

Thomas Nagel

THE FACTS FETISH

THE MORAL LANDSCAPE: HOW SCIENCE CAN DETERMINE HUMAN VALUES

By Sam Harris

(Free Press, 291 pp., \$26.99)

SAM HARRIS'S first two books, *The End of Faith: Religion, Terror, and the Future of Reason* and *Letter to a Christian Nation*, attacked religious faith. His new book, interestingly enough, attacks not faith but a form of skepticism—moral skepticism. Harris's aim is to show that there is moral truth, and that it does not depend on the word of God. He says that the discovery of moral truth depends on science, but this turns out to be misleading, because he includes under "science" all empirical knowledge of what the world is like. Harris's concrete moral conclusions depend almost entirely on one venerable moral premise and a number of commonsense observations about human life, though they are accompanied by ritual reminders that everything about human experience and behavior depends on our brains.

Harris's book also presents some experimental data about the brain. Those data are largely irrelevant to determining the answer to substantive questions of right and wrong, but they do provide the setting for Harris's important additional claim that the fact that moral judgments are produced by the brain, and that the brain was produced by evolution, does not undermine the existence of moral truth, as some psychologists apparently believe. This is an interesting issue, but first let me discuss Harris's outlook on more familiar topics.

Here is Harris's description of the debate that he proposes to join:

People who draw their worldview from religion generally believe that moral truth exists, but only because God has woven it into the very fabric of reality; while those who lack such faith tend to think that notions of "good" and "evil" must be the products of evolutionary pressure and cultural invention. On the

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first account, to speak of "moral truth" is, of necessity, to invoke God; on the second, it is merely to give voice to one's apish urges, cultural biases, and philosophical confusion. My purpose is to persuade you that both sides in this debate are wrong.

While there is a good deal of Harris's familiar religion-bashing in the book, his main target is secular skepticism. The statements about what people "generally believe" or "tend to think" apparently reflect Harris's personal impressions, since he does not cite statistical evidence. The first generalization seems to me dubious. Most theologians do not think that cruelty is wrong because God made it so—though perhaps theologians are not representative of religious opinion. As for those without religious faith, it would be depressing if Harris were right, but perhaps he is: these skeptical views are not unusual, and they never seem to lose their appeal.

In both cases one should keep in mind the distinction between what people say and what they believe. Most people, religious or not, have many confident and straightforward moral convictions, but when they are asked what makes those beliefs true they flounder, grasp at straws, or give up the claim to truth. The same thing happens if they are asked what makes their arithmetical beliefs true. These are second-order questions, philosophical questions, which may provoke a confused answer but do not necessarily reveal what people really think. We know what moral truth is until we are asked to say what it is—as Augustine said about time, and Justice Stewart said about pornography.

In the case of moral beliefs, however, philosophically induced skepticism can sap people's confidence:

Secular liberals ... tend to imagine that no objective answers to moral questions exist. While John Stuart Mill might conform to *our* cultural ideal of goodness better than Osama bin Laden does, most secularists suspect that Mill's ideas about right and wrong reach no closer to the Truth. Multiculturalism, moral relativism, political correctness, tolerance even of intolerance—these are the familiar consequences of separating facts and values on the left.

Even if this is an exaggeration, Harris has identified a real problem, rooted in the idea that facts are objective and values are subjective.

Harris rejects this facile opposition in the only way it can be rejected—by pointing to evaluative truths so obvious that they need no defense. For example, a world in which everyone was maximally miserable would be worse than a world in which everyone was happy, and it would be wrong to try to move us toward the first world and away from the second. This is not true by definition, but it is obvious, just as it is obvious that elephants are larger than mice. If someone denied the truth of either of those propositions, we would have no reason to take him seriously.

