

WELL-BEING AND OBJECTIVITY

JAKUB BOZYDAR WISNIEWSKI*

THE QUESTION TO BE ASKED in this paper is the following: is there an objective element of well-being, completely independent of anyone's desires, interests and preferences? Some authors claim that belief in the existence of such an element figures prominently in our moral practices. For instance, Scanlon (1975, p. 658) writes the following: "it seems clear that the criteria of well-being that we actually employ in naming moral judgments are objective". Further, he suggests that in the case of duties of mutual aid the strength of a stranger's claim on us depends not on the strength of his desires and preferences, but on the urgency of his needs. In such scenarios, 'preference' is taken to represent the subjective aspect of one's interests, whereas 'urgency' is supposed to stand for its objective aspect.

If urgency is to take precedence over desire, then it clearly is a powerful notion that needs to be cashed out in detail. First and foremost, we need an answer to the question of what are the reasons to see any given interest as urgent; in other words: what are the sources of urgency? Two approaches to this issue suggest themselves: naturalistic and conventional.

One promising version of the former approach postulates that urgency consists in the duty to preserve the life and life functions of purposive agents. Since a sufficiently healthy life is a prerequisite of forming and acting on any desires whatsoever, life and health preservation seems to be a good candidate for an objective requirement of well-being (provided that we can define health in terms independent of anyone's subjective understanding of it).

The latter approach, which grounds urgency in society-wide agreements, dispenses with objectivity and contents itself with intersubjectivity. The price to pay here is mind-independence, but the gain is, I think, protection from moral error—since intersubjective evaluative facts

*Jakub Bozydar Wisniewski (jakub@cantab.net) is a Ph.D. student in the Department of Politics at Queen Mary, University of London.

CITE THIS ARTICLE AS: Jakub Bozydar Wisniewski, "Well-Being and Objectivity," *Libertarian Papers* 3, 7 (2011). ONLINE AT: libertarianpapers.org. THIS ARTICLE IS subject to a Creative Commons Attribution 3.0 License (creativecommons.org/licenses).

are to be social or institutional facts, there is no problem with conceiving of them as cognitively accessible and there is no way of getting their ontological nature wrong. I leave it up to the reader to decide whether this is a worthwhile trade-off.

Having defined both approaches, let us now analyze them in more detail, starting with the former. Perhaps the most significant attempt to define health naturalistically is Christopher Boorse's Biostatistical Theory, hereafter BST (Boorse 1977, 1997). Here is a paraphrase of BST, provided by Elseijn Kingma (2007): "health is normal species functioning, which is the *statistically typical* contribution of all the organism's parts and processes to the organism's overall goals of survival and reproduction" (Kingma 2007, p. 128). A group of organisms with respect to which the contribution in question is statistically typical is dubbed the *reference class*. BST then specifies the relevant reference classes in terms of the following characteristics: age, sex and race (Boorse 1977, p. 555). This is the crucial point of Boorse's account, since introducing 'wrong' reference classes (e.g., those comprising heavy drinkers and diabetics) or dispensing with them altogether (i.e., assuming that healthy functions are statistically typical species-wide *simpliciter*), would produce very counterintuitive results, not at all consonant with the present-day conception of medicine. To give just one example: it would allow for thinking of the liver functions of a heavy drinker as healthy, since they are statistically typical within the reference class of heavy drinkers.

Obviously enough, BST has not gone unchallenged. A recent, interesting critique by Elseijn Kingma concerns the perceived inadequacy of the way in which Boorse defines appropriate reference classes: that is, as natural classes of organisms of uniform functional design (Boorse 1977, p. 562). She discusses all three pivotal elements of the above definition (natural, uniform and design), before concluding that none of them succeeds in demarcating healthy from diseased features. For instance, if 'natural' is to be understood as 'occurring in nature', then, clearly, we would have to count as healthy many naturally occurring characteristics that medicine classifies as diseased (diabetes, Down's syndrome etc.). Likewise, uniformity is just as prevalent among Boorse's preferred reference classes as it is among those that he would like to exclude (consulting an atlas of pathology proves the point in question). Finally, an appeal to design, understood as nature's intent, does not fare any better, since natural selection can maintain both healthy and diseased traits (e.g., sickle-cell anemia). Hence, the argument goes, contrary to the claims of Boorse, BST cannot be a naturalistic, value-free account of health, since counting only his preferred reference classes as appropriate is a value-laden choice, determined by social judgments rather than by empirical

facts alone. If this is in fact the case, then a naturalistic understanding of urgency appears unfeasible.

