Episode 1,261: Is There a Moral Obligation to Help the Poor Abroad, and Other Moral Questions Asked of Libertarians

Guest: James Otteson

WOODS: It's been almost 900 episodes since I last spoke to you, so it's been rather a while.

OTTESON: Oh, yeah.

WOODS: Yeah, I've kept busy, since we — you inspired me since the last time.

OTTESON: You're finally getting closer to perfection.

WOODS: [laughing] Thank you very much. So we talked about some interesting topics in the past. Your book *Actual Ethics* is a really, really good and persuasive one.

OTTESON: Thank you.

WOODS: And you and I have something in common, actually, and this this book reminds me of it: we both won the Templeton Enterprise Awards, the first prize for one of our books.

OTTESON: Oh, yes, that's right. That's exactly right.

WOODS: That is very memorable, because I don't think I'm probably going to win $50,000 for another book anytime in the future [laughing]

OTTESON: You and me both.

WOODS: Yeah, so that's still very, very crisp in my memory. All right, I want to give a little bit of a caveat here for everybody, just to get you off the hook a bit, in that philosophers are very careful to make nuanced arguments and to anticipate objections when they lay out their claims. But yet, poor Jim here is in what is probably likely to be just a 30- to 35-minute discussion. So assume that if anything seems a bit raw or unnuanced, it's only because of the format, and the details can all be found in the book *Actual Ethics*. So why don't we begin with an overview of the claims you're making in this book? Of course, there were specific arguments you raise, like about Peter Singer and the obligations we might have to people who are much less fortunate. But what is the overall claim of the book?

OTTESON: Well, the overall claim is that when you have, what seems to me anyway, the most attractive conception of human morality and human moral agency, that the kind of

government that that entails is a limited one that respects our liberty and our autonomy. So the book is really divided into two pieces. The first half of it or so is trying to lay out the conception of human morality that's based on human autonomy and the development of judgment, what makes us truly human moral agents. And then the second half of the book is articulating what a government would look like that respects that moral agency, and how it would adjudicate various kinds of controversial, some controversial but other policy-oriented issues like education and poverty relief, as you mentioned.

WOODS: All right, normally what I do is I'll go through the major concepts of a book, introduce them, then the author comments on them, and we go through the book in order. But what I think I'd like to do this time is: let me spell out for you what another way of looking at the world might look like, and then in responding to me, you can introduce the concepts of the book.

So let me imagine myself as, let's say, a very traditional conservative, not even a conservative in the American sense, where they would pretty much agree with your book, but rather somebody who thinks of what we might say as "statecraft as soulcraft," that it's true — and it sounds very attractive what you say about human beings and, if they're going to fulfill their potential as human beings, they need to develop judgment ,and that can be done only non-coercively as they make their own judgments, they go through trial and error, they accept responsibility for the consequences of those judgments. That all sounds very attractive.

But the fact is human beings are very weak reeds, and for you to say it's so noble to send them out into the world, give them every possible option there is, every possible temptation there is — given human nature and given the fallen nature of human beings, they're probably going to fall into bad judgments, unless we have the state to guide them in some way. And given that Aristotle does believe that there are real virtues that are objective, that we can identify — I mean, we know that courage must be somewhere between cowardice and foolhardiness somewhere. Somewhere, there is an objective quality of courage that we know objectively everybody ought to have, or we know that everybody ought to have — you know, I could list a bunch of them. Why is it wrong for the state to help guide people toward the real fulfillment of who they are to live a virtuous life by, for example, withdrawing some choices from them that they might in their fallen state be tempted to choose?

OTTESON: Well, that's a pretty big question you ask, Tom. That's got a lot of pieces. All right, so let me start by where I think we might agree, and then I'll head to where I think we might disagree. So where we might agree. So I would characterize my overall position as something like liberty and virtue. So I agree with you, and I agree with Aristotle, as you saw in the book, that there is such a thing as a virtuous life, and that means there is such a thing as a vicious life. So there are virtues and vices, and there are better and worse ways to lead one's life. And I also agree that one's community, interaction, social interaction are absolutely crucial. So when I talk about human moral agency being connected to autonomy, I don't envision us as being isolated atoms that are on islands somewhere and we don't interact. In fact, if you have a person who grew up entirely, if that were possible, on a solitary island, I don't think that person could actually develop a full moral agency the way we have, as human beings have as social creatures. So in those regards, I think human sociality and the help that that can provide to, first of all, understanding what virtue is, but also the encouragement to lead a virtuous life, are absolutely crucial.

