A Reply to Marcus G. Singer on Gewirth, Beyleveld and Dialectical Necessity

DERYCK BEYLEVELD

Alan Gewirth (1978), having argued that agents contradict that they are agents by not considering that they themselves have rights to the generic conditions of agency (the “generic rights”), argues that agents contradict that they are agents if they do not consider that the sufficient reason why they have the generic rights is that they are agents.1

Gewirth establishes this by his “Argument from the Sufficiency of Agency” (ASA) (see Gewirth 1978, 109–10). If the ASA is valid, then logical universalisation is enough to establish that agents contradict that they are agents if they do not consider that all other agents also have the generic rights. This is because if I (any agent) must consider that the sufficient reason why I have the generic rights is that I am agent then logic alone requires me to consider that anyone else who is an agent also has the generic rights. Specifically, the ASA refutes those (e.g., Brandt 1981, 39–40) who contend that even if it is true that agents contradict that they are agents if they do not consider that they themselves have the generic rights, logic itself only requires the inference that all other agents (individually) must consider that they themselves have the generic rights. It does not require agents to respect the generic rights that other agents must claim for themselves.

In my opinion, persistent failure to attend to the ASA is one of the main reasons why many philosophers remain sceptical about the validity of

1 In Beyleveld 1991, I use the pronoun “it” in relation to an agent. Singer 2000, 190 considers this to be “barbaric.” However, use of “it” makes the serious point that Gewirth’s theory is directly about agents, not human beings, and there is nothing in the concept of an agent that requires agents to be human or even gendered beings. I did not decide on this terminology for reasons of “political correctness” or mere preference.
Gewirth’s argument for the dialectical necessity of the Principle of Generic Consistency (PGC). Marcus G. Singer’s intervention (Singer 2000) in his review of my book (Beyleveld 1991) is, therefore, important because he is the only critic of Gewirth’s argument (at least so far as I am aware) who has disputed my defence of the ASA.

In this reply, I will explain why Singer’s objection to part of my analysis of the ASA, though it makes a valid point, does not refute the ASA, and therefore does not, as he suggests, expose the logical fallacy in Gewirth’s argument. I will also respond to the other main criticisms he makes of Gewirth’s argument and/or my analysis of it in his review.

The ASA

The ASA purports to establish that

(1) “I (any agent) contradict that I am an agent by not considering that I have the generic rights” (≡ “Within my viewpoint as an agent, ‘I am an agent’ → ‘I have the generic rights’”)\(^2\)

→

(2) “I contradict that I am an agent by not considering that the sufficient reason why I have the generic rights is that I am an agent” (≡ “Within my viewpoint as an agent, ‘I am an agent’ → ‘I am an agent → I have the generic rights’”).

In Beyleveld 1991, 44, I summarised Gewirth’s presentation of the ASA as (my statement) “I am a PPA”\(^3\) logically requires me to consider that I have a right to my freedom and well-being.\(^4\) Suppose that I claim a right to my freedom and well-being, but that I contend that I have it only for the sufficient reason that I am \(D\), which is more restrictive than my being a PPA. It follows that I would have to claim that I would not have a right to my freedom and well-being if I were not \(D\), even though I were a PPA. But if I am a PPA, I must consider that I have a right to my freedom and well-being, whatever contingent features I have as a PPA. Hence I may only adduce features that pertain necessarily to me as a PPA as the sufficient reason for my having a right to my freedom and well-being. Hence, “I am a PPA” logically requires me to consider that I have a right to my freedom and well-being for the sufficient reason that I am a PPA.

The ASA may be presented more elaborately as

(a) If (1) does not entail (2) then I must be able to deny “I am an agent → I have the generic rights” without denying that I have the generic rights.

\(^2\) Where “→” signifies “logically entails.”

\(^3\) “PPA” stands for “prospective purposive agent.”

\(^4\) Gewirth identifies the generic needs as “freedom and well-being.”
(b) To deny “I am an agent → I have the generic rights” is to assert that my having some property $D$—a quality not necessarily possessed by all agents—is necessary for me to have the generic rights. To deny “I am an agent → I have the generic rights” is to assert “I have the generic rights → I have $D$.”

(c) “I have the generic rights → I have $D$” logically requires assent to “I am an agent without $D$ → I do not have the generic rights.” In other words, to be consistent with “I have the generic rights → I have $D$,” I must consider, even though I am an agent, that I do not have the generic rights if I do not have $D$.

(d) However, on the basis of (1), I must, provided only that I am an agent, consider that I have the generic rights—which is to say that I must, by virtue of being an agent, consider that I have the generic rights, whether or not I have $D$.

(e) “I must consider, even though I am an agent, that I do not have the generic rights if I do not have $D$” contradicts “I must, by virtue of being an agent, consider that I have the generic rights, whether or not I have $D$.”