So let us see whether the conventional approach fares better. To the extent that any given society arrives at an unanimous consensus, the criterion of urgency practically coincides with the subjective criterion—what is most urgent is what I (as well as the others) desire most strongly, thus there is no danger of making a trade-off detrimental to ‘moral minorities’. But, perhaps unfortunately, there are no unanimous social agreements. The question then is: what, if not unanimity, can ground the validity of any intersubjective, conventional understanding of urgency? Perhaps the will of reasonable and knowledgeable members of the society. But this seems to break with the conventional character of our approach—reason and knowledge are not group-relative or society-relative features, and by following this train of thought one could equally well suggest that the standards of urgency should be set by the totality of reasonable and knowledgeable people, regardless of whether they belong to any given society.

Another proposal would be to claim that the requisite normative authority could stem from some sort of negotiation or majoritarian bargaining process. Would a dissident have an objective, or at least intersubjective reason to follow this kind of authority? I find it difficult to see one. Admittedly, it might be prudent of him to respect the will of the majority out of fear of being punished for disobedience, but this is a paradigmatic agent-relative, not intersubjective, let alone objective reason. In order to become binding in the sense sought in this section, the reason under consideration would have to appeal to the content of the values agreed upon, not to the mere fact that their acceptance stems from a majoritarian consensus.

Finally, what I take to be a major problem with the conventional approach is that, qua communal beings, we are normally expected to follow a variety of different and oftentimes mutually incompatible conventions, and our membership in any given society does not tell us which of these conventions should trump the others and in what circumstances. To phrase it differently, we normally belong to a number of ‘societies’, both micro- and macro-, and it is ultimately up to us to decide how to rank the importance of our membership in each in relation to the rest. For example, given any pair of people who are both deeply religious and deeply patriotic, it appears to me that it is a task of their subjective mindsets to weigh the importance of their allegiance to the divine against the importance of their allegiance to the nation, and, obviously enough, the results of such weighing can be very different in their respective cases.

The above worries, albeit sketched briefly and certainly inconclusively, nonetheless convince me that it is more worthwhile to seek a potential source of the objectivity of well-being elsewhere.

Perhaps an appropriate strategy is not to try to establish that there is some privileged group of desires counting as ‘urgent’, but to examine more meticulously the very prerequisites of being able to formulate and act on any desires. Elsewhere (Wisniewski 2009), I argued that the ability to construct a logically cogent means-ends structure is one such prerequisite. But there seem to be others that suggest themselves quite naturally.

A question that might bring us closer to identifying at least one of them is the following: what is it that really matters in well-being? Is it desire-satisfaction *per se*, regardless of what particular desires we happen to entertain, or is it the satisfaction of precisely those particular desires? In other words, if we could immediately and effortlessly change our present desires (e.g., by swallowing a psychology-altering pill) and replace them with desires that are easier to satisfy, then should we do this? Could we do this?

Issues of personal identity aside (let us suppose, for the sake of simplicity, that the alteration of one’s psychology would not alter one’s identity), it appears that the answer to these questions depends crucially on what one really wants, on what kind of general regulative meta-desires one subscribes to—if one has nothing against being classified as a Rawlsian ‘bare person’ (Rawls 1971, p. 152), who is not committed to the accomplishment of any specific ends, then one should swallow the pill and thereby make one’s desires cheaper and easier to satisfy; if, on the other hand, one feels that pursuing certain concrete aims is constitutive of his personality and world outlook, one should not try to cheapen his desires for the sake of making them more readily realizable. In sum, what appears to be of crucial significance here is not the shape of one’s specific goals, but the fact of them being chosen *autonomously*. Thus, autonomy, that is, living one’s life by one’s own lights, emerges as a *sine qua non* for desire-satisfaction, and hence as an objective element of well-being.

