPHERE

Melissa S. Williams

On June 2, 2006, the RCMP and CSIS mobilized some 400 officers to arrest 17 young Muslim men, mostly in the Toronto suburb of Mississauga. (A further arrest has since brought the total figure to 18.) Those arrested were charged with various offenses pertaining to their alleged participation in a “terrorist cell” that sought to bomb CSIS and other targets in Toronto. Front-page headlines in Canada’s major newspapers were extraordinarily large, sensationistically highlighting one of the accused’s expressed desires to storm Parliament Hill and behead Prime Minister Stephen Harper.

Two years of investigation, including the use of a CSIS mole inside the mosque where most of these men worshipped, led to the arrests. Many of the charges centred on the group’s alleged procurement of what it believed to be three tons of ammonium nitrate, the agricultural fertilizer used in the Oklahoma City bombing in 1995. Other charges focused on allegations of group members’ participation in “guerilla training” in rural Ontario.

Will these arrests have an impact on Canadian policies of multiculturalism? Multiculturalism is under some strain in our times, to be sure, and it is safe to say that these arrests will do nothing to stem the tide against policies aimed at making more space for the beliefs and practices of cultural and religious minorities in Canadian society. Canada’s immigration and multiculturalism policies are a favourite target of conservative critics in the United States and elsewhere who claim that we coddle terrorists and encourage extremism by being too accommodating of immigrants. John Hostettler, the Republican who chairs the U.S. House of Representatives subcommittee on immigration and border security, may have a distinctively bad sense of geography (he’s the one who declared that “South Toronto” was a hotbed of radical imams), but his views are not unusual. Francis Fukuyama, the American intellectual who declared “The End of History” in the 1990s, is now blaming an overgenerous multiculturalism for “homegrown terrorism” in the United Kingdom and the Netherlands.

Here in Ontario, we have already seen some of the consequences of the fear of Islam for policies aimed at creating more social and political space for religious minorities. To take one important example: without addressing the merits of the report he commissioned from former Attorney General Marion Boyd – a report in which she carefully argued the case in favour of religious arbitration in family law as a means of recognizing citizens’ diverse religious commitments – Premier Dalton McGuinty declared last fall that religious arbitration in general, but Islamic arbitration in particular, will not be permitted in this province. He made this declaration in the wake of political demonstrations which cleverly and systematically played upon negative images of Islam. It was regrettable that Premier McGuinty chose September 11 – a Sunday on which he had no scheduled public appearances – to make his declaration.

It is reasonable to predict that the arrests and trials of members of this alleged “terrorist cell” may contribute to a growing chill on policies of multiculturalism, though it may be difficult to trace. The fact remains, however, that there is no rational basis for this chill. Even assuming that the arrests are valid under Canadian law, there is no evidence for any connection between multiculturalism policies and the emergence of so-called “homegrown terrorism” in Canada, any more than in the UK or the Netherlands. The social roots of militance among native-born Muslim youth are the anomie characteristic of middle class youth in North America and the violence of our popular culture – what generated the Columbine massacre and, more recently and closer to home, Kimveer Gill’s shooting spree on the Montreal campus of Dawson College. In the case of alienated Muslim youth, this general anomie combines with anti-Islamic messages in media and in social interactions, and with identification with Muslim and Arab populations who are subject to US-led military actions and widespread poverty. What distinguishes these youths from others in Western democracies is their additional vulnerability to recruitment by anti-Western ideologues, who are all too willing to meet their need for meaning. The result is that the social alienation of these youths takes the form of radical Islam, as for others it takes the form of identification with Goth culture or street racing or gangsta rap or mall swarming. This is not to say it’s not socially dangerous – Columbine was socially dangerous, to be sure, and so was Kimveer Gill – but it has nothing to do with multiculturalism policies.

There is no rational connection between multiculturalism policies and militant forms of Islam, but we are not living in times when politics proceeds on a basis of rationality. Since 9/11, we are immersed in a politics of fear, the human passion which, as Hobbes famously taught, has a greater

power to influence human action than any other motive. Yet a fearful political climate is not something that citizens should passively accept. In the words of the late political theorist Judith Shklar, we have good reason to “fear a society of fearful people.” It is in fearful times that we are most prone to make dangerous compromises with our principles of human rights, civil liberties, and democratic equality – compromises that are borne, more often than not, by people whose skin colour is not white, whose religion is not Christianity, or who cannot claim the mantle of legal citizenship. It was a climate of fear that led Canadians and Americans to accept the internment of people of Japanese ancestry during the Second World War, just as it is a climate of fear that now leads Americans to accept torture as a state policy and Canadians to accept “security certificates” (the detention without legal charge of non-citizens who are suspected of involvement in terrorist activities).

What should concern the citizens of Canada about the arrests of the alleged terrorists, then, is not so much the activities of the youthful suspects themselves – they were, after all, a rather hapless bunch – but rather the manner in which the arrests and the media coverage were handled by both state actors and the media. Given that the substance was harmless, the detonation device was crude, and that the police had detailed knowledge of the whereabouts and activities of the suspects for months prior to the arrests – given all this, how credible are RCMP and CSIS claims that the public was in real and imminent danger? Was it really necessary to mobilize 400 police officers to arrest 17 individuals of such dubious capability to do real harm? Was it not possible to carry out the arrests in a low-profile way? Who made the choice to create a great spectacle around these arrests: so many officers, so heavily armed? And why did the RCMP and CSIS choose to schedule their press conferences the morning after the arrests, but *before* the individuals arrested were arraigned in court, where a judge could (and, as it happened, did) impose a publication ban? Perhaps there were legal reasons for timing the press conferences in this way, but it leaves the impression that the entire arrest was carefully staged with at least as much attention to manipulating public *opinion* as to protecting public *safety*.

This is not to say that Western publics do not live under some threat of terrorism, nor that police and intelligence forces should not be diligent in investigating possible terrorist schemes and making arrests in cases where there is sufficient evidence to support them. But our government and its agencies, including the RCMP and CSIS, bear a heavy burden of responsibility to carry out these duties without sensationalism, without violations of due process of law, and without heightening public fearfulness

beyond all reasonable levels. And if the government does not meet these responsibilities well, the media should respond critically rather than feeding the flames of public fearfulness with such absurd dramatics as we saw in the weeks following the arrests.

What we must watch for is the impact of the arrests of these “alleged terrorists” not so much on multiculturalism policies as on the quality of our democratic public sphere. I am dedicated to multiculturalism, but it presupposes the existence of a fairly robust democracy, and it is the quality of our democracy that is very much at stake in these times. A politics of fear creates a mass public that is unthinking, uncritical, and acceptant of policies that violate basic principles of the rule of law and of civil liberties – what political philosopher Hanna Pitkin, drawing on Hannah Arendt’s work on *The Origins of Totalitarianism* – calls the “blob.” Thankfully, judging by recent polls that show that Canadian support for immigration and multiculturalism has not wavered in the wake of the arrests, the Canadian mass public has not yet become a blob. To keep from becoming one, though, all citizens – including especially members the media – need to ask tough questions about the ways in which state actors use fear to justify policies of questionable justice and rationality.



The lowest circle of hell is reserved for those who,
in times of great moral crisis, have maintained
neutrality.

- Dante, *The Divine Comedy*