(f) Since “I have the generic rights → I have $D$” contradicts what (1) entails, “I have the generic rights → I have $D$” contradicts (1).

(g) Since “I have the generic rights → I have $D$” is equivalent to denying “I am an agent → I have the generic rights,” to deny “I am an agent → I have the generic rights,” is to deny (1).

(h) Thus, in order not to deny (1), I must affirm “I am an agent → I have the generic rights.”

Therefore, (1) → (2).

While this is the actual ASA, one of the ways in which I defended the ASA (see, e.g., Beyleveld 1991, 246) was by arguing that to deny the validity of the ASA is to deny the validity of the logical principle

$$[((P \& Q) \rightarrow R) \rightarrow [P \rightarrow (Q \rightarrow R)]]$$

The essence of my argument (see, principally, Beyleveld 1991, 57 and 417–18) was as follows. As an agent, I proactively value my purposes (have the property $IP$) and I categorically need the generic conditions of my agency (have the property $IC$). Because $IP$ and $IC$ are connected necessarily with my agency, and with each other, the inference drawn by the ASA, viz., that (within my viewpoint as an agent)

$$("I am an agent" \rightarrow "I have the generic rights") \rightarrow ("I am an agent" \rightarrow "I am an agent → I have the generic rights"),$$

may be written as

$$[((IP \& IC) \rightarrow "MyR") \rightarrow [IP \rightarrow (IC \rightarrow MyR)]].$$
Because IC functions in the argument not only as necessary component of my agency (by virtue of which I deny IC if I do not consider that I have a right to the generic features [“MyR”]), but also as the dialectically necessary criterion that justifies that I have a right to the generic features (MyR), this may be written as

\[(IP \& IC) \rightarrow MyR \rightarrow [IP \rightarrow (IC \rightarrow MyR)],\]

which is to be seen as an instance of the logical principle

\[(P \& Q) \rightarrow R \rightarrow [P \rightarrow (Q \rightarrow R)].\]

Singer’s objection is that while the formula \[(P \& Q) \rightarrow R \rightarrow [P \rightarrow (Q \rightarrow R)]\] is valid in the propositional calculus (i.e., where “→” has the meaning of material implication), it does not hold in any calculus of entailment or strict implication. Therefore, I have committed the fallacy of transposition in portraying \[(P \& Q) \rightarrow R \rightarrow [P \rightarrow (Q \rightarrow R)]\] as valid in entailment. Consequently, if (or since?) the ASA requires \[(P \& Q) \rightarrow R \rightarrow [P \rightarrow (Q \rightarrow R)]\] to be valid in entailment, the argument must fail (see Singer 2000, 179–81).

Mea culpa. I concede that \[(P \& Q) \rightarrow R \rightarrow [P \rightarrow (Q \rightarrow R)]\] does not hold in entailment or any logic of strict implication, and that I was guilty of the fallacy of transposition in suggesting that it does. However, it does not follow from this that the ASA involves this fallacy.5

First, assuming that the ASA does indeed presuppose that \[(IP \& IC) \rightarrow MyR \rightarrow [IP \rightarrow (IC \rightarrow MyR)],\]6 which must then hold in entailment if the ASA is valid, that \[(P \& Q) \rightarrow R \rightarrow [P \rightarrow (Q \rightarrow R)]\] does not hold in entailment does not mean that \[(IP \& IC) \rightarrow MyR \rightarrow [IP \rightarrow (IC \rightarrow MyR)]\] does not hold in entailment. This is because \[(P \& Q) \rightarrow R \rightarrow [P \rightarrow (Q \rightarrow R)]\] will hold in entailment whenever P and Q entail each other. For, then, \[(P \& Q) \rightarrow R \rightarrow [P \rightarrow (Q \rightarrow R)]\] may be reduced to \[P \rightarrow R \rightarrow [P \rightarrow (P \rightarrow R)],\] which is nothing other than modus ponendo ponens, which holds in all logical calculi. Since IP and IC do entail each other, the required condition is met. In effect, the logical principle that would be denied by denying the validity of the ASA is

5 Singer states that my error first appears in my reply to Friedman 1981 (at Beyleveld 1991, 246), which leads him to speculate whether “Friedman may have been the first to detect this fallacy” (Singer 2000, 181). This is highly implausible. Friedman’s claim, that Gewirth can demonstrate that agents must (or contradict that they are agents) consider that they have the generic rights, but cannot show that agents must consider (or contradict that they are agents) that they have the generic rights because they are agents, must be wrong if the ASA is valid. Hence his claim contradicts the ASA. However, Friedman, himself, did not consider the ASA in his paper, and I invoked the ASA to refute his claim. It should also be noted that I first made my claim in Beyleveld 1991, 57 (and accompanying endnotes), where the reasons for it are more fully, if not ideally, articulated.