The question becomes: how do we create the right kinds of communities that are actually nurturing in the right kinds of ways? And there, I think I might disagree with your traditional conservative statecraft-as-soulcraft position, because the kinds of helps or encouragements that individuals need to develop proper moral agency, to develop good judgment, to lead their lives in virtuous ways — the kinds of helps they need are very specific to those individuals.

So think about the people you go to for advice. The people who give you the best advice are not just people who themselves are good, moral exemplars or not just people themselves who are virtuous, but they're people who know a lot about you. If you asked someone who's a total stranger to you, "Well, what should I do with my life?" it's very difficult to get advice that would actually be relevant to you, because they just don't have the information about you, about your goals, about your values, about your skills and opportunities. They don't have the relevant information that would enable them to give good advice.

And that's the position that, for the most part, I argue, people who are distant third parties, like in Washington, D.C., that's their position with respect to any individual. They just don't know enough about the individual's life. So it's not that advice is not important. It's not that getting good counsel and seeking out the wisdom of others isn't important. Indeed, those are crucial. But the question is: where should that come from? And the kinds of information and knowledge that centralized experts are likely to have does not have that kind of detailed, fine-grained information. It's aggregate; it's summaries; it's averages.

So the reason I'm more skeptical that you might get good advice from Washington, D.C. is that they just don't know anything about you. They don't know what actually matters to you, and what the opportunities that you face are, what kinds of constraints you face. And so whatever advice they might be able to give, it might speak to aggregates or averages. But human beings aren't aggregates and averages. They are unique and precious individuals.

WOODS: All right, well, let me ask you this — and again, I'm playing devil's advocate here, because I agree with you. But couldn't I come back with: but look, it's true that they can't know my particular case, but is there really a case where we could really imagine prostitution contributing to human flourishing? Probably not. So then why don't we just abolish it?

OTTESON: Well, I mean, so I guess my position or the position I would take in a case like that is: when we're talking about — it's a good example. So let me concede at the outset: it's a good example. It's the kind of example that I do talk about in my book. But here's how I would address something like that. My position, I think, is really a set of robust defaults. So if you're willing to agree with me, at least for the time being, that what makes human moral agency unique, and in fact, what makes it *moral* agency as opposed to just *acting*, is the ability to choose otherwise. That's the autonomy part. You can choose to do this or choose to do that. And then on the other hand, it's the ability to develop good judgment about how you should behave in order to achieve the right kinds of goals in life.

If you're willing to accept both of those, then the very strong default for that from that position is that individuals should be given a wide scope of freedom to, as it were, experiment, to figure out what is the right kind of life for me, what's the wrong kind of life for me. And that's going to require getting some feedback, including negative feedback. If I choose well, I get good feedback. If I choose badly, I get negative feedback. So that's the general and I would say very robust default of that position.

Now, your question about prostitution — and there might be other kinds of questions that people might have, maybe about drugs, something else — could anybody really make a case that, even if you're agreeing that, well, a kind of entrepreneurialism and trial and error is important for developing human moral agency and good judgment, there are some things you shouldn't try? My answer to that would be: there are two different ways you might address that. One is: what should be made illegal by the government? The other one is: what kinds of things should my community, including the people who love and care for me and the people to whom I look up, what kinds of things should they be telling me to do and not do?

And I think what we tend to forget about, especially in contemporary political debates, is that the world is not made up just of individual actors and the government or the state. It's also made up of all of these very robust civil institutions, which are everything from families to religious institutions to your local communities. These things have moral power, and I think it actually devolves the authority to those kinds of communities — they're not coercive power, or not necessarily coercive. But it's a very important role and responsibility that they have to help shape these things.

