

# REASON PAPERS

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**Symposium: Neo-Aristotelian Ethical Naturalism: Philippa Foot  
and Ayn Rand**

Naturalist Teleology in Foot and Rand —Aeon J. Skoble

Three Forms of Neo-Aristotelian Ethical Naturalism: A Comparison  
—Douglas B. Rasmussen and Douglas J. Den Uyl

The Human Form of Life: Rand and Foot on Biological Foundations of  
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Aspiration and Inspiration in Foot and Rand —Timothy Sandefur

**Review Essay**

Selling Racism: David W. Griffith's *The Birth of a Nation*  
—Gary James Jason

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## Editor's Note

This issue of *Reason Papers* focuses on two of my favorite thinkers: Philippa Foot and Ayn Rand. These two remarkable philosophers influenced, more than almost anyone, the way I think about philosophy and the way I do philosophy. And, of course, not just me: Foot and Rand have inspired countless numbers in the same way. This symposium explores their many important similarities. Both developed novel approaches to an objective and rational moral philosophy that challenged the mainstream way of doing moral philosophy. They also both based their normative theories in a kind of neo-Aristotelian conception of natural human life. The symposium also explores the important ways in which their theories diverge.

Aeon Skoble provides our opening essay by laying out the main similarities in how Foot and Rand ground ethics on a naturalist teleology in the Aristotelian tradition. Next, Douglas Rasmussen and Douglas Den Uyl compare three forms of Neo-Aristotelian ethical naturalism: Foot's ethical system, Rand's Objectivism, and their own Individualist Perfectionism. They look at the metaethical, normative, and political thought of each system of thought. This three-way comparison highlights the shared foundations for all three systems but also the significant ways in which they differ. As such, this essay provides an essential primer to anyone interested in either of these thinkers in particular or Neo-Aristotelian ethical naturalism more generally. Tristan de Liège's essay puts Foot and Rand into a much sharper relief than any of the other essays, arguing that Foot's foundation fails to provide the robust inductive biological foundation for ethics that Rand's theory is able to offer. Lastly, Timothy Sandefur examines the role of aspiration in Rand and Foot. Drawing on their moral and aesthetic theories, this groundbreaking essay explores how, and if, either Rand's or Foot's naturalistic morality can explain the way aspiration influences how we live our lives.

We round out this issue with a review essay by Gary Jason of David W. Griffith's *The Birth of a Nation*. Jason has explored Nazi propaganda and anti-Semitism in previous issues of *Reason Papers* and here takes on the similarities, and differences, to American propaganda that pushed anti-black racism.

Before closing out this note, *Reason Papers* is looking to expand its editorial staff. We are looking for two or three Associate Editors to join a newly formed editorial board. The primary task of the Associate Editor will be to organize and edit symposia for the journal. Please see our website for more information about what we are looking for and how to apply. (There is no compensation for this position.)

I hope you enjoy this issue as much as I did in putting it together. Either way, let us know: [reasonpapers@gmail.com](mailto:reasonpapers@gmail.com)

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## **Symposium: Neo-Aristotelian Ethical Naturalism: Philippa Foot and Ayn Rand**

### Naturalist Teleology in Foot and Rand

Aeon J. Skoble

Bridgewater State University

Ethics is a normative field, but for many ethical theories, that normativity is rooted in something non-normative. In the Aristotelian tradition, that argument goes something like this: things have natures, different sorts of things have different natures, so being a good thing is different for different things. For example, what makes a good pen good is different from what makes a good knife good, so even though there's such a thing as a good pen or a good knife, the goodness of each is not the same thing. A thing's excellence is connected with its function, which in turn is connected to its nature. So to talk about a good person, the Aristotelian tradition holds, we must have a conception of the nature of the person, and minimally, we can say that being a good person is different from being a good lion or a good eagle or a good strawberry. While there's no evidence either that Philippa Foot was a Randian or that Ayn Rand was a devotee of Foot, their ethical theories both make this essentially Aristotelian move. Rand notes that "Man cannot survive as anything but man," and argues that the basis of ethics, the correct standard of value, is "that which is required for man's survival *qua* man."<sup>1</sup> Foot notes that "it is the particular life form of a species of plant or animal that determines how an individual plant or animal should be," and argues that "the way an individual *should be* is determined by what is needed for development [and] self-maintenance."<sup>2</sup> This essay will explore the ways in which both Foot and Rand develop a naturalist

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<sup>1</sup> Ayn Rand, "The Objectivist Ethics," in *The Virtue of Selfishness* (Signet, 1961), pp. 24.