6 And not merely \[(IP \& IC) \rightarrow “MyR” \rightarrow [IP \rightarrow (IC \rightarrow MyR)],\] which the ASA certainly presupposes, as it is just what the ASA seeks to demonstrate.
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[[P \leftrightarrow Q] \& [(P \& Q) \rightarrow R]] \rightarrow [P \rightarrow (Q \rightarrow R)].
\]

Second, Singer errs by portraying my claim that \([(IP \& IC) \rightarrow MyR] \rightarrow [IP \rightarrow (IC \rightarrow MyR)]\) is valid in entailment because it is an instance of \([(P \& Q) \rightarrow R] \rightarrow [P \rightarrow (Q \rightarrow R)]\) as the ASA itself. My claim was a consideration cited to support the ASA, and is independent of the ASA itself. Thus, even if the analysis I have given of that consideration is flawed in some way, the ASA would still stand to be considered in its own right.

**Gewirth’s Concept of a “Prudential Right”**

According to my construction of Gewirth’s argument (see Beyleveld 1991, 26–42), along the way to demonstrating that the PGC is dialectically necessary, Gewirth argues that it is dialectically necessary for me (any agent) to hold,

(A) “I categorically instrumentally ought to pursue and defend my generic needs,”

from which it follows that I must hold,

(B) “You (any other agent) categorically ought not to interfere with my having the generic needs against my will,”

which is equivalent to saying that I must hold

(C) “I have a right to my generic needs.”

Gewirth describes all of these judgments as “prudential.” Why? The answer lies in why I am required to assent to (A). Briefly, this is because, as an agent, I proactively value my purposes, and my generic needs are instrumentally necessary for my pursuit/achievement of my purposes whatever they might be. From this it follows that, *relative to my proactive valuing of my purposes*, I must (on pain of contradicting that I am an agent) regard my having the generic needs (my agency interests) as things that I strictly instrumentally ought to have. This means that I am to view (A) (which is justified relative to my generic needs or agency interests) as ineluctable at this stage of the argument. (A) is designated “prudential” because the criterion that justifies it (which is the only criterion that I am, at this stage of the argument, permitted to employ under the dialectically necessary method) is my agency interests. (B) and (C) are, then, prudential in being logically required by (A) (which is itself justified relative to my dialectically necessary criterion of my agency interests).
Singer objects to Gewirth’s designation of the rights and duties claims in (A), (B) and (C) as prudential on various grounds: e.g., that (1) this is a misuse of English (see Singer 2000, 185); (2) the designation is superfluous (see ibid.); (3) the notion of a prudential duty is identical to that of prudential right in Gewirth (see ibid., 184); (4) Gewirth tries to ground the notion of a prudential duty in that of a prudential right (see ibid., 185); and (5) the intelligibility of the notion of a prudential duty renders the idea of a prudential right intelligible only if the holder of the duty is also the holder of the right and having a prudential right is the same as having a prudential duty (see ibid.).

As far as (1) is concerned, my response is that Gewirth can label these prescriptions in any way that he likes, provided that he explains what he means.

(2) is a key claim. Singer maintains that “the language of ‘prudential duties’ can be altogether eliminated […] in favor of its basis: ‘It is in my interest for me to have or do S,’ or ‘It is contrary to my interest for me not to have or do S’ ” (ibid.).

This is false, because Singer’s translations are not prescriptions, merely statements of what is in my interest.7 What Gewirth means when he says that I must hold that you have a prudential duty not to interfere with my generic needs, is not merely that I must appreciate that it is in my interest for you not to interfere with my generic needs. He means that I must hold that you strictly ought not to interfere with my generic needs against my will, and that the reason I must hold this is because: (a) satisfaction of my interests categorically requires this; and (b) I am required (at this stage of the argument) to regard prescriptions as justified if and only if they satisfy this criterion. What Singer alleges is that the content of (A), (B), and (C) are all to be reduced to statements of what is in my interests. This is simply not so.