So let me cut to the chase. Should prostitution be legal? In other words, should the government allow it? My answer is that, in the absence of people being coerced and if we're talking only about adults, then the answer is: yes, it should be legal. But that's not the end of the story. In fact, that's just the first part of the story. The next part of the story is: should you engage in it? Should we be friends with and associate people with people who engage in it? That's a very different question, and there is where I think the power of individual moral authority and the power of these civil institutions ought to be brought to bear. There are certain kinds of lives and certain kinds of activities that you shouldn't engage in. And when we see people engaging in activities that we think are vicious or don't contribute to virtue, we should let them know.

WOODS: How do you define and conceive of what a person is, and how does this definition inform the way you answer a lot of the subsidiary questions in the book?

OTTESON: Yeah, that's a good question. That one does run the danger of getting a bit into the philosophical weeds, but I'll give you a thumbnail sketch. So I start the book out by contrasting some of the kinds of activities that human beings engage in with some of the activities that other kinds of creatures engage in. And a sort of standard answer to what constitutes personhood is self-awareness.

But I would flush that out a bit by saying, one of the things that makes human beings distinct and makes them count in the philosophical sense as persons is that we have the capacity to construct a plan for our life. So to figure out what ultimate ends for us might be, the kinds of things we would like to have accomplished at the end of our life, so that, if we look back on our life, we say that was a life worth having been lived. And then we're able to construct plans that can help us achieve those ultimate ends. So we think about proximate or near-term ends, intermediate ends, etc. Once we've gotten the ultimate end, we kind of reverse engineer all the way back to the kinds of things we should be doing today.

So one of the things that I think makes human beings morally unique is that they're able to do that. We're able to construct these plans. We're able to review and reexamine and change the plans we have. Sometimes we abandon certain kinds of plans. We adopt others. All of those things imply an ability to choose and to choose otherwise. So anything you do now, you could

have done something else. And because of that, I think we're able to be and rightfully held responsible for the choices that we make. So I actually think it's a way of showing respect for our moral agency to hold people responsible and accountable, to treat them as accountable beings who can give an account and can be held to account for the choices they make.

WOODS: This view has implications that are very considerable, which is indeed really what the thrust of so much of the book is about. So I want to try and pick out particular issues that would be of special importance to my listening audience. But I do want to point out, as I said to you before we started recording, that there are so many issues of profound significance in this book that we can't cover them all, nor would I want to trivialize the book by trying to cover them all in one conversation. So we'll do some of it now.

But you were talking about the kind of government that would be compatible with this sort of worldview. And, you know, I don't really want to have a minarchy and anarchism conversation, but what I would rather do is talk about, because of the fashionable democratic socialism move that we're seeing — which, okay, it's not quite the same as old-fashioned socialism, but I find that exponents of it are not really all that quick to make sure and clarify this for everybody. They don't seem particularly ashamed by the association, many of them. So let's talk about classical socialism and why you think it's incompatible with what it means to really be a person who flourishes as a person ought.

OTTESON: It's good question, and I'm happy to talk about the contemporary version of it also. But the classical version of socialism is a system of political economy where the means of production are owned publicly. But not just that; sort of the classical definition of socialism or the Marxian definition and on the road to communism. But I think sort of a practical way to think about it is that, under socialist policies, what you tend to get are the main decisions about, say, economic matters, but not only economic matters, are made centrally by some group, by a person or a group of experts, or a group of other authorities who are making decisions about, if we just take economically for a second, about things like what kinds of industries are most important for the country, where our resources should be allocated, what lines of work people should go into, etc.

Now, the reason I think that that kind of central economic decision making is incompatible with the conception of human personhood that I defend is because it effectively robs the individual human being of the opportunity to make precisely those same decisions for him or herself. So it's not that human beings don't make mistakes. We're not infallible. We often make mistakes. And it may even be the case, and I'm willing to grant at least for the sake of argument that, in some cases, maybe many cases, there might be experts or others who actually know more about a particular issue or a particular decision we're thinking about making, might be better positioned to make good advice or make a decision.

