1. NICCOLÓ MACHIAVELLI
(1469-1527)

Analysis: The main sources of Machiavelli’s thought are The Prince (1532) and the Discourses on the First Decade of Titus Livy (1531). In the former he wrote that the “chief foundations of all states...are good laws and good arms.” But since “there cannot be good laws where there are not good arms, and where there are good arms there must be good laws, I will not now discuss the laws, but will speak of the arms” (Prince, XII). We shall see later what Machiavelli means by “good.”

Suffice it here to note that he regarded himself as the founder or opener of a new way to understand human life, especially as it is organized in political communities (new orders), a new way that would necessarily entail re-defining the fundamental principles of morality. When he turned to an elaboration of these new orders in the Discourses (opening chapters of Book I), it is in light of the principles laid down in The Prince about the ends and means of human (especially political) life and activity: to acquire and hold maximum power in whatever way that succeeds.

The position of Ruler (the one who imposes the new orders) especially interested Machiavelli since what was important to him as a philosopher (and especially as a political philosopher) was this founding, this enunciation of a new politics. The successful Ruler would also be a Legislator (who formulates the new orders), as well as a military Commander (who sees to their enforcement).

Towards the end of the Discourses he alludes once more to the distinction between laws and arms, and it is clear which is predominant: “Although I have elsewhere maintained that the foundation of states is a good military organization, yet it seems to me not superfluous to repeat here that without such a military organization there can neither be good laws nor anything else good” (III, xxxi). Without the means to support enactments and institutions by force, they will inevitably break down or be thrown down by an enemy, and the laws rendered incapable of achieving their ends.

At various places in the Discourses Machiavelli lists what he regards as the purposes of law and socio-political institutions generally: 1) to offset the softness of a population that inevitably results from a fertile soil and a mild
climate (I, i); 2) to explain the true content of justice (I, ii); 3) to inculcate “good habits” (primarily prudence, gratitude, orderliness) (I, iii); 4) to provide legitimate means for the people to vent dissatisfaction with their prince, thus forestalling revolt (I, vii); 5) to oblige whoever holds a governing position to frequently give an accounting of his conduct (III, i).

Evidently, laws are but restraining devices made necessary by social life; they are meant to control, to discipline large bodies of human beings, not to assist in lifting them to a higher standard of life. The great need for a successful Ruler, especially a new one, is order and stability; only when those conditions are met can he set about aggrandizing himself. If authoritative institutions are intended for firmness and permanence, it follows that “good” laws, like “good” arms, will be the effective ones that assist a new prince in coming to power and consolidating it. “Goodness” has nothing to do with a fixed moral standard. Machiavelli stated that “good orders” (effective ones) are those best adapted to prevailing circumstances, no matter whether they are morally good or evil (in the old sense): “Laws,...institutions and forms should be adapted to the subject, whether it be good or evil, inasmuch as the same form cannot suit two subjects that are essentially different” (I, xviii). This is his new principle of organizing life.

Consistent with Machiavelli’s insistence that the Legislator decide what will be right or just, with that as his rule he is to “set to work to make law.... Such was the origin of justice” (I, ii). If a Ruler is mighty, his determination of the “right” course of action will prevail for a long time; hence it will be “good.” The fundamental moral and political criterion is stability. A study of the disorderly conditions that generally prevailed in Italy during the fifteenth and sixteenth centuries suggests why a stable order might have ranked so high in Machiavelli’s thought. Before he decided to set forth the new one in books, he worked it out while involved in the political life and intrigue of his native Florence.

**Evaluation:** At the base of Machiavelli’s conscious decision to break with the “old” ethic, the classical and Christian patrimony of moral philosophy, was his perception of the nature and destiny of man. In all of his writings there is a preoccupation with what he assumes is the evil and unredeemed nature of man, and the corresponding necessity of overcoming these essential limitations by superimposing organization (the “new modes and orders” of politics) above moral principles (ethics). At the end of *The Prince* he proudly proclaims his own soteriology (doctrine on salvation) in a prophecy of the coming “new” redeemer (prince).