7 Kramer and Simmonds 1996, 308 accuse me of committing a related error when I explain what it means to say that a prescription is prudential by saying it means that anyone committed to my interests would have to recognise that they ought to pursue and defend my generic needs (see Beyleveld 1991, 277). According to Kramer and Simmonds, this account renders prescriptions, as such, conditional. Not so! They fail to appreciate that whenever I explain prudential prescriptions in terms of what my interest requires, I am not trying to explain what makes a prescription a prescription, but what it means to call some prescriptions “prudential” prescriptions. Kramer and Simmonds also accuse Gewirth and me of failing to distinguish having a reason from accepting something offered as a reason as a reason, and they consider such failure to be a mistake because, e.g., I can have a reason to do X (e.g., it is in my interest to do X) without accepting that I have a reason (see, e.g., Kramer and Simmonds 1996, 306) (see below for explanation of Kramer and Simmonds’ account of “having a reason to do X.”) Indeed, I can on various accounts of what it means to say “I ought to do X” have a (good) reason to do something and not recognise it as such. But Kramer and Simmonds ignore two things here. First, in relation to expounding “I ought to do X” as “I have a reason to do X” without accepting that I have a reason (see, e.g., Kramer and Simmonds 1996, 306) (see below for explanation of Kramer and Simmonds’ account of “having a reason to do X.”) Indeed, I can on various accounts of what it means to say “I ought to do X” have a (good) reason to do something and not recognise it as such. But Kramer and Simmonds ignore two things here. First, in relation to expounding “I ought to do X” as “I have a reason to do X” and, in this case, expounding this as “It is in my interest to do X’ they themselves are not expounding “I ought to X” as an act of prescribing, but as a statement about what my interest requires. Second, they ignore the dialectical context of the argument to the PGC, in which no assertoric statements may be made about what is a good reason, only statements about what I must (on pain of contradicting that I am agent) accept as a good reason.
(B) and (C) just prescribe outcomes, and their prudential nature resides solely in the criterion cited to justify what is prescribed. In regard to (A), the prudential nature of the judgment might be said to refer to both its content (as an instrumental judgment) and its basis (the criterion of my agency interests).

Suppose that a Christian (or a Jew) holds that another person strictly ought not to steal. When asked, “Why?” the religious person answers that this is because God has commanded this and God’s commandments are to be obeyed. As such, we might call this a duty according to Judaeo-Christian belief, and I do not see anything odd in calling it a “religious ‘ought’” on this basis. Singer, however, would have us believe that what the religious person means by saying, “You strictly ought not to steal” is, “If God’s commandments are to be obeyed, it is necessary that you not steal,” or, simply, “‘Do not steal!’ is one of God’s commandments.” I submit that this is not so. What, “You strictly ought not to steal” means is the same—something like “The command, ‘Do not steal!’ is categorically justified”—regardless of what criterion the addressee holds to justify it.

Actually, in a way, I agree with Singer that it is redundant to call (A), (B), or (C) prudential. But, when I say this, I concede only (as I already did in Beyleveld 1991, 287–8) that Gewirth does not need to label the prescriptions “prudential.” All he needs is to have established (as I continue to believe he has done) that I must make these prescriptions, and calling them “prudential” as against merely, e.g., “non-moral,” or anything else does no work.

As regards (3), Singer claims that a prudential duty addressed to you means the same as a prudential right claimed by me: Both mean “It is contrary to my interest for me not to have something (the object of the duty).” However, since (2) is false, so is (3).

As regards (4), if Singer were not distracted by the view stated in (2), he would appreciate that Gewirth deduces the rights-judgment (C) from the other-addressed or directed judgment (B), not the other way around (or, more accurately, since to judge (B) is to judge (C) under the “will conception” of rights, which Gewirth’s argument, thus, necessarily supports, both (B) and (C) are deduced from the self-addressed or directed judgment (A)).

It is not entirely clear to me why Singer holds (5). Why should the idea of a prudential “ought”/right only be intelligible if the holder of the duty is also the holder of the right? One possible reason, and this is pure speculation, is that Singer shares the view of Kramer and Simmonds that

To say that person X ought to do \( \varphi \) is to say that X has a reason for doing \( \varphi \) (a reason which may be but need not be a moral reason, and which may or may not be acknowledged by X). (Kramer and Simmonds 1996, 303)

\[ ^8 \text{In relation to their basis, (A), (B), and (C) are non-moral on Gewirth’s definition of morality as categorically binding prescriptions I make for the sake of the interests of agents other than or in addition to myself. See further below.} \]
They go on to explain,

To say that an agent \( X \) has a reason for doing \( \varphi \) is to say that doing \( \varphi \) will further his self-interest or that his doing \( \varphi \) is required by a valid moral precept (or by the circumstances that render the precept applicable). (Ibid., note 3, 314)

Their discussion suggests that a moral precept is to be considered valid/appropriate where the addressee accepts it, or is required to accept it, or at least moral precepts are known and presumed to be in ordinary currency (see, particularly, ibid., 311–13).

On this basis, they hold that if I address you by saying that you ought not to interfere with my generic needs against my will and offer in justification of what I address that this action is required by my agency interests, then I am not prescribing anything at all, unless my interests coincide with your interests or you accept (or are required to accept) that you ought to take favourable account of my interests in determining what you ought or may do, or the context in which I make this address is one in which such addresses are acceptable. This is simply because, on their account, unless one of these conditions is satisfied, you do not have a reason to do \( \varphi \).