These cases show that the idea of truth applies to values as much as it does to facts—but as with facts, the idea is not limited to obvious cases. There are many questions of value whose answer is not obvious, and about which people disagree, but that does not mean that they do not have a correct answer. As Harris points out, exactly the same can be said of historical and scientific questions: one should not confuse truth with what is known, or agreed on by everyone. But the process of justification has to start somewhere, and if someone purports to doubt the truth of what is perfectly obvious, without offering any credible grounds for denying it, we may be unable to persuade him but we are entitled to disregard him, whether the subject is facts or values. As Harris says, "It is essential to see that the demand for *radical* justification leveled by the moral skeptic could not be met by any branch of science." If someone refuses to acknowledge the probative force of logic, or of experimental evidence, we do not regard it as a threat to scientific truth, and we should react no differently to the dispositions of a psychopath who loves to make people suffer, or a suicide bomber with misguided ideas about salvation and the afterlife. (Harris does not discuss the more radical form of skepticism that denies the existence of objective truth in every domain, including science. But that is reasonable, since the moral skepticism that is his target is much more common, and since it depends on a contrast between facts and values.)

Harris's research specialty is the correlation between brain activity and belief, and he adduces the fact that judging a statement true or judging it false is associated with increased blood circulation in the same parts of the brain whether it is a factual judgment or a value judgment. But this does not really add to the case

for moral truth, which, as he recognizes, has to come from within morality, as the case for scientific truth has to come from within science, and the case for mathematical truth from within mathematics. The true culprit behind contemporary professions of moral skepticism is the confused belief that the ground of moral truth must be found in something other than moral values. One can pose this type of question about any kind of truth. What makes it true that $2 + 2 = 4$? What makes it true that hens lay eggs? Some things are just true; nothing *else* makes them true. Moral skepticism is caused by the currently fashionable but unargued assumption that only certain kinds of things, such as physical facts, can be “just true” and that value judgments such as “happiness is better than misery” are not among them. And that assumption in turn leads to the conclusion that a value judgment could be true only if it were made true by something like a physical fact. That, of course, is nonsense.

OCCASIONALLY IT CAN sound as though Harris is denying the distinction between facts and values altogether, as when he says that “questions about values—about meaning, morality, and life’s larger purpose—are really questions about the well-being of conscious creatures. Values, therefore, translate into facts that can be scientifically understood.” But in his more careful formulations it is clear that he is committed to the truth of an irreducible value judgment that specifies which facts determine the difference between good and bad, right and wrong:

Let us begin with the fact of consciousness: I think we can know, through reason alone, that consciousness is the only intelligible domain of value. What is the alternative?... Now that we have consciousness on the table, my further claim is that the concept of “well-being” captures all that we can intelligibly value. And “morality”—whatever people’s associations with this term happen to be—*really* relates to the intentions and behaviors that affect the well-being of conscious creatures.

Harris is a utilitarian, in the style of Mill. The structure of utilitarianism as a moral view suits it to someone who wishes to emphasize the role of scientific knowledge in settling moral questions, for it depends only on one simple evaluative premise, namely that we should do what will promote the welfare of conscious creatures and should not do what

will diminish it. That leaves the detailed work of determining what we should and should not do to the discovery of what actions and institutions will in fact promote or diminish their well-being, what will make them happy and what will make them suffer. These are factual questions, and sometimes science can help us to answer them:

Once we see that a concern for well-being (defined as deeply and as inclusively as possible) is the only intelligible basis for morality and values, we will see that there *must* be a science of morality, whether or not we ever succeed in developing it: because the well-being of conscious creatures depends upon how the universe is, altogether.

Harris is aware that there are extensive disputes about whether the single utilitarian premise is sufficient to account for the full complexity of morality, and he mentions examples such as whether the requirement to maximize everyone’s aggregate well-being is compatible with the permission to favor ourselves and our families, or with the prohibition against harming one innocent person to produce a greater benefit to others. But he passes over such problems, saying that these are difficult questions, that we have to take natural human motives into account, that there may be multiple equally valid norms of conduct any of which would serve human well-being equally well, and that the important thing is to contrast them with the many forms of life that would make people miserable. (That is what he means by the moral landscape.)

Since Harris skips over the hard substantive questions of right and wrong that occupy moral philosophers, the book is too crude to be of interest as a contribution to moral theory. Bentham, Mill, Sidgwick, Singer, and others have explored the consequences of utilitarianism in depth, but Harris believes his intended audience would be bored by too much philosophical detail, and he may be right. He likewise gives no serious consideration to alternative moral ideas. He offers a brief dismissal of Rawls’s defense of justice as an independent value, describing it as requiring us to “conceive of justice as being *fully* separable from human well-being.” This is completely clueless: Harris confuses the proposition that a just system need not maximize aggregate welfare with the proposition that a just system may be detrimental to the welfare of everyone.