<sup>2</sup> Philippa Foot, *Natural Goodness* (Oxford University Press, 2001), pp. 32-33. Foot's work in this area goes back at least to 1958 but the 2001 book is her most clear and comprehensive work on the subject. See also Douglas J. Den Uyl and Douglas B. Rasmussen, *The Perfectionist Turn* (Edinburgh University Press, 2016).

teleology in the Aristotelian tradition as a grounding for ethics. I will also note areas where they might disagree.

Rand states that “Man’s consciousness shares with animals the first two stages of its development: sensations and perceptions; but it is the third state, *conceptions*, that makes him man....the living organisms that possess the faculty of consciousness need to exercise it in order to survive.”<sup>3</sup> So there’s a particular *sort* of thing a human being is, and the criteria of being that sort of thing imply a normativity about the range of actions available to it. Humans have the capacity for rational activity (Rand means here not just the deductive process but more broadly conceptualization and abstraction), so they cannot live *as* humans without exercising this capacity. A life lacking in rational activity is more akin to beastly life, acting on instinct without engaging in deliberative activity.<sup>4</sup>

Rand’s position is that things in general are kinds of things; e.g., a car is a kind of vehicle, a whale is a kind of mammal. So to be a human is to be a certain kind of creature – again, following Aristotle, the kind of creature with the distinct cognitive capacities typically characterized as the rational faculties. For Rand, it’s also important that we are volitional: we have to choose whether to make the fullest use of our rational faculties. “Man must choose his actions, values and goals by the standard of that which is proper to man – in order to achieve, maintain, fulfill and enjoy that ultimate value, that end in itself, which is his own life.”<sup>5</sup> In other words, she thinks we fail to live a fully human life if we eschew the full use of our faculties. This is in virtue of the fact that “life” isn’t an undifferentiated phenomenon; rather there are particular forms of life – banana, snail, lion, human.

Similarly, Foot argues that humans are a particular form of life – she even uses the expression “life form” to give some clarity to what we refer to as species – and that we can understand defects and excellences in a particular life form as related to facts about that life form. For example, “it is necessary for plants to have water, for birds to build nests, for wolves to hunt in packs, and for lionesses to teach their

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<sup>3</sup> Ayn Rand, “For the New Intellectual,” in *For the New Intellectual* (Signet, 1961), pp. 14-15.

<sup>4</sup> This insight is of course also found in Aristotle. See, e.g., *De Anima* 414b7-19

<sup>5</sup> “The Objectivist Ethics,” p. 25.

cubs to kill.”<sup>6</sup> So, to take the most obvious example, a plant without water will die. In the other cases, Foot distinguishes claims about what is normal for a life form and what may or may not be true of an individual example: “Cats are four-legged but Tibbles may have only three.”<sup>7</sup> So even though wolves are *typically* pack-hunters or hunt *most successfully* in packs, it’s certainly possible for a wolf who gets separated from the pack to engage in hunting, even if we wouldn’t expect that to go as well for that wolf. To take a clearer, if more absurd, example, an eagle who chose not to fly might still catch the occasional mouse to eat, but certainly wouldn’t get the kind of diet its life-form requires. The reason that example is absurd is that eagles don’t choose not to fly; they naturally use their power of flight to secure their own well-being (in contrast to humans, who *can* choose to neglect their rational faculties, to their detriment if Aristotle, as well as Rand and Foot, are correct).

For Foot, this gives us a way to have a teleological account of human action<sup>8</sup> that is naturalist, a biocentric teleology. We can talk about purposive action without invoking a non-naturalist metaphysics. There’s a way something *should* be that follows from what it is *like*. A biocentric teleology is contrary to the Humean dictum that we cannot derive normative claims from descriptive claims.<sup>9</sup> A strawberry is “supposed to be” red and sweet and juicy. So we can make judgments about particular strawberries on this basis: this one is good, that one is not so good. Of course, whether one strawberry is better or worse than another does not depend on intentional efforts – Foot says we should distinguish “in order to” from “trying to.” “The male peacock displays his brilliant tail *in order to* attract a female during the mating season. The display serves this purpose. Let us call such language, purposive language. But be careful here! Where something that S’s do is, in this sense, purposive we should beware of slipping over into saying of an individual S that it *has* this purpose when it does this thing.”<sup>10</sup> This particular peacock isn’t acting on a conscious intention, but its actions are nevertheless purposive, and there is a sense in which striving is

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<sup>6</sup> *Natural Goodness*, p. 15.