There is much that can be said about this, and about Kramer and Simmonds’ comments on what I said in Beyleveld 1991. Suffice it to say, that I hold that for an “ought” to be intelligible as a prescription it is necessary only for the addressor to address the “ought” as something that the addressor holds to be justified. According to Gewirth’s argument, I must hold that you ought not to interfere with my generic needs against my will. If you ask me why you should comply, I will offer as justification that this is in my interests. From my viewpoint as an agent, it is entirely appropriate to express this as “You have sufficient reason not to interfere with my generic needs,” meaning “From my viewpoint as an agent, my demand that you not interfere with my generic is a strictly justified demand.”

However, it is possible to reply adequately to Kramer and Simmonds entirely on their own terms. At the end of their article they state

In ordinary settings of interaction, where moral reasons can be specifically taken into account, a statement such as “From my perspective you ought to abstain from doing \( \varphi \), even though your interests are not served at all by such abstinence,” is fully intelligible. However, in the austere conditions that are justifiably presupposed by Gewirth’s argument—where the only available reasons for action are prudential reasons—such a statement by an undeluded agent is absurd. (Kramer and Simmonds 1996, 313)

9 I will not say “prescribe,” as this might be held to beg the question.
10 Kramer and Simmonds (1996, note 6, 315) claim that I at times ignore my own occasional statements that “You ought to do something” means “You have a sufficient reason to do something” (see, e.g., Beyleveld 1991, 228). This is not so. It depends on what I am held to be saying when I say that you have a sufficient reason to do something. I do not think it means what Kramer and Simmonds say it must mean.
This, I am sure, is the crux of Kramer and Simmonds’ failure to understand what is going on in Gewirth’s argument, and I suggest, very hesitantly, that it may explain Singer’s position too.

Notice, that if I prescribe that you strictly ought to do \( \varphi \), and offer as the reason why this is required by my agency interests, then I am demanding that you take favourable account of my interests. Given Gewirth’s conception of what makes an “ought” a moral as against a non-moral one, from your perspective, I am demanding that you act morally.

Undoubtedly, Kramer and Simmonds think that for me to address a demand at you that requires you to act in my interests (i.e., morally from your viewpoint) transgresses the terms that Gewirth has imposed upon his argument. But what are these terms?

Gewirth’s question is, “Why (rationally) ought agents to act morally?” He addresses this from the internal viewpoint of each agent in isolation. In other words, the question is “Why ought I (any agent) to act morally (i.e., \( \text{inter alia} \), take account of the interests of other agents in determining what I may do)?” In addition, he sets out not merely to provide an affirmative answer to the question, “Ought I to act morally?” but a categorically binding one. To do this, he attempts to show that I would contradict that I am an agent if I did not act morally. As such, his method (the dialectically necessary method) requires me to accept whatever I must accept or contradict that I am an agent, and does not permit me to accept anything that would contradict such acceptance. However, as such, it does not prohibit me from having commitments that are not dialectically necessary: It only prohibits me from relying on such dialectically contingent commitments in order to progress the dialectically necessary argument. I am not prohibited from having other-regarding commitments (which I might treat as good reasons for acting), merely from reasoning from them within the dialectically necessary methodology until such commitments are established as dialectically necessary for me to accept.

Consequently, there is no requirement that I must hold that other agents are incapable of taking my interests into account, that they necessarily do not take my interests into account, or that I inhabit a world in which I know that other agents will necessarily reject any appeal to them in such terms. Gewirth’s argument involves real agents in the real world who, whether or not they do accept moral prescriptions, are capable of doing so (and, hence, capable of understanding them). It merely prohibits me from assuming that you will or must regard the various judgments I make (which I must consider justified because they are justified on the basis of my agency interests) to be justified, for if I were to assume that you necessarily take favourable account of my interests, I would have to assume that I necessarily take favourable account of your interests. There is, thus, no breach of Gewirth’s methodology in relying “on patterns of discourse that seem perfectly natural” (Kramer and Simmonds 1996, 313).
But might it not now be said that this undermines the stringency of the project? No! It would do so if the project were to show that it is necessarily in my interests to recognise the interests of others, that it is “prudent to be moral,” if you like. But that is not Gewirth’s project.

Once all of this is appreciated, then it becomes clear that the only real issue is whether it can be shown to be necessary for me to grant you the generic rights on the basis of my having to hold that I have these rights without my having to rely on assumptions about what you might or might not think about my demand that you ought not to interfere with my generic needs against my will. That I do not need to rely on any assumptions about your commitments in order to show that I must indeed grant you the generic rights is precisely what the ASA enables to be demonstrated.

“Logical ‘Oughts’”

Singer (2000, 187–8) comments on my designation of certain “oughts” as “logical.” He correctly understands that I hold that what I logically ought to do is what I am required to do if I am to observe rules of logic, and he does not seem to have any objection to this idea.