For Machiavelli, “redeemed” humanity will not have changed in its essence; it will simply be kept in awe by a clever, powerful, and fortunate “liberator.” In the *Discourses* (I, iii) he offers “proofs” that “men can never be expected to act rightly except under compulsion” and that it is the role of human “orders” (laws, regulations) to make them good. If would be another century before Thomas Hobbes elucidates this in detail (*Leviathan*). In the next
chapter (I. iv), Machiavelli adds: “Where good discipline prevails, there also will
good order prevail.” In their current “unredeemed” condition, men are
unreliable, irresponsible, deceitful, ungrateful. But a people that is “well
regulated will be stable, prudent, and grateful” (I. lviii).

Some commentators, wishing to exonerate Machiavelli by pointing to the
widespread corruption, both in the state and in the church, during his lifetime,
have suggested why he might have made his decisive break with the “old”
 moral norms. Apparently the legal and other institutions previously in place
were unable “to check a general corruption. For as good habits in the people
require good laws to support them, so if laws are to be observed, the people
need good habits. Besides, the constitution established for a republic at its
origin (when men were still pure) no longer suffices when men have become
corrupt and bad” (I. xviii).

Machiavelli thought that in such conditions the only way to order public
life is to provide a new Legislator-Commander who by strong and extraordinary
means would be able to bring a country back to its original principles: “For
men accustomed to live after one fashion do not like to change.” Thus the
previous “ordinary means will not suffice,” nor will the “ordinary” morality. A
man who can make himself “absolute master of the state” has to “resort to
extraordinary measures” and be able “to employ wicked means to become
prince, even though his final object be good.” Men—essentially wicked, as they
are—can only be controlled by “an almost regal power” (I. xviii). Machiavelli’s
whole purpose as a teacher of political thought was to propose this “new” norm
of action and to persuade his future students of its necessity for success.

His views on education and religion follow upon this conception of the
human condition and its assumption that man’s highest end is stability,
harmony, and success in this world. Schools and churches become
instruments of state power, useful for bringing the people into submission
through the formation of “good habits.” Anyone who would teach a contrary
doctrine or proclaim an authority opposed to the Ruler’s would be silenced.
(This would apply principally to the Catholic Church, which he bitterly
condemns for having weakened Italy.)

Machiavelli often employed deceptive devices (disguises) to conceal his
purposes from those who might oppose them, but the Introduction to Book I of
the Discourses clearly reveals his ultimate intention as a writer on morality and
politics. There he confidently proclaims his “new principles and system,” the
“new route” he wishes to show those who “will kindly appreciate my efforts”
and “carry out my views” to their “destined end.”

He believed that the key to his success as an innovator was his correct
understanding of history and his ability to make ancient events lend credence
to his interpretation of contemporary events in his and all subsequent ages.
He never loses an occasion to impart this “real knowledge of history” by
constantly drawing parallels between ancient Rome (hence the study of Livy)
and modern Italy. The great discovery he claims as his own (the
interchangeability of historical events) led him to forsake the noble tradition of
his fathers (classical and Christian authors) who sought to raise men to goodness and holiness.

Machiavelli was willing to accept the risks of confining humanity to a this-worldly and circumstantial orientation and declaring the moral and underlying metaphysical autonomy of his “new way.” The consequences have been witnessed for the past 400 years, for when the fixed standard of Justice and Right is struck down, men become dependent on a strong man convinced that he is riding the crest of history.

**Primary sources:** *The Prince*, 1532 (especially Chapter XII); *Discourses on the First Decade of Titus Livy*, 1531 (especially Book I, Introduction and Chapters i-iv, vii, xviii, xlix, lviii; Book III, Chapters i and xxxi).


### 13. IMMANUEL KANT (1724-1804)

**Analysis:** Kant was the founder of systematic metaphysical idealism. His ideas about moral and legal topics must be sought within an elaborate and ambitious attempt to improve and enlarge science by uniting everything under one principle. He created his own categories, constructed his own concepts, and employed technical expressions that were meant to make his philosophy exotic and unavailable to public discourse. He thought the general discussion of philosophy outside the university could only cheapen and vulgarize it.

