

It Is Necessary to Be Relevant: Reply to Schmitz

Gordon Barnes

State University of New York, Brockport

David Schmitz argues that a convention is justified if it solves a problem, and this does not require that the convention be necessary or that it be the only way to solve a problem.¹ However, I believe that this misrepresents the issues involved in the debate over private property. In order to demonstrate this, it will be necessary for me to restate my objection to Schmitz in another way. To that end, I will begin by introducing some new terms and concepts. This will require a brief digression, but I believe it will help to clarify the shape of the debate.

We need to distinguish two kinds of reasons for an action or policy, which I will call *contrastive reasons* and *noncontrastive reasons*. A contrastive reason for an action or policy, A, is a reason for doing A *rather than some alternative*, B. Thus, for example, the need for hydration would be a reason for drinking water *rather than drinking beer*. A noncontrastive reason is a reason for an action or policy, A, *simpliciter*, without any contrast with an alternative course of action. For example, a desire for an alcoholic beverage would be a noncontrastive reason to drink beer, but it would not be a *contrastive* reason to drink beer *rather than wine*. Of course, a desire for an alcoholic beverage would be a contrastive reason to drink beer *rather than water*. This example illustrates the fact that a reason can be a (good) contrastive reason with respect to one pair of alternatives, but not a good contrastive reason with respect to another, different pair of alternatives. In the example above, the desire for an alcoholic beverage is a good contrastive reason to drink beer *rather than water*, but it would not be a good contrastive reason to drink beer *rather than wine*. The reason for this should be clear. If one's only desire is to drink an alcoholic beverage, then that desire can be satisfied equally well by drinking beer or wine, so the desire to drink alcohol is not a good reason to perform one of these actions *rather than the other*. The desire to drink alcohol could be a good *noncontrastive reason* to drink beer, but not a good *contrastive reason* to drink beer *rather than wine*. We can capture the same basic point in terms of appropriate answers to questions

¹ David Schmitz, "Is It Necessary to Be Necessary?" *Reason Papers* 35, no. 1 (July 2013), pp. 141-44.

that I might ask you. If I ask you, “Why are you drinking beer?” then it would suffice to say, “I wanted an alcoholic beverage.” But if I ask you, “Why are you drinking beer *rather than wine*?” then it would *not* suffice to say, “I wanted an alcoholic beverage.” In order to give a good contrastive reason for drinking beer rather than wine, you would need to say something more here.

I trust that this is clear. Having made this distinction between contrastive and noncontrastive reasons, it is worth noting that, in one sense, it appears that all reasons are really contrastive reasons, *at least with respect to the appropriately specified pair of alternatives*. This is because any reason for doing A will be, *ipso facto*, a reason for doing A *rather than not doing A*. If we include omissions among the possible courses of action, then it follows that all reasons are contrastive reasons, at least with respect to their corresponding omissions.

In the context of any debate between two actions or policies, it is necessary to offer contrastive reasons that contrast the appropriate alternatives—the alternatives that are relevant in the context of the debate. An example will illustrate this point. Suppose that my wife and I own a painting that has been stored in our basement for some time, and I decide to bring it upstairs and hang it. There are two available spaces on the wall in our living room: one is above the fireplace and the other is above the couch. I decide to hang the painting above the fireplace. When my wife comes home and sees the painting, she asks me, “Why did you hang the painting over the fireplace rather than over the couch?” In reply, I say, “Hanging it over the fireplace is much better than leaving it in the basement, because hanging it over the fireplace makes it visible to our guests, rather than wasting it in the basement.” In this example, I have offered a contrastive reason, but it should be obvious that I have contrasted the wrong alternatives. I have given a reason for hanging the painting over the fireplace *rather than leaving it in the basement*, but in the context of this discussion with my wife, these are not the relevant alternatives. The relevant alternatives are hanging the painting over the fireplace and *hanging the painting over the couch*. Thus, my reply commits a fallacy of relevance. Here is another way to put the same point. Achieving the goal of displaying the painting for our guests might be a good reason for hanging the painting over the fireplace *rather than leaving it in the basement*, but it is not a good reason for hanging the painting over the fireplace *rather than hanging it over the couch*, and that is because either of these latter two alternatives will achieve the goal of displaying the painting for our guests.

Let’s state this in the language of contrastive and noncontrastive reasons: If I say that displaying the painting for our guests is a reason to hang it over the fireplace, without contrasting any specific alternative (except not doing so), then this would be a good *noncontrastive* reason for doing this. Likewise, if I say that displaying the painting for our guests is a reason to hang it over the fireplace *rather than leaving it in the basement*, then that would be a good *contrastive reason* for this action *relative to the alternative of leaving it in the basement*. However, if I say that displaying the painting

for our guests is a reason to hang it over the fireplace *rather than hanging it over the couch*, then that is simply false, since the goal that I have given as my sole reason for my action is a goal that could be achieved by either of the specified alternatives. I trust that this is all clear and uncontroversial.

When someone gives a reason for an action or policy that fails to contrast the relevant alternatives, then he has committed a fallacy. For lack of a better phrase, I will call this fallacy *the fallacy of irrelevant alternatives*. There are actually two ways in which the fallacy can be committed, or perhaps two ways of understanding the act of committing it. If two people are debating whether to adopt policy A or policy B, then in the context of that debate, what is called for is a contrastive reason for adopting policy A *rather than B*, or *vice versa*. To offer either a noncontrastive reason for one of these policies, or a contrastive reason that contrasts two *different* alternatives, like A and C, is to commit the fallacy of irrelevant alternatives. With all of that said, I can now restate my critique of Schmidtz in what I hope will be more helpful terms.

My principal objection to Schmidtz's defense of private property is that he commits the fallacy of irrelevant alternatives. In his first article on this subject, Schmidtz argues, at length, that the institution of private property is better than an unregulated commons.² In the process, he gives several reasons why private property is preferable to an unregulated commons. If the present debate over private property were a debate between the partisans of private property and the partisans of an unregulated commons, then this would be appropriate. However, that is not the current debate over private property. The current debate over private property is a debate between the partisans of private property and the partisans of some form of *common ownership*. In the context of this debate, to offer reasons to prefer private property to an unregulated commons is to commit the fallacy of irrelevant alternatives, as I have described it above. This is especially clear in Schmidtz's earliest article on this subject. However, the fallacy recurs in his more recent work as well. Many of Schmidtz's examples contrast a completely unregulated commons with the advent of private ownership, and the implied inference is that the improvement brought by private property over an unregulated commons justifies private property.³ This inference exemplifies the very same fallacy—the fallacy of irrelevant alternatives. This is what is wrong with Schmidtz's defense of private property.

² David Schmidtz, "When Is Original Appropriation Required?" *The Monist* (1990), pp. 504-18.

³ See especially David Schmidtz, "The Institution of Property," in David Schmidtz, *Person, Polis, Planet: Essays in Applied Philosophy* (Oxford: Oxford University Press, 2008), pp. 193-210. Schmidtz's examples in that article all compare cases of unregulated commons with the advent of private property.

In his response to my critique Schmidtz suggests, very subtly, that he never intended to defend *private* property as such, but only the removal of resources from the commons. It is difficult not to see this as a bait-and-switch tactic. If one discusses the problem of original appropriation and claims to be addressing that problem, then one's audience will assume that one is discussing the appropriation of *private property*. If that is not what Schmidtz intended, then he should have made that much clearer from the outset. Otherwise, his choice of terms tacitly suggests that he is defending the institution of *private* property. Be that as it may, I hope to have made it clear that if one wants a good defense of the institution of *private* property, one will not find it in the work of David Schmidtz.