However, his remarks occur in conjunction with his claim that not all “oughts” correlate with “rights,” which is tied to his further claim that Gewirth cannot justify the notion of a prudential “ought” or right by analogy with “intellectual” (including logical “oughts”), because these are not correlative to rights—unless, as Gewirth maintains, they include the concept of an entitlement.

This might create the impression that I appealed to logical “oughts” in order to support the notion of prudential “oughts.” I did not do so. I used it essentially to answer critics (e.g., Bond 1980) who allege that Gewirth’s argument reduces morality to logic (see Beyleveld 1991, 102–10).

Much could be said about the analyses that Singer provides of Gewirth’s examples of non-moral and non-legal “oughts.” But I do not see the point. What matters is whether or not I (any agent) am required to accept judgments (A), (B), and (C) on pain of contradicting that I am an agent. Provided that I am, it matters not in the slightest whether these judgments are called “prudential” or “moral” or anything else. If we were to choose, contrary to Gewirth, to call these judgments “moral” rather than “prudential,” this would not make it any easier to prove what Gewirth is trying to show, which is that I contradict that I am an agent if I do not grant all other agents the generic rights.11

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11 See my discussion of Singer 1985a in Beyleveld 1991, 284–8, for elaboration of this point. Singer (2000, 178–9) notes that I failed to consider one of his articles (Singer 1985b) in Beyleveld 1991. I assure him that I was simply unaware of it, and I would certainly have commented on it otherwise.
The Concept of a “Necessary Good”

Gewirth maintains that I must (on pain of contradicting that I am an agent) consider the purposes for which I freely act as “good,” and that I must consider my generic needs to be “necessary goods.”

Singer objects that I do not contradict that I am an agent if I do not consider my purposes to be good (even only instrumentally good),

[for I can recognize that I can have wants or purposes that I ought not to have, that would not be good to be achieved, that it would be better not to have, and my achieving the purpose would be bad. (Singer 2000, 189)

Certainly, I can consider my purposes to be bad relative to the values I contingently have and believe my actions ought to serve, and Gewirth (1978, 50–1) said as much from the outset. Again, we must attend to what Gewirth means by saying that I must regard my purposes as good. What he means is that I must have a positive attitude to my purposes that is sufficient to motivate me to act to try to achieve them (see ibid., 49). I hold the view (and I am sure Gewirth does too) that to value something is to attach a positive attitude to it voluntarily. So, in Beyleveld 1991, 22, I expressed Gewirth’s view as the view that I must proactively value my purposes.12

Now, Singer (2000, 190) clearly does not like this being translated as “I must consider my purposes to be good.” But is he doing anything more than merely quibbling over words? I think he is. He claims that the statement that I regard my purposes as good is redundant, by which he means that when Gewirth (1978, 124) says that an agent is “a person who controls or can control his behavior by his unforced choice with knowledge of relevant circumstances in pursuit of purposes he regards as good,” the phrase “regards as good” is otiose. But if this phrase is genuinely superfluous, then, if Singer were to portray Gewirth’s position correctly, he would have to hold that those who control or can control their behaviour by their unforced choice with knowledge of relevant circumstances in pursuit of purposes do not necessarily have a proactive attitude towards those purposes, or else that the fact that they do have such an attitude does no work in the argument. I submit that it is clear that agents necessarily do have a proactive attitude towards their freely chosen purposes and that this fact is necessary for the argument—as it is necessary (indeed, sufficient, when coupled with the fact that I have generic needs) to establish that I contradict (I am an agent if I do not accept that I categorically instrumentally ought to pursue and defend my generic needs).

As regards the claim that I must regard my generic needs as necessary goods. Singer (2000, 191) says that the use of the word “good” is not necessitated here, which again smacks of verbal quibbling. However, what he says also

12 Singer 2000, 189–90 recommends readers to attend to my analysis on this point, but does not present it, though his failure to do so does not prevent him saying that he does not regard it as successful.

suggests either that the problem is that nothing in the argument establishes that the generic goods are “actually good,” or that nothing more can be established than that my generic needs are categorically necessary “conditions” of my agency (see ibid.).

Yet again, Singer should attend to what meaning Gewirth’s argument requires to be attached to the claim that I must regard my generic needs as necessary goods. On the premises that I must have a proactive attitude towards my purposes, and that my generic needs are conditions of my pursuit/attainment of my freely chosen purposes, whatever these might be, it follows that I must have a proactive attitude towards having/securing my generic needs as being instrumental to my purposes whatever they might be. This, I maintain, is equivalent to my being required to accept that I categorically instrumentally ought to pursue/defend my generic needs (and this, no more and no less, is what is meant in the argument by saying that I must regard my generic needs as necessary goods).