Kant drew a broad distinction between philosophy proper (the study of thoughts, or “noumena”) and empirical observation of experiences (“phenomena”). It was philosophy proper, or “metaphysics,” to which he devoted his labor to build a universal *a priori* system of reason. This was to be “theoretical” (as opposed to empirical), derived from “pure reason” (*a priori* intuition), and “critical” (going back to lay foundations in the first principles of reason, and not extending the development of any previous philosophical system).

Kant divided “metaphysics” into two broad areas: “morals” and “nature,” or the science of right/law (Recht) and the science of nature, or physics. Moral science was further sub-divided into ethics and jurisprudence. These two branches of morality were strictly segregated: Ethics was the study of personal or *private* Recht and virtue, as directed toward *internal* actions and duties. Here a person is subject to no other law than what he gives to himself.
Jurisprudence was the study of *public* Recht and *justice*, as directed toward *external* actions and duties. It culminated in codified Law (Gesetz). Persons as citizens of a State are subject to no other law than what the Legislator sets before them.

As a consequence of this division, justice properly contains no ethical content or prescription of virtue. Duties of virtue are not to be legislated; only external morality can be legislated. Juridical duties are only external actions. To each of these areas of morality corresponds a set of “imperatives”: unconditional, practical propositions, or “maxims,” that command “duties.” These are the source of both private and public obligation. In private right we follow a *subjective* principle of action that results in rules or duties that we give to ourselves. When there is agreement between our actions and the maxim we have given ourselves, we are morally right.

In public right we are subject to an *objective* principle of action, the “universal law of justice”: “Act externally in such a way that the free use of your will is compatible with the freedom of everyone according to a universal law” (*Fundamental Principles of the Metaphysics of Morals*, Introduction, C). This is the public version of a “categorical imperative” that asserts what obligation is in general: “Act according to a maxim that can at the same time be valid as a universal law. You must first of all consider your actions according to their basic subjective principle…. When your reason puts this principle to the test of conceiving yourself as at the same time universally legislating by means of it, it qualifies for such a universal legislation” (Introduction, IV). It is important to note that both private and public maxims proceed from the will and command duties.

Private Recht is *innate* in man. It belongs to each one by original grant of nature and is thus equivalent to natural right. In a condition of natural society (before the State) we have only one natural right: freedom (which for Kant is the negative condition of not being constrained). In private Recht, since juridical relations are absent, each man has a right to extend his maxims over all objects. Private right is the province of my will and my possessions. By “possession” Kant specified that he did not mean actual relations to objects in space and time, but the *intelligible* union of my will with an object. Any interference would be an injury to me, a violation of my freedom. Owing to the metaphysical imperfection of a state of natural society, Kant thought the most responsible use of one’s freedom was the act of forming a civil society, a State.

Public Recht is *acquired*. It is bestowed as positive right or statute law in the condition of civil society, or the State (properly so called). This is the condition of society under a supremely powerful will that unites all the members. Public Recht proceeds from a Lawgiver whose will is law for all: “A unilateral Will cannot serve as a coercive law for everyone…. Therefore, only a Will binding everyone else—that is, a collective, universal (common), and powerful Will—is the kind of Will that can provide the guarantee required” that one’s possessions will be recognized by everyone as his external property (*Fundamental Principles*…. I, i, 8). By definition, the sovereign has rights
without duties and can do no injustice. It fills entirely the field of Recht, and hence no scope remains for private rights. (This is a long stretch from Locke’s careful demarcation between the sphere of the state and the sphere of private prerogative.)

The highest culmination of public right is the Constitution, which Kant said was “holy and irresistible,” for “it is an Idea that is an absolute command of practical reason judging in accordance with concepts of justice—a command binding on every people. Even if the organization of the State is defective by itself, still no subordinate authority can bring any active resistance against the legislative Chief. Any deficiencies attributable to him must be gradually removed by reforms, which he carries out by himself” (Appendix, Conclusion).

Kant added that the Idea of a pure republic would be the perfect Constitution, with supreme authority residing in the whole people controlled and directed by its Collective Will (reminiscent of Rousseau’s Social Contract).

