

The Ethical Grounding of Liberalism

Goal and Method Neutralities

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Introduction

What restraint if any should be placed on government? Do the citizens within the state have certain rights that no government, even a democratic one, has the right to interfere with, and if so, what is the ethical foundation for such rights? I will attempt to draw a rough sketch of a possible answer to such questions, based on my understanding of biology and my reading of Susan Dimock's "Liberal Neutrality: Liberalism, Libertarianism and Contractarianism".¹ The reader should see Dimock's paper for a more thorough introduction to the background political concepts involved. For the background behind the psychology and biology discussed in this essay, Ashby² and Powers³ make a good starting point.

Dimock contrasts two opposing forms of liberalism, and the different ways they attempt to restrain government. All liberalism is based on some notion of government "neutrality"—the idea that the government should not give preference to any particular conception of the "good life". Social liberals rely on a "consequentialist" version of neutrality, which says that government should be neutral with respect to the consequences of their actions on those with differing notions of the good life. This leads to an egalitarian liberalism that requires the government to take positive action so as to provide us all with equal opportunity, resources, etc. Classical liberals rely on a "justificatory" neutrality, in which the government is required, in justifying their actions, to remain neutral as to which conception of the good life should be adopted. This leads to a libertarian liberalism, requiring the government not to interfere in its citizens lives.

My personal inclination is towards classical liberalism. I will briefly outline a foundational ethical theory, based on basic biological principles, and show how a classical liberal notion of

¹Susan Dimock, *Liberal Neutrality: Liberalism, Libertarianism and Contractarianism*, York University, Philosophy Dept., Draft, 1998.

²W.R. Ashby. *An Introduction to Cybernetics*. John Wiley & Sons, New York, 1956.

³William T. Powers (1973), *Behavior: The Control of Perception*. Aldine Publishing, Hawthorne, NY, 1973.

fundamental human rights flows naturally out of this theory. As an amateur at political theory, I will make no claim to originality in any of this. The political theory is drawn directly from Dimock, and the psychology and biology is taken from Ashby and Powers.

Consequentialist and Justificatory Neutrality

Both justificatory and consequentialist notions of neutrality result in some kind of principle of “equality”. But the two notions of equality are very different. The classical liberal approach grounds all equality and human rights in individual liberty—the right of individual autonomous agents to pursue their own goals in their own way, unimpeded by others. This restricts the government from interfering in its citizens lives, but does not require the government to act so as to improve the life of its citizens (although this does not mean that they cannot ever so act). It is thus a “negative principle”, in that it forbids interference, rather than requiring any particular kind of action or dedication of resources. This is all the classical liberal really means by “equality”. If the government were to use as justification for its action the premise that one race is more deserving than another, it would be intentionally interfering in the ability of members of the disfavoured race to pursue their goals (a social liberal, on the the other hand, would believe the government must act where it can so as to actively create equality between the two races).

Note the importance of the word “intentional” here. If the government action in question had unforeseen consequences, not intended by the lawmakers, that disfavoured one race, the principle of neutrality would not be violated, so long as the justification for the action gave no preference to any race. The races are “equal under the law” in that the government shall take no action with the intent of favouring any race over any other. Of course, if the originally unforeseen consequences were to become demonstrable and widely recognized, one could argue that the law could no longer be enforced without an intent to favour one race, in which case it would no longer be acceptable. This is because we are restraining government *action* in general, not merely the passing of a law. So if a better understanding of the consequences of a bill later comes out, it is entirely possible a government will have to cease enforcing it (perhaps repealing it), or actually change the justification for the law.

So consequences are by no means irrelevant in classical neutrality. However, they are important only insofar as they relate to the reasons and justification for government action. Classical liberalism, then, if applied in a pure fashion, would require that all laws and government actions be accompanied by reasons and justifications, and a clear statement of intent.

Obviously, there is some danger here of deception. For instance, when the Supreme Court of Canada struck down the Lord's Day Act, as a violation of separation of church and state, some local governments immediately began planning new laws that did not cite religious reasons, but offered more secular and neutral-sounding reasons, such as the need for a uniform day off for employees (we will ignore for now whether this might also be a violation of neutrality, and concentrate solely on the church-state issue). The interesting thing here is that classical liberalism would still be violated in this case, if the *actual* intent of the lawmakers was to enforce a Christian holiday. Classical liberalism, or at least the version I will adopt in this essay, does not simply require neutrality with respect to stated justifications, which can always be misrepresented, but neutrality with respect to the actual intent of the lawmakers.