But what I would like to argue is that and what I do argue in the book is that you're not fully free and you're not fully human if you aren't making the decisions about what kind of life to lead yourself. And so if there's somebody else making decisions about how resources should be allocated or what kinds of lines of work people should be going into, then that's just narrowing the range of choices and decisions you yourself make, which I think gradually increasingly diminishes the scope for individual human beings to exercise their judgment. And so in my argument, it narrows the scope of human moral agency and really the essence of humanity.

WOODS: One possible objection to this might be, from socialists, that their view is that it's not like — I mean, I think some of them might say: if that's really how the world worked, then we would agree with you. But people in modern economies are really just helpless pawns in the hands of forces beyond their control, so it's a farce to say they're exercising their judgment in a market economy. So how do you answer that?

OTTESON: Well, I think one insidious aspect of that objection is that it can be a self-fulfilling prophecy. You know, think about the way we have been discussing over the last several years parenting techniques. What's the right way to be a good parent? Is it to shield your children from every possible pain, to shield them from any possibility of making a mistake? Well, you know, that kind of view can arise from good intentions. Making mistakes, pain, these are not pleasant things. But what's the price? What's the trade-off you get? Well, you might get people who, once they reach the chronological age of adulthood, have never really experienced the consequences of having chosen poorly, and so they've never really experienced the development of good judgment.

And I think something similar with human beings. So it is certainly true that we do make mistakes, but the idea that we are helpless pawns, I reject that completely. We can reduce people to being helpless pawns, but human beings are quite resilient. Human beings are perfectly capable of responding to incentives, developing good judgment. It doesn't mean they'll ever be infallible, but they can increasingly approximate a person of good judgment. And I think it shows them respect to let them make their choices, even when they make mistakes. I don't think you're fully human if you've never failed and felt the sting of failure. That's, in some ways, the only way that human beings, constructed the way I think we are constructed, which is we respond to incentives — that's the only way that we're ever going to be able to get better at anything.

I'll give you one quick example. Think about something like learning to play the piano. Suppose you want to learn to play the piano. And your piano teacher said, "Well, I don't want you to feel bad. You'll be bad at first, and I don't want you feel bad about that, so I'm going to put these headphones on you so that you won't actually hear the music you play, and I will never criticize you." Well, that might come from good intentions, but you're never going to learn to actually play the piano. So to play the piano, you have to practice, first of all. That's the autonomy part. But you also have to get feedback. You have to do it under correction. And I think it's the same thing for developing judgment in human beings. The more autonomy we have, the more of the proper feedback from the decisions we make we feel, the better our judgment will be.

WOODS: Now, from socialism, we can maybe transition into a conversation about Peter Singer, who's the well-known professor at Princeton. Because we could saw: all right, maybe Otteson lands some blows against socialism, but couldn't there be some people in society who are simply so impoverished that we could justify it — now, by the way, I'm skipping over your discussion of the welfare state, which we could get to in a future conversation. But I do want to try to get to this Peter Singer thing, because you devote so much time to it, and because it does come up a lot.

OTTESON: Yeah.

WOODS: Couldn't there be people who are so impoverished that, really, to coercively redistribute some resource to them just would not be viewed as morally problematic by

basically anyone? And Singer uses what's known as the pond case to press his claim. Can you describe that for — now, bearing in mind, again, I want to let you off the hook here. Your arguments against this are many and varied and persistent and lengthy, so I'm not expecting you to be able to replicate them all here. But at least give us a bird's-eye overview. What is he saying, and what do you think the strongest arguments against what he's saying are?

OTTESON: Good question. So it is a very powerful example. So the pond case is the scenario where you imagine, you know, suppose you're on your way to an interview with your dream job, and you've got your one suit on, and you've got your one pair of shiny shoes. You're on your way in, and you pass by one of these man-made fountains or a pond or something, and you see a child drowning in it. And Singer asks, you know, suppose that the child is — it's not your child, you didn't push the child into the water, but you realize that there's nobody else to save the child. And if you don't wade in immediately, the child will drown. And so Singer asks the question: well, should you wade in to save the child, even if it means ruining your suit and missing out on the job opportunity? And of course, the answer is yes, you should. I hope that's uncontroversial. You should wade in and save the child. So that's not the controversial part.