In general, secular rivals to utilitarianism agree that right and wrong are rooted

in values found in the lives of sentient beings, but they hold that when more than one such being is involved and interests conflict, as is always the case with moral issues, there may be other ways of taking into account the multiple values present than by simple cost-benefit maximization of the total. More happiness is always good, and more suffering is always bad, but the reduction of arbitrary inequality between persons and the protection of individual liberty may also be important, in ways that cannot be fully explained by their contribution to the maximization of total aggregate welfare. These debates lie outside Harris’s interest, and competence.

There is one issue to which he might have given more attention, if his ambition is to look for moral standards that will work effectively, in light of the facts of human psychology. That is the issue of the relation between promoting the welfare of everyone and promoting one’s own welfare. Only the rarest of saints can completely subordinate the powerful motive of self-interest to an impartial concern for the interests of all. There is a real question of what it is reasonable to demand of people in the name of morality, and whether some limits are imposed by the facts of human psychology. Harris seems to believe that other-regarding requirements and self-regarding motivation can eventually converge:

What we can do is try, within practical limits, to follow a path that seems likely to maximize both our own well-being and the well-being of others. This is what it means to live wisely and ethically. As we will see, we have already begun to discover which regions of the brain allow us to do this.

But the reference to the brain is merely decorative. Harris’s hopes are familiar:

If we are not able to perfectly reconcile the tension between personal and collective well-being, there is still no reason to think that they are generally in opposition. Most boats will surely rise with the same tide. It is not at all difficult to envision the global changes that would improve life for everyone: We would all be better off in a world where we devoted fewer of our resources to preparing to kill one another. Finding clean sources of energy, cures for disease, improvements in agriculture, and new ways to facilitate human cooperation are general goals that are obviously worth striving for. What does such a claim mean? It means that we have

every reason to believe that the pursuit of such goals will lead upward on the slopes of the moral landscape.

Harris is certainly right that we should try to discover and to promote what is in everyone's interest, but that will not eliminate conflicts of interest, and the hard choices that come with them.

THE MOST INTERESTING problem posed by Harris's book is the relation between a naturalistic conception of human beings, informed by evolutionary theory, and the correct understanding of morality. Harris urges that we use scientific knowledge about humans to discover what will maximize their well-being, and thereby to discover the right way to live. This is an instrumental use of science, starting out from his basic moral premise. But what about the scientific understanding of our moral responses themselves?

The problem, briefly, is that if our moral responses depend substantially on innate dispositions that have an evolutionary explanation, they might have served the reproductive fitness of our ancestors, but they do not have much authority as guides to the objective truth about how we should live—if there is any such truth. Harris firmly rejects this debunking move:

It is important to emphasize that a scientific account of human values—i.e. one that places them squarely within the web of influences that link states of the world and states of the human brain—is not the same as an *evolutionary* account. Most of what constitutes human well-being at this moment escapes any narrow Darwinian calculus. While the possibilities of human experience must be realized in the brains that evolution has built for us, our brains were not designed with a view to our ultimate fulfillment. Evolution could never have foreseen the wisdom or necessity of creating stable democracies, mitigating climate change, saving other species from extinction, containing the spread of nuclear weapons, or of doing much else that is now crucial to our happiness in this century.... As with mathematics, science, art, and almost everything else that interests us, our modern concerns about meaning and morality have flown the perch built by evolution.

But what mental wings have allowed us to fly this perch, and how do they enable us to reach the truth? Clearly, a concern for the well-being of all sentient creatures

does not lend itself to Darwinian explanation. Harris believes that, like much else, it is something we can arrive at by reason:

Factual beliefs like “water is two parts hydrogen and one part oxygen” and ethical beliefs like “cruelty is wrong” are not expressions of mere preference. To *really* believe either proposition is also to believe that you have accepted it for legitimate reasons.... When we believe that something is factually true or morally good, we also believe that another person, similarly placed, should share our belief.