<sup>7</sup> *Ibid.*, p. 28.

<sup>8</sup> Not just human action, either; all creatures’ activities.

<sup>9</sup> See in particular *Natural Goodness*, chapter 1, and *The Perfectionist Turn*, chapter 6.

<sup>10</sup> *Natural Goodness*, p. 31.



taking place even if not at the conscious level we are familiar with when we try to build a house or solve a puzzle. The strawberry's internal biochemistry is structured as to produce sweetness; the fern grows toward where there is more light – if we say “it is trying to be sweet”; “it is trying to get more light,” that's true in a sense, but Foot is right to note that this can be misleading if we understand that analogously to “Bob is trying to build a house.”

For humans, of course, the language of “trying to” and “choosing to” is perfectly appropriate, for things like building a house and for developing virtues, both occupation-related virtues and the virtues pertaining to character. On Foot's view, following Aristotle, there will be virtues and defects that do not involve choice-making – for example, the function of the eye is to see, but one can be born with better or worse optical mechanisms, and this is not something one makes decisions about. But we do have to decide to use our rational faculties to secure our own flourishing. This includes both learning how to be a better carpenter (if that's my occupation) and learning how to be virtuous in the moral sense (which pertains to my being a human being). Some of the characteristics humans need to flourish are non-cognitive – we “should” have efficient chemical processes in the digestive system that allow us to process nutrients, but (a) some people's digestive systems are less efficient than they might be in other people, and (b) we don't have any cognitive control over this. On the other hand, virtues of character do have cognitive input. We “should” have traits like courage and prudence and moderation, because having such characteristics is more conducive to our flourishing, and, unlike the digestive system, we have to recognize that this is true, and then take deliberate action to cultivate such characteristics.

On this account, that we have purposive actions is itself a characteristic for which there's a purpose, but it is the sort of purpose that follows from the sort of thing a human is – a biocentric teleology. The peacock “should” have brightly colored tailfeathers because that is an aspect of that life form; the strawberry “should” be sweet and red because those are aspects of that life form; the eagle “should” use its power of flight to access prey because that is an aspect of that life form. So with the human being, there's a normativity about our use of our rational faculties to secure our ends that is an aspect of our life form. We “ought to” use our rational faculties in the same sense that an eagle “ought to” use its power of flight. The difference, again, is that eagles

naturally do this unless injured or congenitally defective, whereas people do or do not use their rational faculties as a matter of choice (this is the fundamentally Aristotelian point that Rand’s account emphasizes).

What an eagle searches out for prey is instinctually defined, whereas many of our goals are more complicated. We naturally experience hunger, and the urge to find food isn’t chosen, but we might deliberate about our feeding: “I am hungry, but I will wait until after class to eat.” “I am hungry, should I have pizza or tacos?” “I could really go for a third donut, but I’d better not, that’s too much carbs for one day.” These are all examples of the rational process layered on top of what is instinctually driven. While we do not deliberate about *being* hungry, we can deliberate about how to act regarding the hunger. Understanding this helps us understand Foot’s argument as to why the word “good” in “the plant has good roots” and “good” in “this person has good dispositions” mean the same thing.<sup>11</sup> A person developing good dispositions – virtues – is doing what is conducive to the well-being of its life form, just as a plant that develops a healthy root system does what its life form requires. The difference is that whether the plant develops good roots is not a matter of choice and effort in the sense that we’d use these words about a person’s character development. We might say “I’m trying to become a more patient person” or “I’m working on becoming a more compassionate person,” and this is comprehensible language akin to “I’m working on my forehead” or “I’m trying to learn Latin.” Whether I succeed or not is contingent on a number of factors, but a necessary condition is that I want to learn Latin or become more compassionate and that I take action toward that end. The plant’s root growth is also contingent upon external factors (adequate water in the soil, not getting eaten by a mole, etc.), but the plant isn’t making decisions and deliberations about this. This is because people and potatoes are not just different things, they’re different *kinds* of things – different life forms.<sup>12</sup>

This returns us to Rand’s insistence that we must choose to act in ways that are consistent with the needs of the life form we are. We certainly cannot choose to survive in the manner of a frog or a leopard.