The more controversial part is that Singer says that's exactly the same, the analogous situation we're in with respect to people, to children in particular, who are starving in other countries. So we could help them with relatively little cost or little sacrifice to ourselves, and yet it would entail a very great benefit to them, including even potentially saving their lives. So Singer wants to say that, if you would save the child from drowning in the pond, you should also contribute surplus excess wealth to overseas aid agencies. So that's his general argument.

And your question is: well, what's wrong with that argument? And I guess what I would say is, for a lot of it, nothing. There are many cases in which I think we are, in fact, morally obligated, would be morally obligated to help people who need it. And the other part of your question was: aren't there some people who are in such desperate situations, including children but not only children, and others like us who might be able to help them where we really ought to help them? And I think the answer is yes. If there is somebody who needs help, help them.

Here's the difficulty, or one of the difficulties, central difficulties with Singer's argument, though. In the pond case, it's immediately obvious what kind of help the child drowning needs. You need to wade in and take the child out of the water. But consider people who are in impoverished areas of the world. What's the right kind of help to give them? And if you start just in your mind, just for 30 seconds, thinking about all the different kinds of aid that various agencies give from NGOs and charities and others, the kinds of things they argue for. And in fact, some of those claims are actually contradictory. So some people say what we need is mosquito nets. Some people say what we need is education. Some people say what we need is contraception. Some people say we need medical treatments, food, etc. You can't do all of those things.

So what does that suggest? That suggests that you still have to use some judgment. And it may be the case that some of those ways of helping people are much more effective, are much better than others, and some of them might even turn out to be counterproductive. So what's the upshot of that? The upshot, I think, of that is that you need to employ localized knowledge. In order to know whether the help you want to give somebody would actually

constitute real help, you have to know a lot about that person. If you don't know much about that person, then you run a pretty substantial risk of either just wasting resources or potentially even giving in counterproductive ways.

So I think there's a pretty big disanalogy from pulling a child out of a pond who's drowning, pulling the drowning child out of a pond on the one hand, and on the other hand, let's solve global poverty. That's a hugely, gravely more complex issue. And there might be lots of different things that different people positioned differently might be able to do. And so I think that means that what we should say to people is: use your own localized judgment. When you see people or become aware of people who need help, help them. But help them in a way that you can exploit your own localized knowledge, so you have a good chance of engaging in help that will actually constitute help for those people.

WOODS: All right, so that's a pretty good kind of answer, and it does kind of seem like the answer that people implicitly adopt in their own lives. And I —

OTTESON: Yeah.

WOODS: I mean, I've given this kind of pushback — I mean, I realize that Singer is actually going to take the argument all the way, but I kind of raise it as a reductio when I propose to Bernie Sanders supporters — I say, here's a question I think you're going to have trouble answering. If you're opposed to the so-called 1% in America, and you think they should divest themselves of some of their property and redistribute it or something, remember that from a global perspective, you are well within the 1% globally.

OTTESON: Yeah.

WOODS: So why should you not divest yourself? And then suddenly, it's, *Well, when it comes to me, of course I should keep everything I have*. And the answers I got were all moral irrelevancies. It was: well, I don't live in the whole world; I just live in America — as if arbitrary boundary lines would be morally relevant in a case like this. If they really believe in equality, well, what difference does a lousy boundary line make? So none of them were really willing to follow me down that road.

And then you raise an interesting point when you say, if we're going to take the Singer argument seriously, that look, it's a small inconvenience to us, but it makes a big, big difference to those people — now, that's assuming we know what the right course of action is, as you point out. You say this — just quoting from page 154. You say:

"If what appeals to intuitions, is it not" — this is my friend David Gordon says: "If one appeals to intuitions, is it not obvious that someone who buys a gift for his wife rather than give the money it costs to a poor person is not acting immorally?" And then you say: "Indeed, a moral position that makes a father immoral for buying his daughter a ribbon for her hair so stretches the limits of common moral communication and to suggest a refutation by reductio administration absurdum." And I think that's — because that just does have a certain common-sense aspect to it.