To drive the above point home, consider our natural intuition that nobody is entitled to shove a psychology-altering pill down somebody else’s throat in order to change his desires and make them less expensive (think, e.g., of a mother doing that to her extremely fastidious child). I take it that the reason for having such an intuition is that the action in question would imply that one’s psychological make-up is altered by an involuntary external influence, comparable, for instance, to forcible drugging or lobotomy. It clearly differs from the forms of influence that respect autonomy, e.g., non-coercive teaching or persuasion, since the psychological changes induced by

these can be voluntarily accepted or rejected, as well as interpreted in a free manner.

Having then established that the satisfaction of any given desire can contribute to one's well-being only if it stems from a preceding autonomous intention and action, we should ask whether, by implication, we can find some other objectively valuable characteristics in the structure of such action.

It seems to me that we can—if it is plausible to claim that one of them is autonomy, then, by extension, exclusive ownership rights in one's body and one's mind appear to emerge as objective values as well, since every purposeful and voluntary action is coupled with an implicit recognition of the universal validity of such rights. This point is captured by the so-called Principle of Generic Consistency (hereafter PGC), which might be likened to a kind of latter-day Categorical Imperative, and which says the following: "Act in accord with the generic rights of your recipients as well as of yourself"¹ (Gewirth 1978, p. 135). According to Roger Pilon's elaboration of PGC, since voluntariness and purposiveness are generic features of all action, no intentional agent can maintain normative consistency without valuing these features and making a rights-claim to them (Pilon 1979). This, in turn, implies that he has to devalue and make a rights-claim against aggression, coercion and violence. Finally, since all human beings are equal qua intentional and purposive agents, the above-mentioned rights-claims have to be treated as universalizable. In other words, every agent is required to presuppose and respect them, regardless of his subjective interests, preferences or whims.

However, what is perhaps even more important is that every instance of *argumentation* makes similar presuppositions (Hoppe 1993, pp. 180-86). The reason for this importance is that it can plausibly be argued that there could be no working morality without argumentation, whereby constitutive (both descriptive and prescriptive) moral concepts, such as universalizability, reciprocity, equality as moral and rational agents, categorical truth etc., are recognized and agreed upon. It appears that this point should be conceded by moral theorists of all brands, from error-theorists², through constructivists of various persuasions, including subjectivist and rationalist versions (Harman

¹ Recipients are to be understood as those who stand opposite agents and who are affected by their actions.

² E.g., J. L. Mackie (1977, p. 106) regards morality as an essentially other-regarding invention, designed to protect the interests of others, which suggests that it must be based on communal deliberation, whereby the members of any given group have at least to identify their respective interests and communicate them to one another.

1975, Korsgaard 1997)³, to intuitionists⁴. At the same time, it also provides a noteworthy argument against the majority of anti-realist and non-cognitivist moral theories, the reason being that it describes objective moral facts as constitutive of purposive agency, which, I take it, is neither ‘queer’ (unless ‘queer’ is supposed to mean ‘not fully understood’) nor, by definition, cognitively inaccessible. It seems to me that there are few less controversial things to assert than that human beings engage in intentional action and argumentation, regardless of whether one wishes to account for these phenomena in strictly naturalistic or deeply metaphysical terms. In sum, the preceding remarks suggest that there is a tenable view of moral facts as ontologically respectable entities and of moral sentences as expressive of truth-apt propositions.