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<sup>11</sup> Ibid, p. 41.

<sup>12</sup> I can’t resist noting that, as far back as 1966, scientists on the television show *Star Trek* would report not merely that their scans detected life, but that they detected “life forms.” Turns out this is not merely gratuitous sci-fi jargon; it’s a philosophically accurate way to report.

We do not have a choice about *being* human, but we have a choice about what dispositions to cultivate, and the “correct” choice must be those dispositions that are consistent with the well-being of our life form. “Man cannot survive as anything but man. He *can* abandon his means of survival, his mind...But he *cannot* succeed [by doing so] in achieving anything but the subhuman... Man has to be man by choice.”<sup>13</sup> By “using the mind,” Rand means, among other things, “total commitment to a state of full, conscious awareness, to the maintenance of a full mental focus in all issues, in all choices, in all waking hours [as well as] the fullest perception of reality...and to the constant, active expansion of one’s perception.”<sup>14</sup> This alone is not sufficient, of course: we must translate that conscious awareness and focus into the development of virtues, and to do that we must figure out which dispositions are virtuous and how to acquire them, and so on, which is what Aristotle devotes several chapters to in his works. But Rand’s point is correct (and Aristotelian): a conscious decision to use our rational faculties to cultivate those dispositions that will help us flourish is a necessary condition, even if not a sufficient condition, for flourishing.

It makes sense on this view to see our faculty of reason as a power, to be used or not used. We have other powers, such as our sense perceptions and our autonomic systems. All of these powers are part of our evolved nature as a particular form of life. This is the same kind of claim one might make about a lion or an eagle or a fern. The lion’s life form includes powers and capabilities distinct to that life form (though in some cases similarities exist: a lion’s life form is more closely like that of a tiger than that of a butterfly, but nevertheless lions and tigers are also different). The lion’s powers serve a purpose in the lion’s life – but not in the sense that a car has anti-lock brakes installed for a purpose. Any artifact has attributes put there “for a reason” – nothing about a car is naturally occurring; it is put together by human craft, and each piece serves a purpose intended by the car maker. Teleological accounts of human flourishing are often derided for presupposing that our “parts” have a purpose in the same sense. But, as Foot notes, this is a confusion that reveals a poor understanding of biology as well as a failure to attend to the distinction between senses of “purpose.” The eye has a purpose: to gather visual data. The heart has a purpose: to pump blood through the circulatory system. If my heart stops working efficiently, my quality

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<sup>13</sup> “The Objectivist Ethics,” pp. 24-25.

<sup>14</sup> *Ibid*, p. 25.

of life diminishes (and if it stops working altogether, life ceases). If I keep my eyes closed, I can't navigate the world as well as if I opened them. Now, one may be born with congenital defect in a heart valve – this is not a matter of choice, nor is a defect in visual perception due to macular degeneration (or injury). But it's nevertheless true that that's what eyes and hearts are *for*. Rationality is *for* something in just this sense: a capability of the life form we are that plays a role in the survival and flourishing of individuals of that life form. Thus, we can speak of a *biocentric* or *naturalist teleology*, without making any assumptions or implications about an intentional universe or divine fate.<sup>15</sup> Biocentric teleology only presupposes natural kinds, that is, the idea of a life-form.

I think it is clear that both Foot and Rand have a view that can be categorized this way (as does Aristotle himself). An interesting coda to this discussion might be to consider the people they see themselves as opposing. Rand famously was presenting her ethical theory in opposition to traditional and/or religious views, what she calls “the mystic, the social, [and] the subjective.”<sup>16</sup> She argued that religion is metaphysically false and typically originates in attempts to control others, and old-world political systems like monarchy and communism are of course also like this. In her view, the leading candidate opposing such systems was subjectivism, the view that there is no morality and I should just do as I please. She thinks this too is mistaken, as it also abrogates the rational faculties, albeit in a different way than communism or religion. Because reality is objective,<sup>17</sup> and we have a particular nature as humans, which includes reason and volition, we can have a reason-based ethical system that enables us to survive and flourish. Foot, on the other hand, while also an atheist, was less concerned with opposing theology-based ethics than with refuting the ethical non-cognitivism that dominated academic philosophy in the 1940s when she was coming up, as represented by thinkers such as A.J. Ayer and C.L. Stevenson. (Non-cognitivism can also ground