In the next section, we will see that this restraint on government is just a special case of the ethical principles that restrain all moral beings in their actions. Intent is important in both cases. If I do something that accidentally kills someone, my *actual* (as opposed to stated) intent is crucial in determining whether I was acting ethically. If it was a pure accident, and I was unaware that a consequence of my action would be someone's death, then I am innocent of any crime. If I knew that a death would result, then I acted with the intent to kill, and the *same* action becomes criminal.

From the classical point of view, then, determining the appropriateness of government action requires consideration of intent, as in the ethical judging of any act, political or otherwise. From the social liberal point of view, on the other hand, what is important is the *actual outcome*. Intent may or may not be given some importance, but it is not the focal point of neutrality. The social liberal believes that a government must act so as to produce equal *outcomes* for those with differing values. Thus, the government is not merely restrained from taking certain actions, but is required to act so that everyone has equal wealth, equal education, et cetera. Unlike the classical view of equality, this view is a positive principle, requiring the government to devote considerable resources towards equalizing wealth, opportunity, et cetera.

In my view, the classical liberal view is the proper way to look at fundamental human rights. While it may be appropriate for a government to take positive action to benefit its citizens, so long as there is no violation of fundamental rights as defined negatively, there is no fundamental right to positive government action. If the citizens, directly or through their elected representatives, decide to embark on a project and dedicate resources to improving their lives through a commitment of resources to some positive action, then all the more power to them.

Citizens are perfectly free to enter into such collective contracts so long as they do not force them on others that do not share their values. Since the laws a government passes usually apply to everyone, and must be followed by everyone, their justifications must thus always serve common values that we all share.

If the government fails to act positively in certain ways so as to produce certain favourable outcomes (such as equality), there has not been any violation of fundamental rights, which only requires a negatively defined neutrality. Like all ethical principles, of course, one must recognize that classical liberalism is not going to give the same answers for everybody who applies it. The meanings of phrases like “commitment of resources”, or “negative” and “positive”, or “common values” will be too slippery to pin down with total precision. Our definition of liberalism provides us only with a general, overarching philosophy for judging the appropriateness of government action. There is room for many further variations on the theory as to how we should apply the principle in practise.

A Perceptual Control Theory of General Ethics

I will adopt a variant on the “do no harm” principle as the cornerstone of my ethics. This is not a principle that I can ultimately justify, but one that seems basic to my nature as a moral being. Whether one acts ethically or not depends, for me, solely on whether one is intending to “do harm” in some fashion to another. This, it seems, should be uncontroversial. The tricky part in ethics is in (1) dealing with conflicts, such as when one cannot help but harm somebody to some extent whatever one does, and in (2) deciding when someone has been “harmed”.

I believe “doing harm” must be given a more technical definition if this ethical principle is to work. I will take it as a basic principle that “harm” can be defined as any interference in another’s ability to control their own lives. I may think Sunday shopping is inherently bad for you, since it distances you from your divine creator, yet most liberals would agree I commit an immoral act the moment I try to force someone else to likewise abstain. So the “do no harm” principle seems not quite precise enough. We need a more technical definition of what it means to harm another, one based on solid principles of biology and psychology. Thus, we will digress from our discussion of ethics, step back a bit, and attempt first to have some basic scientific understanding of what a thing-with-rights is, and what it means to do harm to it or interfere with it.

W.T. Powers has said that “behaviour is the control of perception”. His “perceptual control theory” is a feedback control theory of human behaviour, based on earlier versions⁴ of the basic ideas put forward by (among others) Aristotle,⁵ Wiener⁶ and Ashby. I will not describe the full technical details of the theory here, but will just sketch an outline. Perceptual control theory differs from standard feedback control theory in that it takes an organism to be a controller of perception, rather than of things in the world. A defining characteristic of a “living organism” is that it has a number of primary, intrinsic goals which it spends its life trying to fulfill. Each of these is a built-in, innate or “hard-wired” desire for certain perceptions. In perceptual control theory, all action is an attempt to make one’s perception closer to one’s goal perception, or “reference”. Somehow we compare our current perception with our goal or reference, and this produces in us “error”, a compulsion to act in such a way so as to bring our perception more in line with the reference. For any given reference, there are multiple different strategies we could take in acting to achieve that goal. We make decisions all the time as to which of several competing strategies to take.