“The Duty to Rescue” and Neglect of the PGC as a Truth

Singer (2000, 191) maintains that I departed from my declared intention (see Beyleveld 1991, 7) to confine my attention to Gewirth’s justificatory argument for the PGC when I considered Gewirth’s argument for a duty to rescue (see Gewirth 1978, 217–30) in Beyleveld 1991, chap. 10 (which deals with objections to Gewirth’s view that the generic rights are positive as well as negative).

Gewirth’s discussion of the duty to rescue is an application of the PGC and not part of his argument to the PGC. However, those (e.g., Mack 1984) who objected to Gewirth’s claim that excellent swimmers have a duty to try to save drowning persons, treated this claim (which implies a positive right to be rescued) as an attempt to derive positive rights from negative rights (claiming that the PGC only grants negative rights), when, in fact, Gewirth was trying to establish a positive duty to rescue on the basis that the argument to the PGC has already established the PGC as a principle that grants positive generic rights. Thus, it was not possible for me to consider objections to Gewirth’s thesis that the PGC is a principle of positive rights without considering the duty to rescue.

13 Singer (2000, 191) concedes, despite his objection to Gewirth’s way of dealing with the matter, that the generic needs (“freedom and well-being”) “are good, and necessarily so.” This concession is not, however, a relevant one, because Singer states this assertorically and suggests that the goodness is intrinsic rather than categorically instrumental (both of which say too much), while giving no sense of the action-motivating aspect of Gewirth’s claim (which says too little).

14 Gewirth’s argument for positive rights is parallel to his argument for negative rights (see Gewirth 1984, 228–9). In other words, that the PGC grants positive rights is established alongside establishing that it grants negative rights by the fact that I need assistance to secure my generic rights when I cannot do so by my own unaided efforts as much as I need non-interference with my generic needs, and this must be taken into account in assessing the inferences I must make from the premise (A) that I categorically instrumentally ought to pursue and defend my generic needs. Factoring this in, reveals that I must consider not only that you strictly ought not
Although Singer alludes to this, it is revealing that he describes me as replying to objections to the claim that the PGC establishes positive rights rather than as considering objections to the idea that the PGC is a principle that grants positive rights, because his portrayal implies that he is guilty of the same misunderstanding as the critics I was replying to.

Be that as may be, Singer contends that this does not explain why I focused on the duty to rescue, because the distinction between the justification for the PGC and application of it is “not all that precise, and considering how a principle is to be applied can be an essential component in determining its meaning” (Singer 2000, 191).

However, it is not true that the application of the PGC determines the meaning of the PGC. Unlike some other strategies for trying to justify moral principles, Gewirth’s argument to the PGC does not rest on any contingent features about the world that it is to be applied to, so that, if it is valid, no consequences that it might have in application can affect whether or not it is justified (which is the main reason why Gewirth’s theory is deontological). On the other hand, in order to apply the PGC, judgments have to be made about which beings are to be taken to be agents, what actions will affect the generic needs of those who must be taken to be agents, and so on.

Singer also claims that the attention I gave to the duty to rescue kept me “from considering, clarifying if not defending, Gewirth’s claim that all moral judgments are necessarily true, their denials self-contradictory” (Singer 2000, 191).

In fact, I commented explicitly on this (Beyleveld 1991, 114–15 and 321–6), and much of direct relevance to this was dealt with in relation to such issues as Gewirth’s claim that the PGC may be stated assertorically as well as dialectically and whether the argument reduces morality to logic (see, e.g., ibid., 102–44). These issues are too complex to go into in detail here. However, my views on this may be stated briefly. I do not believe that Gewirth’s argument establishes the PGC itself as a necessary truth or even that it requires the PGC to be thought of as capable of being either true or false. And Gewirth certainly never claims (as Singer avers) that a statement that contradicts the PGC is a contradiction; only that those who make statements contradicting the PGC contradict that they are agents! What Gewirth’s argument establishes is that, because the PGC is dialectically necessary, agents are as much required to accept that they (rationally) ought to act in accordance with the PGC as they would be required to do if the PGC itself were a necessary truth.

References to the necessary sections are to be found in the index of Beyleveld 1991, under, e.g., “PGC: necessary truth of”; “Correspondence correlate”; “Assertoric transformation of PGC”; “Truth: of moral judgments”; to interfere with my having the generic needs against my will (which correlates with a negative right) but that you strictly ought to aid me to secure/defend my generic needs when I am unable to do so by my unaided efforts if I so wish (which correlates with a positive right).

15 For more on such matters, see Beyleveld and Pattinson 2000.

and many of the relevant sections are obvious under “Headings and Objections” (ibid., xxi–xxxiv).

**Certainty v Necessity**

Gewirth holds that acceptable moral judgments must be consistent with the PGC and that some are deducible from the PGC.