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<sup>15</sup> These may be true, but the point is that biocentric teleology can be true *whether or not* there are gods. For arguments that modern biology is not inconsistent with the sort of teleology Foot has in mind, see, e.g., several essays in *Philosophical Issues in Aristotle's Biology*, Allan Gotthelf and James Lennox, eds. (Cambridge University Press, 1987), especially Gotthelf's “Aristotle's Conception of Final Causality” and John Cooper's “Hypothetical Necessity and Natural Teleology.”

<sup>16</sup> “The Objectivist Ethics,” pp. 33-34.

<sup>17</sup> Hence “Objectivism.”

subjectivism, and both Foot and Rand would find subjectivism unacceptable.) She was also interested in responding to non-cognitivism's chief foils, Kantian ethics and utilitarianism. For Foot, the biocentric teleology of virtue ethics in the Aristotelian tradition was a legitimate answer to the challenges to ethics prevalent in her milieu.<sup>18</sup>

The main difference between Foot and Rand in this regard lies in the fact that Foot, an academic philosopher, operates according to the norms of the profession, and mentions when she's explicitly appealing to an Aristotelian concept.<sup>19</sup> Rand was a fiction writer, who only later in life turned to non-fiction essays to outline positions that she had earlier sought to dramatize through her novels. She notes that she's influenced by Aristotle in a general way, but doesn't engage in the sort of citation practices one sees in academic philosophy. Nevertheless, Rand presents arguments and theories, and in this case, is making a solidly neo-Aristotelian case for biocentric teleology that is very much in harmony with and complements the arguments we see in Philippa Foot.

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<sup>18</sup> For a comprehensive account of Foot's work in its historical context (and that of her friend and colleague G. E. M. Anscombe), see Benjamin Lipscomb, *The Women Are Up To Something* (Oxford University Press, 2021).

<sup>19</sup> For further discussion of how "appealing to an Aristotelian concept" differs from Aristotle scholarship, see my "Aristotelians and Neo-Aristotelians," *Reason Papers* vol. 43, No. 1 (Spring 2023), pp. 233-40.

## Three Forms of Neo-Aristotelian Ethical Naturalism<sup>1</sup>: A Comparison

Douglas B. Rasmussen

St John's University and Creighton University

Douglas J. Den Uyl

Liberty Fund

The editors of this fine journal have asked us to compare and contrast briefly three theories of ethics, which might be of particular interest to its readers: Objectivist Ethics (*OE*) associated with Ayn Rand; Footean Ethics (*FE*) associated with Philippa Foot; and Individualistic Perfectionism (*IP*) associated with ourselves. This comparison is to be made in regard to the questions in the following categories—none of which entirely exists apart from the others.

1. *Metaethics*: Is there ethical knowledge? How do we derive an “ought” from an “is”? Why be moral?

2. *Normative Ethics*: What is, if anything, inherently good? What is the relationship between what is inherently good or valuable and what one ought to do? How do we understand practical rationality?

3. *Political Philosophy*: What is the nature of the connection, if any, between the ethical order and the political/legal order? What is it that ethically legitimates the state, or more generally, the political/legal order? What are rights and their justification?

Since this task of comparison must be briefly accomplished, it is confined mainly to the presentation of the respective positions of these theories regarding the above questions and not, at least for the most part,

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<sup>1</sup> “Neo-Aristotelian” here means “modern theorizing which incorporates some central doctrines of Aristotle. . . . Such theorizing should critically assess his claims in light of modern philosophical theory, scientific research, and practical experience, revise or reject them where necessary, and consider their application to . . . contexts not envisioned by him;” see Fred D. Miller, *Nature, Justice and Rights in Aristotle's Politics* (Oxford: Clarendon Press, 1995), p. 336 n. 1.

to a detailed evaluation of them. This task will be fashioned in terms of essentials and with the discussion of only a few issues. It will not attempt to survey or examine all the literature on these theories.