Without carrying this brief meta-ethical proposal any further, let us turn back to the question of what would count as violating the aforementioned exclusive ownership rights in one’s body and one’s mind, presupposed in argumentation and action. As I adumbrated earlier, if we are to understand persons as “purposeful rational agents, in possession of means of action that embody their active powers and faculties” (van Dun 2003, p. 5), and a person’s rights as “his means of action and the actions in which he employs them” (ibid.), then initiating physically aggressive behavior or verbal threats of such behavior emerges as a clear candidate for an instance of an objectively unacceptable rights violation. Whenever one argues in favor of a doctrine that condones initiation of aggression, and whenever one acts aggressively, one implicitly recognizes that the aforementioned fundamental rights hold with respect to oneself, but at the same time denies that they hold with regard to others; given the requirement of universalizability, the result is performative contradiction, evidenced by a lack of fit between the content and the performance of the considered speech act or physical act. Thus, all such behavior can be called *morally* irrational, and all desires whose realization

³ Such a concession would undercut constructivism to the extent that the rights presupposed in argumentation and action precede any man-made intellectual constructions, just as the structure of purposive agency precedes any reflection on it. However, it does not rule out the possibility that *some* aspects and areas of morality are products of human design.

⁴ Even though intuitionists typically claim that moral facts can be grasped non-inferentially (and thus presumably without any need to engage in argumentation), they should be heedful of the Kripke-Wittgenstein-style observation that it is one thing to intuit a moral fact, and it is another thing to obey a rule based on it (Kripke 1982). As it seems, the practice of the latter can be established only intersubjectively and communally, which means that it requires some degree of argumentation and agreement. A ‘mute’, wholly non-argumentative intuitionist morality would probably be of no practical use, thus falling prey to the sting of another Wittgensteinian observation: “Nothing will do as well as something about which nothing can be said”.

prevents other people from realizing their own desires (provided that the latter are not similarly obstructive) can be called objectively bad.

To sum up, in this paper I have analyzed a number of different accounts of moral objectivity. Out of these, the one that I find most intellectually robust is the account whose cornerstone is the requirement of rationality (understood *specifically* as the ability to construct effective means-ends structures)⁵, as well as respect for autonomy and voluntariness, represented by exclusive ownership rights in one's body and one's mind, rights held by all purposive agents.

References

- Boorse, C. (1977), 'Health as a theoretical concept', *Philosophy of Science*, 44, 542–73.
- . (1997), 'A rebuttal on health', in J. M. Humber and R.F. Almeder (eds.), *What is Disease?* (Totowa, New Jersey: Humana Press).
- van Dun, F. (2003), 'Natural Law: A Logical Analysis', *Etica & Politica*, Vol. 2.
- Gewirth, A. (1978), *Reason and Morality* (Chicago: University of Chicago Press).
- Harman, G. (1975), 'Moral relativism defended', *The Philosophical Review*, 84, 3–22.
- Hoppe, H-H. (1993), *The Economics and Ethics of Private Property: Studies in Political Economy and Philosophy* (Boston: Kluwer Academic Publishers).
- Kingma, E. (2007), 'What is it to be healthy?', *Analysis*, 67, 128–33.
- Korsgaard, C. (1997), 'The Normativity of Instrumental Reason', in G. Cullity and B. Gaut (eds.), *Ethics and Practical Reason* (Oxford: Clarendon Press).
- Kripke, S. (1982), *Wittgenstein on Rules and Private Language* (Oxford: Blackwell).
- Mackie, J. L. (1977), *Ethics: Inventing Right and Wrong*. (New York: Penguin).
- Pilon, R. A. (1979), 'Ordering Rights Consistently: Or What We Do and Do Not Have Rights To Do', *Georgia Law Review*, 13, 1171–96.
- Rawls, J. (1971), *A Theory of Justice* (Harvard, MA: Harvard University Press).
- Scanlon, T. (1975), 'Preference and Urgency', *Journal of Philosophy*, 72, 655–69.

⁵ For a comprehensive explication of this issue, see Wisniewski 2009.

Wisniewski, J. B. (2009), 'Well-informedness and Rationality: A Philosophical Overview', *Quarterly Journal of Austrian Economics*, 12 (3), 43–56.