And:

Morality, like rationality, implies the existence of certain norms—that is, it does not merely describe how we tend to think and behave; it tells us how we *should* think and behave. One norm that morality and rationality share is the interchangeability of perspective.... This is why one cannot argue for the rightness of one's views on the basis of mere preference.

This is very plausible, and the interchangeability of perspective has an obvious connection both with scientific objectivity and with the impartiality of moral standards; but all this leaves us with the question whether the claims of reason and objectivity can be reconciled with an evolutionary understanding of human capacities, and if not, what alternative or supplementary explanation there might be. I believe that this is one of the hardest problems for a secular conception of human nature.

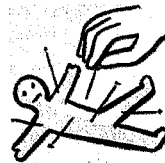
Harris does not take up this problem, but he is concerned about a related one. He needs to resist the objection that moral judgments do not come from reason at all but are emotional responses, and that the reasons people offer for their moral beliefs are after-the-fact rationalizations rather than true explanations. He finds this view in the work of two psychologists, Jonathan Haidt and Joshua Greene, who have a very different conception from Harris's of what it is to apply science to morality.

Haidt relies primarily on psychological research, whereas Greene observes the blood flow in different parts of people's brains when they answer morally loaded questions. Both of them identify a substantial subset of moral judgments that are associated, affectively and physiologically, with emotion rather than with ra-

tional thought. We are all familiar with such gut reactions, such as my feeling that Lieutenant William Calley (who initiated the My Lai massacre) should have been executed. But even though they are not the product of reasoning, those who have them will produce elaborate justificatory reasons if asked why they are correct. Haidt and Greene both hold that these are confabulatory responses, made up to satisfy an illusory norm of rationality. The real explanation is generally some combination of evolutionary psychology and social conditioning.

Actually, their views are more complicated. Greene attributes only some moral judgments to unreflective emotion—mostly those that express strict prohibitions—and both Greene and Haidt seem to think that once we recognize the situation we may be able to distance ourselves from our gut reactions and make decisions more reasonably. But Harris focuses on the skepticism about moral truth that these anti-rationalist theories allegedly support. Greene writes: “Moral theorizing fails because our intuitions do not reflect a coherent set of moral truths and were not designed by natural selection or anything else to behave as if they were.... If you want to make sense of your moral sense, turn to biology, psychology, and sociology—not normative ethics.” And Harris replies: “This objection to moral realism may seem reasonable, until one notices that it can be applied, with the same leveling effect, to any domain of human knowledge. For instance, it is just as true to say that our logical, mathematical, and physical intuitions have not been designed by natural selection to track the Truth. Does this mean that we must cease to be realists with respect to physical reality?”

Harris believes that, as with science, so in moral thought, we can decide what to believe by testing our initial responses for consistency and coherence, and by seeking, through interpersonal discussion, norms that can be shared from multiple perspectives. He believes that some powerful moral responses, such as the impulse to retributive punishment, are clearly irrational, but that others, such as partiality toward one's offspring, can be accommodated within the broadly utilitarian framework that he identifies with moral reason. About some of the most puzzling and powerful moral intuitions—for example, that it is wrong to kill one innocent person even if it is the only means of saving the lives of several other people—



he has little to say. And this philosophical chestnut stands for a pervasive problem of the relation between individual rights and the collective good in a complete morality.

The deep question remains. Once we recognize the ways in which we have been formed by forces beyond our control, what resource can we nevertheless call on within ourselves in deciding

which of our instincts to transcend? Morality, like science, is a process of collective self-reconstruction of human consciousness and human beliefs. Harris's heart is in the right place, and perhaps his spirited denunciation of moral skepticism will do some good; but it leaves us with difficult moral problems that require more careful treatment than he has time for. ♦

Eric A. Posner POTUS-PHOBIA

THE DECLINE AND FALL OF THE AMERICAN REPUBLIC

By Bruce Ackerman

(Belknap Press, 270 pp., \$25.95)

BRUCE ACKERMAN, a professor at Yale University Law School, does not mean that the United States has collapsed like the Roman Empire, or that it will. His title refers to the American constitutional traditions of limited government—what the Founders and some modern legal scholars call the “republican” form of government. Ackerman thinks that the presidency has burst these limits: it has become too powerful, and eventually it will be seized by an ideological zealot who will abuse executive powers. Ackerman does not predict what this zealot will do, nor when he will take power. The title and much of the text imply that the end times are here, or are inevitable unless we take strong actions today, but Ackerman commits himself only to the proposition that a zealot will take control in the foreseeable future with a probability greater than zero.