Having arrived by a priori reasoning at the Idea of the State and its Constitution, it took Kant but one further step to reach a universal union of States (a World State) and its corresponding law. This seems to have been the final aim of his thought on the “metaphysics of justice,” what he regarded as the highest political good. For only such a State would make possible “perpetual peace,” as he argued in his essay of that title. Kant thus seems to have been the first systematic political philosopher to include a world state in his scheme. Having arrived at that summit, however, even if such an Idea was actually unrealizable, nevertheless, we are obligated to work toward it. (Hegel will shortly bring to a grand theoretical conclusion Kant’s development of this thought.)

Some consequences of the Kantian notion of State and law: The State exercises four great areas of exclusive right:

1) the just use of coercion, since the continued exercise of personal freedom would be inconsistent with universal laws. The State is authorized to “use coercion against anyone who violates justice” (Introduction, D).

2) the right to punish all offenses against civil society in proportion to the crime; it would be unjust to allow exemptions or to grant pardons.

3) the right of sole proprietorship, since it is the State that guarantees the administration of possessions by each citizen. (Here Kant makes no allowance for a Church to own property: “The Church is an institution founded on fraud and illusion; when, as a result of popular enlightenment, the terrible authority of the clergy will fall away, the State will, with full right, seize the property that has been usurped by the Church through testamentary wills” (Appendix, 8B).

4) the right of obedience, or unconditional submission to the sovereign will: “The origin of the supreme authority is...not open to scrutiny by the people...as though the right of obedience due it were open to doubt.... They cannot and may not judge otherwise than the present Chief of State wills.... It is the people’s duty to endure even the most intolerable abuse of supreme authority” (II, i, 49A). “Legislative authority over a people must be obeyed; this is so unconditional juridically that it is in itself punishable to inquire publicly
into the title of his acquisition” of this authority. And he added: “This is a
categorical imperative” (Appendix, 8 conclusion). (Note the development since
Spinoza and Rousseau: Now it is treason even to doubt the legitimacy of State
sovereignty. Kant hardly needed to add, though he did, that there is no right of
revolution. his strictures are so severe because if the State should perish, and
justice with it, “it is no longer worthwhile for men to remain alive on this earth”
(II, i, 49E1).

**Evaluation:** Kant’s moral and legal philosophy presupposes much of
the earlier state-of-nature and social-contract thought, but he clothes it in a
new conceptual framework that renders it more forbidding and makes it more
invulnerable to criticism. For example, he is more explicit than his
predecessors (with the possible exception of Hume) that MAN is the centerpiece
of reality—and within man, REASON. Human reason is creator of all
relationships there are, all the ground rules of being and acting. He is
especially explicit in arguing that the only true juridical relationship is that of
man to man. It is conceivable that there be a juridical relation of man to God,
but since we cannot deal with God as an object of mental experience, our idea
of God is something we make ourselves. Since we men put God in his place,
there can be no such thing as divine justice. There is only human justice
(Introduction, end).

When Kant bases his system on pure intuition (though he tries to make
it more respectable by calling it “reason”), he is following the subjectivist
orientation of Rousseau and making it theoretically possible to create his own
systematic explanation of the meaning of everything in a way that cannot be
challenged. In Kantian idealism, the ground determining thought is found not
in objects external to the self but in the rational faculty itself.

By this *a priori* reasoning, Kant sought to make his system invulnerable
to criticism. Since by definition his was the one true philosophy—founded on
the only permissible assumptions—anyone taking exception to it would only
demonstrate his ineptitude for philosophical work. Kant argued that there
really was no philosophy prior to his “critical” thought, and since none could
supersede it (there cannot be multiple philosophies), there was no basis for
challenging him (*Fundamental Principles*..., Preface).

Hobbes had argued that his *objective* system was the only true one and
therefore worthy of supplanting Aristotle and the medieval Schoolmen. Hume
had argued that there was no one philosophy, for philosophy was *subjective*.
Kant is arguing that his subjective system is the only true one; because
subjectivity sets its own philosophical rules, it can by fiat exclude—“*a priori*”—
all others. By definition, there can be no meaning outside Kantianism. In this
way Kant attempts to combine subjectivism with universalism.