OTTESON: Yeah, yeah. And I think sort of a meta point or a larger point that that makes is that it diminishes the sense in which — so if you're talking to people, and you're trying to

encourage them to engage and to go back to where we first started, in virtuous activities — some activities are not virtuous, some are, and you want to try to encourage people to think about what constitutes virtuous activity — if the position that you articulate and the argument you make means that all of them are almost always vicious, that's a nonstarter. And you're going to diminish the strength of your own position, and even if you had a point to make, it gets lost in the claims of — you know, and I think this is where Singer's position, he himself says, in his more recent book — in 2009, he wrote a book called *The Life You Can Save*. In that book, he says we're obligated to keep giving to the point where the next dollar we would give would make us poorer than the person to whom we're giving. That's a position that very few people — from a philosophical standpoint, however strong an argument you might be able to give for a position like that, psychologically, almost nobody's going to be able to adopt that, and they're just going to dismiss you.

So I think if you want to try to effect real change in the world — which Singer does, and I do too, many of us do, you do as well — one of the things you have to do is to start with: well, how are human beings actually constructed? What are the limits of their knowledge? What are the limits of their sentiments? And how can we look for gradual, maybe marginal, but gradual improvement, and not let perfection be the enemy of the good?

WOODS: I think next time when you and I speak, and I hope we can do that, I want to talk about your treatment of systems that are lesser than full-blown socialism and how we might approach those. And also your treatment of education. It's astonishing to me that this book is published by Cambridge University Press and you're making an argument in there for basically defunding education from the public standpoint; that is to say, no public money for education.

OTTESON: Yeah.

WOODS: And that is an astonishingly radical position for almost everyone, and I would think certainly in an Ivy League — I mean, obviously Cambridge is not Ivy League, but you know what I mean. In an elite university setting, this would be — you could imagine the faculty lounge going dead silent and a pin dropping if you were to make an argument like that. So it would be interesting to hear how somebody coming at this with the Aristotelian influences and classical liberal sympathies makes that kind of philosophical argument. So I'm just going to leave that dangling as a temptation so that people will subscribe to *The Tom Woods Show,* so they don't miss future episodes in which we will revisit these topics. So I'm going to leave it there. You have a website, JamesOtteson.com. Is there anything else you'd like people to know about?

OTTESON: Yeah, one other thing, Tom. So I look forward to our future conversation, but the aspect of — you know, we didn't talk too much about politics and economics. We sort of broached it little bit. But I've got a new book coming out. Maybe it'll be the subject of a future conversation we can have. It's called *Honorable Business*. It's being published by Oxford University Press. It sets out what I think is a framework for business in a just and humane society. So that should be coming out right at the beginning of 2019.

WOODS: Oh, yeah, you know what? Let's make that be our next conversation, and then after you're finished with promotion of that, we'll revisit this. Because this book is from I think 2006.

OTTESON: Correct.

WOODS: So that's a rather a while ago, but yeah, let's by all means — wow, what a great title, too.

OTTESON: Thank you.

WOODS: I just love that. I thought it was gutsy, by the way, that with a book called *Actual Ethics*, where the title to a layman — and well, you know, I'm a layman, when it comes to philosophy — is not altogether clear where you're going, you did not give the proles like us a subtitle. You just said, *Actual Ethics*. That's what it is. How about *Honorable Business*? Do you have a subtitle for that?

OTTESON: That one does have a subtitle, thanks to my editor, who said it needed a subtitle. The subtitle is *A New Framework for Business in a Just and Humane Society*.

WOODS: Oh, that's great, because also that subtitle will pull people in who have no idea what they're about to be exposed to, I suspect. That's great; that's great. Well, we will definitely look forward to that.

OTTESON: Excellent.

WOODS: The book we've been talking about is *Actual Ethics*, and it gets outstanding reviews from a lot of people that listeners of this show respect. You will definitely find it a good use of your time. Jim, thank you very much for your time today.

OTTESON: Thank you so much, Tom.