Ackerman's best but least original argument is diagnostic. In 1973, Arthur M. Schlesinger Jr. published a book titled *The Imperial Presidency*, which argued that the American presidency had obtained powers far beyond those dreamed of by the Founders, and that this expansion of executive power at the expense of Congress and the judiciary threatened American freedoms. Schlesinger's argument was nothing new, but his book was lucid and comprehensive, and in the aftermath of Watergate it struck a nerve. Clinton's impeachment dealt a setback to the thesis, leading Schlesinger himself to write that the executive had become

too weak. But George W. Bush's presidency gave new life to it (causing Schlesinger to reverse himself yet again), and Ackerman is one of dozens of academics who have been inspired to extend Schlesinger's argument.

The story is familiar. Americans began the Revolution by citing (and exaggerating) the executive tyranny of the British king, but by the time of the Constitutional Convention their experience with state legislatures had convinced them that it was legislative tyranny that posed the major threat. The Founders thus created elaborate checks and balances constraining the national legislature, but they left the executive office ambiguous, in this way papering over disagreement about the proper scope of executive power. A group of strong executives in the eighteenth and nineteenth centuries—Washington, Jefferson, Jackson, Polk, Lincoln—set the foundation for the imperial presidency of the twentieth; but for most of the nineteenth century the presidency was not a powerful office. Congress played the central role in the national government, and the state governments remained, in most domains, the primary loci of political power.

All this changed in the twentieth century, when the imperial presidency was institutionalized. Congress, the federal judiciary, state governments, and other institutions gradually acquiesced in the expansion of the national executive. The growth in executive power was partly driven by crises—in particular, the economic crisis of the Depression and the military crisis of the Cold War. Both events made clear to the public what sophisticated observers, and especially reformers, had already realized: that the major issues of the day were national and could not be addressed by the states. They were complex and rapidly changing in a way that drew on the institutional advan-

tages of the president, who, unlike Congress and the judiciary, can order about cadres of specialized administrators, police, and soldiers as problems emerge and recede. Advances in technology—communications, transportation, information processing—also favored the executive by giving it the power to appeal to the public and making it the focus of developing national media.

In retelling this story, Ackerman dwells on recent technological and institutional developments that create dangers beyond those identified by Schlesinger in 1973. He believes that presidents use modern polling techniques and the social scientist's bag of tricks to manipulate public opinion. Journalism and traditions of journalistic objectivity have eroded. Joining the technology panic du jour, Ackerman argues that the Internet polarizes the masses, creating conditions in which a large segment of the public could lose its senses and vote an extremist into office—a possibility enhanced by the Electoral College system, which permits a popular minority to elect the president. And thanks to the replacement of old-style party conventions with the modern primary system, political professionals no longer exercise the moderating influence on the public that they did at an earlier time.

Meanwhile, the president increasingly issues signing statements when he signs legislation, which say that a statute will be interpreted so as to avoid violating the executive's constitutional powers. He relies on the Office of Legal Counsel to provide legal rationalizations for his actions, and in those rare instances when the loyalists in the OLC refuse, he can always turn to his super-loyalists in the Office of White House Counsel to supply the legal rubber stamp.

As a result of these changes in technology, institutions, and public sentiment, the modern president has a great deal more power than presidents in the past to implement his policy preferences, unchecked by other agents. In addition, ordinary people have more direct control of who is elected to the presidency. This latter development might sound good, but in Ackerman's view it is not good at all: people can easily be swept up in a populist frenzy and elect a charismatic extremist rather than a middle-of-the-road professional politician.

But if Ackerman is right that people have more direct control of who is elected, then his worries that the executive has become more powerful are less persuasive. In several places he argues that the modern executive is “lawless,” citing

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