I will take it as self-evident that some harm is done us when someone else decides to subvert our efforts and prevent us from achieving our goal. A trickier situation occurs when someone actually attempts to *help* us achieve our goal, but does so by subverting, and interfering with, the strategy we have chosen to achieve that goal, because that person believes we have chosen wrongly. The tricky part is in deciding when, if ever, it can be ethical for someone to thus intentionally interfere in our goal strategy, our method for achieving the goal (as opposed to the obviously unethical act of intentionally interfering in the achieving of the goal itself).⁷

We have a relatively small number of intrinsic goals, which are hard-wired by evolution and cannot be changed. However, we have a great many perceptual goals that are secondary to the primary intrinsic goals, and these can change over time. For instance, an innate primary goal might be to feel well-fed. In order to succeed, this higher-level goal might spawn many lower-

⁴Wiener’s version of the theory started the twentieth century love-affair with biological feedback models, but it was not yet a theory of perceptual control, nor was it hierarchical. Ashby introduced the idea that feedback control was the control of intrinsic internal states, and Powers made this into a hierarchical model where the states under control are perceptions. Aristotle anticipated all this modern theorizing thousands of years ago, with a theory that was both hierarchical and perceptual (although it lacked the mathematical rigour of the modern versions).

⁵Aristotle. “Nicomachean Ethics”, In: *The Basic Works of Aristotle*, pp. 935-1126. Random House, New York, c. 335D322 BC, 1941.

⁶Norbert Wiener. *Cybernetics: or Control and Communication in the Animal and the Machine* (2nd Ed.). MIT Press, Cambridge, MA, 1948, 1961.

⁷Note that if your action unavoidably interferes in someone’s achieving their goal, you are not acting with intent, even if you know what the result of your actions will be.

level goals that act in its service, but that are not innate, and can change when the circumstances change (such as when they don't seem to be working in fulfilling the intrinsic goals). For instance, when I am driving my car to work, I am acting so as to perceive the center of the road in a certain spot in my field of vision. This is legitimately a perceptual goal that I am acting to fulfill. The perceptual control system in my brain computes how far off I am from the center of the road (my error), and computes an appropriate output in terms of hand movements on the steering wheel to accomplish this. I am not here controlling the wheel directly. I am controlling my perception. This control occurs in a tight loop with the environment, so I am continuously recomputing new outputs whilst the results of my actions come pouring into my senses.

But this control loop is only acting in the service of a higher-level control system that is trying to get to work. This higher-level control system occurs over a longer time scale and involves longer delays in the feedback loop. The lower-level control system has its reference set by the higher-level control system. Only the lowest-level control systems are actually attached to motor functions that push out on the world. Above this, there is a vast network of higher-level control systems acting on the lower-level systems, telling them what to want. This vast hierarchy acts ultimately in the service of the highest-level intrinsic goals, which cannot be changed (there is no higher-level to tell them what to want—they just want what they want because of the way the organism is naturally programmed through evolution).⁸

Any such control system is what we will call an “autonomous agent”, since it acts intentionally to fulfill its goals. We will restrict ourselves to human beings for the time being, to avoid sticky questions about whether lower animals can act with intention or should be accorded rights (not that that is not an important issue in its own right; it is just not our present concern).

Our discussion so far has raised two different possible definitions for an “unethical act”:

(1) Goal Interference:

an act intended to interfere with another's **method** or **strategy** for achieving control.

(2) Strategy Interference:

an act intended to interfere with another's **achievement** of control.

⁸This brief description is hierarchical, with the intrinsic goals at the very top of the control hierarchy. However, it is not necessary that this be a strict hierarchy. There could be violations all over the place, where lower levels attempt to control higher levels. However, it would seem that at some point, there must be some goals that are intrinsic to the system.

The first one yields an ethical principle of “Noninterference in Goal Achievement”, or “Goal Neutrality”. The second definition yields an ethical principle of “Noninterference in Goal Strategy”, or “Method Neutrality”. While it seems obvious that both kinds of interference *can* be unethical, it is by no means obvious which principle to choose as fundamental (presuming we *have* decided to define ethics in terms of interference with perceptual control). What if, for instance, someone is trying to find happiness by taking hard drugs, and we decide it is best for them if they do not do this, as they will actually find happiness faster if they do not take drugs. Thus, forcing them to give up drugs is one way of doing what is best for them. We are helping them ultimately to achieve their highest-level goals even though in the short-term, we are interfering in their currently chosen strategy for achieving those goals. We subvert their own attempts, seeing them as misguided. We are not acting out of malicious intent to “harm” the person, and prevent them from achieving their goal; rather, we think we know better than they what the best way to achieve that goal is.

Yet many would say that it is unethical to interfere in this way with another’s attempt to control. On the whole, we generally assume that others have the right to control their lives in whatever manner they see fit. We are free to try and persuade them to change their strategy, but not to force them to do so. We recognize their right to choose their own method of control.