Since his system cannot be refuted on its own ground, the critic must
either dismiss it altogether as the brainchild of an eccentric old man with
prodigious persistence but little common sense, or demonstrate its true colors
by pointing to some of its fruits.
For instance: There is no doubt that one effect of Kant’s moral teaching is to loosen the obligation to accept the natural law of human morality. His “imperatives” come very near to an individualized conscience that can establish its own moral norms—Rousseau’s moral subjectivism in more formal dress.

Moreover, Kant refuses to let us look to experience or observation for certification of the rightness of an action. To do that, he says over and over, would have no moral significance, since the validity of all metaphysics, including the metaphysics of morals, comes precisely from it’s a priori, non-empirical foundation. According to him, experiential or empirical morality lacks a brain (Introduction, B). We cannot know what is just or unjust, right or wrong, unless we abandon all fixed reference points in the external world of reality, and search for sources in our own “pure reason.” Thus, at every turn Kant excuses himself from having to show a correspondence between what he maintains is true and the reality of everyday experience. But anyone who cares to do so can build his castles in that air.

If it is the case, as some have maintained, that it was an elevated, altruistic motive (“perpetual peace”) that was Kant’s ultimate motivation in building such a system, a peace culminating in the union of all States, then many might at least credit him with having a good intention.

**Primary Source:** *Fundamental Principles of the Metaphysics of Morals* (1797-98).


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### 18. FRIEDRICH NIETZSCHE (1844-1900)

**Analysis:** For Nietzsche, a philosopher worthy of the name is above all a man of power: “As soon as any philosophy begins to believe in itself, it always creates the world in its own image; it cannot do otherwise. Philosophy is this tyrannical drive itself, the most spiritual will to power, to the ‘creation of the world’ ” (*Beyond Good and Evil*, 9).

Starting from these militant premises, Nietzsche sets about creating his own new morality, which he triumphantly proclaims to be “a philosophy of the future.” The strong man is able to make his own morality, his own system of valuation. The stronger he is, the less he needs to rely upon its acceptance, and the more spontaneous his judgments. Growing out of instinctive drives and urges in man’s nature (the so-called Dionysian dimension of life—biological or purely physiological), the strong man liberates himself from social
convention and moral norms from whatever source. He becomes a norm unto himself.

The key concept in Nietzsche’s ethic is will. Since the main thing in life is to act, and to act vigorously, one must first build up a strong and independent will, a “will to power.” “The highest and strongest drives...push the individual far above the lowlands of the herd conscience.” The goal is “a high and independent spirit, the will to stand alone” (Beyond, 201). Nietzsche’s paradigmatic man is the “higher man” for whom life is a ceaseless struggle to exceed his past and to dominate over “decadent men.” Like the Swiss mountains he made his home, highness, loftiness, independence, spontaneity are evidence of a superior will, the will that deserves to make its own rules and ceaselessly remake them, never conforming even to its own precedents.

Such a man thrives on opposition and unfavorable conditions, for they provide the challenge, the battleground on which to gain ever more strength, hardness, aggressiveness. Life becomes active, ceaseless struggle to maximize one’s will to power (much like what Hobbes understood by life in a “state of nature,” but for Nietzsche, it was not to be replaced by “civil society” as something better; it was itself the desirable condition for man’s life on earth). The sole aim of life is mastery. Living is “wanting to be different,” wanting to “impose your morality, your ideal, on nature,” wanting “all existence to exist only after your own image.” Even nature is to be overcome (Beyond, 9).

The only relevant question for social life is: Who will be master and who will be slave? Members of the “herd” are fit for servitude, submission, conformity, modesty, mediocrity. The traditional morality is for them because it is a product of fear, a feeble attempt at self-protection. The new morality of the higher man unmasksthe old morality as a produce of the “herd instinct.” “Egoism belongs to the nature of a noble soul.... Other beings must be subordinate by nature, and have to sacrifice themselves” (Beyond, 265).