Singer (2000, 192) objects that (a) “[n]o matter how well founded a moral judgment about a particular case is, it can never be logically certain,” as it precludes reasonable differences of opinion and he cites disagreement between himself and Gewirth on whether or not persons who need blood transfusions to save their lives may be forced to accept them even though they have religious objections to this as a matter on which different persons may hold different opinions reasonably; and (b) it is absurd to hold a moral judgment to be deducible from any principle as it would then not be a judgment but a deduction.

Singer also claims (c) that there is no uncertainty “in Gewirth’s world, no possibility of reasonable persons reasonably disagreeing on a moral matter” (ibid., 193–4).

As regards (a) and (c), Singer confuses necessity with certainty. Necessity is a property of certain kinds of truths, certainty is a predicate of belief or knowledge. Truths can be necessary truths without being believed or known to be true, and claims can be dialectically necessary (i.e., it be a necessary truth that agents contradict that they are agents by not accepting these claims) without being known to be dialectically necessary. Thus, claims can be dialectically necessary without being known to be so at all, let alone with certainty. From this alone, it follows that Gewirth can hold that persons can reasonably disagree about propositions where the right answer is a necessary truth or dialectically necessary.\(^\text{16}\) Furthermore, Singer completely ignores the fact that Gewirth (1978, 304–11) claims that there are two ways in which the PGC may be (and needs to be) applied—directly (deductively) and indirectly. The reasons why indirect applications (in which answers to moral problems are authorised when they are made in accordance with procedures that the PGC deductively authorises) are needed, include the fact

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\(^{16}\)Singer (2000, note 4, 182) correctly points out that I confused the proposition that there is no largest prime number with Fermat’s last theorem, when I claimed that the fact that Fermat’s last theorem was not known with certainty to be true (which was the case at the time I wrote this, though it has subsequently been proved) to illustrate that failures to prove that there are human rights would not make it plain that there are no human rights (see Beyleved 1991, 307). Singer wonders why the example was used. I would have thought that this was plain: To illustrate that failure to prove something does not make it certain that it is not true. But this example can also be cited to show that failure to know that something is true with certainty does not mean that it cannot be a necessary truth; for Fermat’s last theorem (if the proof that has now been given is sound, and I have no reason to doubt that it is) is and always has been a necessary truth. It did not become a necessary truth when it was proved to be true. It only became known to be a necessary truth (and only known with certainty to be a necessary truth if the proof is certain).
that that there are situations where reasonable persons are capable of dis-
agreeing about what the PGC requires because of the enormous complexity
of ascertaining everything that is relevant to applying the PGC deductively.

As regards (b), to say that moral judgments can be made from a moral
principle because they would not then be judgments, but deductions, is
just verbal legislation. Is Singer saying (with the justifiability/truth of the
propositions being irrelevant, since logical validity does not depend on the
truth or otherwise of its premises) that from “No person should be subjected
to capital punishment for any crime” it cannot be deduced that “John Smith,
who has committed a crime, should not be subjected to capital punishment”?

Conclusion

I am grateful to Marcus Singer for pointing out my error in holding that
the principle \[ (P & Q) \rightarrow R \rightarrow [P \rightarrow (Q \rightarrow R)] \] holds in entailment, during
my defence of the ASA. However, I have shown that this error does not
invalidate the ASA, because the ASA does not actually require this principle
to hold in entailment. At most, it requires the principle \[ [(P \leftrightarrow Q) \& [(P & Q) \rightarrow R)] \rightarrow [P \rightarrow (Q \rightarrow R)] \] to hold in entailment, and it does.

As far as the rest of Singer’s critique is concerned, there is no need to
summarise my replies. If there is a general comment to be made then it is
this: Singer persistently attaches far too much importance to the “ordinary”
meanings of words, which prevents him from portraying Gewirth’s argu-
ments with the meanings that are appropriate to Gewirth’s project and
which Gewirth has specified. To use a logical principle that holds in material
implication to justify conclusions that are meant to hold in entailment is,
indeed, to commit the fallacy of transposition (which is a species of equivo-
cation). However, to criticise inferences that hold on a given interpretation of
terms on the basis that they do not hold on a different interpretation of terms
is to commit an equivalent fallacy, and much of Singer’s reasoning involves
him doing just that.

University of Sheffield
Faculty of Law
Crookesmoor Building
Conduit Road, Sheffield
UK
E-mail: d.beyleveld@Sheffield.ac.uk

17 As regards Singer’s example of religious objection to blood transfusion, I actually agree with
him that agents who freely wish to die should be permitted to do so. However, I contend that
this is necessarily the case under the PGC because the generic rights are established as rights
under the will conception (i.e., they are correlative to duties of agents not to interfere with the
generic needs of agents against their will or to assist them to secure their generic needs when they
cannot do so themselves if they so wish. This is a necessary consequence of the instrumental
proactive value that I must attach to my generic needs (see Beyleveld 1991, 32–3).
References