Yet most of us recognize instances where we would violate this principle, and force something on someone “for their own good”. Usually, however, this is an extreme circumstance, in which there is immediate or extreme danger to the person’s health or safety. Nonetheless, it would seem that if there are ever *any* circumstances at all where we can violate Method Neutrality, then it cannot be *the* defining characteristic of an ethical act (some extreme classical liberals might in fact argue that Goal Neutrality in general should never be given priority over Method Neutrality). Yet if Goal Neutrality is taken as fundamental, then we really cannot *ever* justify choosing Method Neutrality (an ethics few liberals of any type would condone).

My own preference, in spite of my tendencies towards classical liberalism, is to say that Goal Neutrality is the fundamental theoretical principle in ethics that provides our starting point. However, it will turn out that the need for Method Neutrality, given human nature, is so great that it is overwhelmingly the primary way to achieve Goal Neutrality in the long run. However, Method Neutrality, as important and pervasive as it is, is derivative from Goal Neutrality. After all, one can imagine extreme circumstances where forcing someone to adopt a different strategy

seems like the “right thing to do” (although an extreme classical liberal might claim that such situations rarely if ever occur in practise).

What if, to take an extreme example, you are given “God-like” powers of omniscience and omnipotence, and are now effectively God of our universe. You now have the opportunity to help people with no real commitment of resources at all. All acts, for you as an omnipotent God, are “negatively defined”, since they involve no expenditure of effort or time. Thus, to refuse to act to help someone would, for you, automatically be unethical. Whereas, for us mortals, it is not necessarily unethical to refuse to help someone in need. So long as we are not “intending” to harm them, we are not required to commit our resources to helping them. Of course, most of us would agree that when helping someone requires very little effort at all, it should be classified as “negative”, since the commitment of resources is so small, that to refuse to help is tantamount to intending harm. Liberals will, of course, differ as to where to draw this line. But for you as our new God, there is no question about drawing a line. It literally takes *no* effort for you to help people, so you are ethically bound to help everyone as much as possible (within the bounds of logical possibility, of course, as Leibniz would remind us).

Since you now can completely predict the outcome of *any* possible action, you can also completely justify such actions in terms of outcomes, a la Goal Neutrality. If this were the case, surely it would be appropriate to simply act in everybody’s best interest, even if it is counter to what they think they want. An omnipotent, omniscience creature, then, to act ethically, must follow Goal Neutrality.

So the fact that we often instead follow Method Neutrality must be due to our lack of resources, our lack of omniscience and omnipotence. Since we are unable in general to predict the outcomes of our own and other’s actions—in fact, we are generally dreadfully bad at it—if everybody followed Goal Neutrality, chaos would result. Everyone could act in what they thought was the best interest of everyone else, while being wrong most of the time. So for practical reasons, and in order to live together in peace and harmony, we must accept our limitations and fallibility, and give others the right to run their own lives.

But when should we decide to adopt Method Neutrality, as opposed to Goal Neutrality? Obviously never, if we are God. I think, in general, in the real world, however, we must adopt Method Neutrality if there is any chance at all that we could go astray in calculating what we think the other person’s best strategy is. Only in cases where it is obviously and clearly in the other person’s best interest, in a way that would be uncontroversially accepted, should we adopt

Goal Neutrality (as opposed to Method Neutrality). An extreme classical liberal such as a libertarian might argue that there are no such clear cases, since we are fallible, and Goal Neutrality is *only* justifiable given true omniscience. I will leave the matter at that, as I think that classical liberals will naturally disagree over the fine points of applying the principle, and the extent to which it applies. The main point is that classical liberalism is, in general, characterized by a tendency to adopt Method Neutrality as either fundamental (the extreme view), or as a usually required constraint on Goal Neutrality, given our fallibility and limited resources. This leaves lots of room for many points of view intermediate between the extremes.

Grounding Liberalism in General Ethics

Method Neutrality corresponds to Justificatory Neutrality, since it is not based on the outcome (the actual achieving of control or not), but rather on the strategies employed. So long as the justification for a law does not privilege one set of values (or goals) over another, then I am not intentionally interfering in the strategies others employ to achieve such goals nor in their actual achieving of such goals. The moment I depart from justification, however, and require neutrality with respect to outcomes, then I am departing from Method Neutrality and allowing the government to interfere in the lives of its citizens “for their own good”. However, this style of liberalism is not *quite* equivalent to social liberalism as defined earlier in terms of Consequentialist Neutrality, which goes even further, since it requires the government to act so as to achieve neutrality in outcomes.