Having thus prepared readers for his proclamation of social norms (justice, law), Nietzsche issues this teaching: The life of the higher man transcends “the old morality; the ‘individual’ appears, obliged to give himself laws and to develop his own arts and wiles for self-preservation, self-enhancement, self-redemption” (Beyond, 262). Legality is one more means in the power struggle for domination. Nietzsche envisions “legal order...as a means in the struggle between power complexes” (On the Genealogy of Morals, II, 11). If justice is considered the basis of legal obligation, it is a justice that “derives from egoism.” Indeed, the higher man can say: “I AM justice” (Human, All Too Human, 92). And since the self has life to the extent that it has a will to power, justice is a function of power (again, Hobbes). Nietzsche argued that the origin of obligation is “the feeling of superiority, human pride” (Genealogy, II, 8). In the case of the higher man, great power yields “great justice” (Beyond, 213, 262).

To practice justice in social relationships is to impose measures and settlements (laws) on those with less power. Legality is the process of subduing: “The institution of law [is] the imperative declaration of what in
general counts as permitted, as just (right), ...and what counts as forbidden, as unjust (wrong)" in the eyes of the stronger power. “‘Just’ and ‘unjust’ exist, accordingly, only after the institution of the law.... To speak of just or unjust in itself is quite senseless; in itself, of course, no injury, assault, exploitation, destruction can be ‘unjust,’ since life operates essentially, that is, in its basic functions, through injury, assault, exploitation, destruction, and simply cannot be thought of at all without this character” (Genealogy, II, 11).

What, then, must rights and duties be in this context? Rights are “recognized and guaranteed degrees of power.... The right of others is the concession of our feeling of power among those others. When our power is...broken, our rights cease; on the other hand, when we have become a great deal more powerful, the rights of others cease” (The Dawn, 112).

**Evaluation:** A great deal of consistency runs through these writings of Nietzsche over the ten-year period surrounding his “illness,” that strange psychosomatic condition that caused him so much pain and near despair, and ultimately led to his breakdown. One cannot, however, call them systematic. Nietzsche was not a systematic thinker or writer; his approach is that of a manifesto. He cannot, then, be said to have originated a systematic teaching about morality, justice, or politics.

Yet the strident and repetitious tone of his works has been extremely influential with 20th century man. He is regarded as one of the foremost existentialist philosophers of modern times. He played the role of prophetic spokesman of radical individualism, of “the autonomous man.” Writing partly in reaction to the unrestricted state preached by a series of philosophers from Machiavelli to Hegel, and partly against self-complacent bourgeois society, he rushed to the opposite extreme of the morally irresponsible individual who forms a world unto himself.

Nietzsche’s defenders have tried to absolve him of complicity in the crimes of German National Socialism and other totalitarian excesses predicated on the idea of a master race or a higher man. His twisting of moral heroism from the struggle to overcome base appetites to the struggle to impose them on others has been a prime agent in the construction of a psychological and ethical support for numerous political adventurers. Nietzsche claimed to have foreseen that the 20th century would bring climactic global struggles of unprecedented savagery. To a certain extent, it was a self-fulfilling prophecy.

The logical outcome of Nietzsche’s “trans-valuation of all values” has been the rise of a new barbarism consequent upon the removal of self-restraint along with entitlement to unlimited satisfaction of base desires. It is difficult to regard him otherwise than as the mouthpiece of mankind’s oldest enemy, who in Nietzsche found a temperamentally well-disposed accomplice. The primitive outcry of pride, the “non serviam,” the urge to self-redemption, expressed itself in Nietzsche’s works through a great literary talent. His name has become symbolic of a new age where will replaces reason as the key to what is most human. We would follow at our peril this voice crying in anguished rebellion.
Primary Sources: *Human, All Too Human* (1878)—92, 96; *The Dawn* (1881)—112; *Beyond Good and Evil: Prelude to a Philosophy of the Future* (1885-86)—9, 201, 213, 262, 265; *On the Genealogy of Morals: A Polemic* (1887)—I, 14; II, 6, 8, 11, 12; III, 9, 28.


19. JOHN DEWEY
(1859-1952)

Analysis: The philosophical underpinnings of Dewey’s moral, social, and educational thought are summarized in *Human Nature and Conduct*, especially in part III (“The Place of Intelligence in Conduct”). Chapter v of part III might have been entitled “Beyond Utilitarianism.” Agreeing in the main with the premises of Bentham and Mill, Dewey concentrated on the human good as it is *empirically* discoverable. Although critical of the mechanistic rigidity of original utilitarian theory, Dewey credited it with “enforcing the fact” that moral good consists entirely in the satisfaction of human wants.

The great contribution of utilitarianism, he thought, was the humanization of morality, the recognition of man’s self-constitution as a moral being. But while the utilitarians rightly stressed empirical facts, they distorted them in their zeal to clarify human desire and its satisfaction. This caused them to exaggerate the role of reason in human conduct. For men do not stop to deliberate about the quantity of pleasure a given act is likely to produce. While reason, intelligence, thought, deliberation do play a part, Dewey thought the primary determinants of conduct are impulses, instincts, habits: “We may indeed safely start from the assumption that impulse and habit, not thought, are the primary determinants of conduct.”

In chapter vi of part III Dewey further argued that human ends arise within action and not outside or prior to it: There are no fixed ends of human activity—contrary to the view imposed upon western culture by Aristotle’s universal principles or laws until 17th-century thinkers began to discover the “correct” understanding of ends: that they are “directive stimuli to present choice.” Ends, then, are subjective and particular, not objective and the same for all. Hence the importance Dewey assigns to concrete experiences as the context of moral conduct.

Besides Aristotle, Kant also “erred” (at the opposite pole, Dewey thought) when he severed morality from experience and made it entirely a matter of a
priori, formal universals. Kant would exclude empirical reference points as well as concrete outcomes. Dewey’s position (which he thought midway between Aristotle and Kant) was that morality is entirely empirical, not “theological” or “metaphysical” (part IV, chap. ii). Moral conduct is the product of individual facts and forces, which constitute the actual conditions in which human beings live and act. Moral action is a moving process which is always generating new rules. Therefore, “moral science...is physical, biological, and historical knowledge placed in a human context,” made up of ever varying dispositions and desires. According to Dewey, the fundamental defect of theories positing laws of nature as fixed rules of action (non-empirical schools of “abstract moralism”) is that they lead to blind conformity (part IV, chap. ii).

In practice, would this mean that “the end justifies the means?” Dewey responded that nothing else but ends (results) can justify means, but further clarification is necessary: There is no such thing as a final end. It is not “the end that justifies the means, for there is no such thing as a single all-important end.” We have to see ends in the context of present circumstances, the concrete conditions of available means. There is no complete, final end or goal of human life, nor are there set intermediate goals. Morality is ever in flux, shifting and flowing with moods, impulses, habits in formation. No given act should be praised or blamed by referring it to some fixed principle or absolute (part III, chap. vi).

In the next section of Human Nature and Conduct, Dewey explained his understanding of “moral principles”—not as “fixed rules,” but as “helpful methods”: Moral principles are “generalized hypotheses” subject to test and revision in application. “Variety is more than ‘the spice of life’: it is largely of its essence” (part IV, chap. iii). “Principles” are instruments for behavioral experimentation. Change is “a challenge to intelligence to create new principles” when needed. As change goes forward, old principles are replaced by new ones and discarded. As conditions and situations are always changing, so is morality.

Therefore, the intelligent alternative to fixed rules is to continuously revise, adapt, expand, and alter moral guidelines, taking both impulses and conditions into account. In order to “shape its future,” the will has to remain “free of all permanency” (part IV, chap. iii). How much harm has been done, both to individuals and to institutions such as law, Dewey thought, by pinning actions to old principles, valid perhaps for some former time, culture, or social condition, but now archaic (part III, chap. vii).

Before concluding, Dewey attempted to harmonize individual choices with the “realities of human association” by arguing that right and duty are only names for “the multitude of concrete demands in action that others impress upon us” and thereby oblige us to take into account in making choices. Presumably, we are warranted to escape from them if we can.

Dewey did not attempt to bring “the totality of social pressures exercised upon us” into some generalized theory of social order or common good. But twenty years after Human Nature and Conduct he contributed to a collection of
essays on *My Philosophy of Law* his attempt to locate the ground of legislation and jurisprudence in a manner that would be compatible with his moral system. It was clear to him that law could not have an “intrinsic” nature, an ultimate source outside of time, as in “the will or reason of God,” by which to measure or evaluate human action. The very proposition of such a source, he explained, clouds the connection between law and experience by suggesting that the criteria of legality are somehow located outside of and independent of us. What we need (his inevitable pragmatic qualification) is not a purely intellectual formula, but a program of action to be tested by the experience of human action and interaction. In short, we need to ground law in facts of social experience of a particular empirical sort. He left it for others to build on these foundations of legal positivism.