Social liberalism (Consequentialist Neutrality) *requires* that the government act for its citizen’s own good, in spite of individual liberty, since it requires neutrality with respect to outcomes. Goal Neutrality only *allows* the government to so act, but does not require it. It is thus intermediate between pure classical liberalism and pure social liberalism. However, since it does not give individual liberty a particularly exalted place, I will label it as “moderate social liberalism”, and will call Consequentialist Neutrality “extreme social liberalism” or just “socialism” (this is a tentative labelling only; I am perfectly open to adjusting these terms if they miss the mark and offend anyone). Classical liberalism (or Method Neutrality), on the other hand, *requires* that the government *not* act in its citizen’s best interest if this violates individual liberty. The justification for this is the imperfection of humanity. When Method Neutrality is considered the primary ethical principle, I will label it “extreme classical liberalism” or “libertarianism”. When Goal Neutrality is considered the long-term principle that we as a species

are in general shooting for, and it is perhaps condoned in extreme particular circumstances as well, I will label it “moderate classical liberalism”.

Even if one feels that an exceptional circumstance makes it clear that a person’s best interests demand violating Method Neutrality (say, someone is about to commit suicide), an individual’s freedom to choose must still be factored into the equation when figuring out what is best for that person. I would argue that this is true even for God, since we all have as one of our innate desires, the desire to be allowed to choose. You might argue that some people voluntarily give up this right, but I do not see that it is really possible for them to do this at the highest level of their perceptual control hierarchy. If they choose to allow another to decide their lower-level goals, then this is a voluntarily chosen strategy, freely chosen by them at a higher level. I do not think there are people who would choose to give up all choice, even at the higher level, although I am willing to be proven wrong (it is certainly not a logical impossibility—there is no contradiction in freely choosing to have no free will, although if one were to achieve this goal, it would be impossible to freely choose anything else ever again).

People *are* autonomous agents, with the ability *and* the desire to freely choose,⁹ whether they perceive themselves as such or not. So to adopt Goal Neutrality alone, without considering Method Neutrality at all, would be impossible, since it would interfere (in the fundamental sense of Goal Neutrality) with the achieving of a high-level goal that we all share. Method Neutrality is an inherent part of Goal Neutrality. Hence, Method Neutrality *must* always be used to some extent. However, this fact alone only makes autonomy one of many, possibly conflicting, goals. A universal desire for autonomy, while it may necessitate consideration of individual freedom in ethics, does not raise Method Neutrality to the extremely high level of priority it has in classical liberalism. What distinguishes classical liberalism is not merely a practise of considering individual freedom along with everything else, but its insistence that individual freedom is of paramount and crucial importance, given our fallibility as humans.

As a political theory, classical liberalism is tied to the more general ethical theory that takes Method Neutrality as crucial. The more general ethical theory tells us to respect our neighbour’s rights, and in particular their right to choose how to go about achieving their goals. The political

⁹By speaking of one’s “freedom to choose”, I am not advocating a metaphysical doctrine of free will. A human being’s freedom could be completely mechanically determined and still be considered “free” when analyzed at the level of cognitive states. The metaphysical issues surrounding free will and determinism are not in any way addressed in this essay (I personally consider the notion of an absolute metaphysical “free will” to be nonsensical).

theory likewise tells the government to respect the rights of its citizens, and in particular their right to choose how to go about achieving their goals. The more situations in which we allow Method Neutrality to be violated, the more moderate is our classical liberalism. A social liberal no longer gives Method Neutrality a primary place, although it is considered along with everything else. Individual freedom is just one of many different goals to be weighed against each other. Goal Neutrality is thus not nearly so heavily constrained by Method Neutrality (the way it is for the classical liberal).

Note that classical liberalism still permits the government to act. So long as it is not interfering in its citizens' right to choose their strategies in life, it can act for the common good, taking positive action towards achieving goals that we all share. And, of course, it has the right to interfere as strongly as required in a person's strategy, if the that person has chosen a strategy that violates the rights of others. So preventing murder is permitted, as is building highways (although whether and how the government can collect money to do these things is another issue).

Conclusion

Both types of liberalism, social and classical, can be thought of as non-interference with perceptual control. Social liberalism, however, as it concentrates on outcomes, requires a kind of trust in our ability to predict outcomes. I reject this, not because it is in some pure theoretical sense inconsistent with our definition of ethical behaviour, but simply because it only really works with omniscient creatures, and I simply do not have this degree of faith in governments to predict the results of their actions. History is one sorry example after another of our inability in general to do this. However, it will be granted that if governments really were infallible and omnipotent, then social liberalism would make a lot of sense.