Since social experience, like individual experience, is an ongoing, progressive process, it would handicap human affairs to treat law or any institution as a completed entity. Dewey thought that such a rigid rationalism had led the utilitarian theorists astray. Rather, every social institution or procedure “must be viewed...as process.” “Application is not something that happens after a rule...is laid down but a necessary part” of it—so necessary that we cannot judge the propriety of any rule without “telling how it operates and what are its effects in and upon the human activities that are going on.” Any social arrangement “is what it does.”

But if it is insisted that a procedure or institution have permanence, let it be a “relative” rather than an “absolute” permanence, always open to “never-ending” revision in accord with experience. Let it continually form and reform, unhampered by iron-clad precedents or “natural” norms, keeping abreast of the slow but regular evolution of habits and customs (in contemporary terms, “lifestyles”), as well as the interests and needs of actual people. This “recognition of the ongoing character of social facts...is of fundamental importance” (“My Philosophy of Law”).

**Evaluation:** At this point one must ask, can people or societies live like that? Is Dewey’s work just another example of theoretical analysis detached from the realities of human life? Did he actually come to grips, for instance, with the difficult problem of reconciling individual and social interests? In practice, the many attempts to apply his evolutionist, relativist, progressivist approach have created more problems than they have solved. For out of such a radically unprincipled metaphysics and ethics flows unlimited personal autonomy and a social and political anarchy without boundaries. One wonders whether Dewey’s original decision to opt for a Heraclitean universe was not motivated by an inbred yearning for autonomy—not unlike that of Locke, Mill, or even Nietzsche. Such a motivation, in any case, would be incapable of producing a viable social program that could meet real human needs.

Still, it must be said that Dewey was a clever and effective rhetorician, and when his voice is combined with others harping on essentially the same theme, his influence has been formidable, especially in America.
his Pragmatist associates (William James, in particular) were effective psychologists in spearheading a crusade not so much for a new philosophy as for what became an educational tyranny. At its core lay “a systematic and rigorous reduction of value to the relation between means and end” that proceeds from “a radical misunderstanding of the good as Right” (Jacques Maritain).

When Dewey argued that there could be no transcendent idea of Right (mainly because if there was one, it would keep people like him from satisfying their desires) he nevertheless had to recognize that many people still hold to fixed norms of morality and social order. He did admit this in part IV, chap. iv of *Human Nature and Conduct*, observing that it only demonstrated the inadequacy of then-dominant educational theory and practice. Since those archaic beliefs “stand in the way of effort to make our institutions more humane,” the main task of his crusaders would be to replace the old education with a new “scientific outlook and inquiry. To foster and develop this spirit is the social obligation of the present because it is the urgent need.”

Dewey’s thought threatens to impose totalitarian controls in the shape of a secular-humanistic scheme aimed at wiping out all traces of traditional (Aristotelian-Thomistic) moral realism and forming a society in the image of “enlightened” educators free to experiment at will. He and his school (formed at Chicago and perfected at Columbia) introduced a new kind of brain washing that is at enmity with truly free inquiry. His schools attempted to reduce life to human dimensions wherein the ultimate criteria of truth and its Author become morally irrelevant and even dangerous.

Dewey’s works gave expression to one of the main theoretical supports of contemporary logical positivism and moral relativism, riding an exhilarating wave of a “reconstruction” that claimed to usher in a new era of autonomy disguised as freedom. This new way of understanding social reality in its “concrete setting” is “in a state of inception” (“My Philosophy of Law”). Reacting strongly to Kantian idealism he bypassed the Aristotelian middle ground and found himself establishing an Anti-Kantian universe at the opposite extreme, a universe that creates itself as it goes along.

Primary sources: *Human Nature and Conduct* (1922; 1944); “My Philosophy of Law” (1941). These postulates are developed and applied in: *The Public and Its Problems* (1946); *Reconstruction in Philosophy* (1950).


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