## **Metaethics**

### *Objectivist Ethics*<sup>2</sup>

*OE* holds that there is a connection between ultimate ends and values and facts of reality. “The fact that living entities exist and function necessitates the existence of values and of an ultimate value which for any given living entity is its own life” (367). This is so because life is conditional. The actions of all living entities face the constant alternative of existence or non-existence, and it is only through meeting the needs and interests their lives require that living entities can remain in existence.

Life is the final value or end in terms of which all other ends are gauged. “*Life* is the only phenomenon that is an end in itself: a value gained and kept by a constant process of action” (367). The life of a living entity serves no other end or value, and all other ends or values of a living entity serve the end of its life. It is the nature of a living entity that determines what will or will not serve its life. Life comes in many different forms, and these forms differ and are numerous.

A value or end is the object of action, a goal, “that which one acts to gain and/or keep” (365), and those values, ends, or goals that further an entity’s life are good for it and those that hinder it are evil for it. There can be good or bad values, ends, or goals.

What is good or bad refers to the relationship between some aspect of reality and the life of a living entity. Apart from this relationship, there is no such thing as good or evil existing in the world. But by the same token, what is good or bad is not simply a matter of opinion. Rather, as already stated, what is good or bad is based on the relationship between those features of reality and an entity’s life. When it comes to human beings and moral values, *OE* holds:

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<sup>2</sup> Unless otherwise noted, all quotations regarding *OE* are taken from Ayn Rand, “Value and Rights” in *Readings in Introductory Philosophical Analysis*, ed. John Hospers (Englewood Cliffs, New Jersey: Prentice-Hall, 1968), pp. 364-87. Page numbers are noted in the text.

The good is neither an attribute of “things in themselves” nor of man’s emotional states, but *an evaluation* of the facts of reality by man’s consciousness according to a rational standard of value. (Rational, in this context, means: derived from the facts of reality and validated by a process of reason.) The objective theory holds that *the good is an aspect of reality in relation to man*—and that it must be discovered, not invented by man.<sup>3</sup>

The good is not something that exists in splendid isolation but involves a complex relationship that every human being needs to discover for him- or herself. However, what is crucial for *OE* is that the good is an *evaluation* of the facts of reality, and an evaluation does not exist apart from a cognitive act. This claim proves crucial to understanding how *OE* attempts to connect the ethical order to the natural order.

What is good for a human being can only be achieved if it is discovered. A human being “does not automatically know what is true or false, cannot know what is right or wrong, what is good for him or evil. Yet he needs that knowledge in order to live” (371). In order for such knowledge to be achieved, it is *necessary* for individual human beings to initiate and maintain a conceptual grasp of the situation. This necessity is hypothetical in that it is in part based on “man’s life, or: that which is required for man’s survival qua man” (372). If one is to attain one’s good (as defined by the standard of “man’s life”), then one must take those actions that *mutatis mutandis* achieve or realize one’s good.

The hypothetical necessity, however, is not only based on the fact that “man’s life” is one’s good or ultimate end; it also requires one’s “choice to live.” As Rand states:

My morality, the morality of reason, is contained in a single axiom: existence exists--and in a single choice: to live. The rest proceeds from these.<sup>4</sup>

Life or death is man’s only fundamental alternative. To live is his basic act of choice. If he chooses to live, a rational ethics will tell him what principles of action are required to implement

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<sup>3</sup>Ayn Rand, “What Is Capitalism?” *Capitalism: The Unknown Ideal* (New York: New American Library, 1966), p. 14.

<sup>4</sup>Ayn Rand, *For the New Intellectual: The Philosophy of Ayn Rand* (New York: New American Library, 1961), p. 128.



his choice. If he does not choose to live, nature will take its course.

Reality confronts man with a great many "musts," but all of them are conditional; the formula for realistic necessity is: "You must, if –" and "if" stands for man's choice: "– if you want to achieve a certain goal." You must eat, if you want to survive. You must work, if you want to eat. You must think – if you want to work. You must look to reality, if you want to think – if you want to know what to do – if you want to know what goals to choose – if you want to know how to achieve them.<sup>5</sup>

If one does not "choose to live," then the course nature takes may not entail immediate extinction, but for *OE* it does involve one in living at a subhuman level—certainly, it is not man's survival *qua* man.

Yet it is by no means necessary that one choose to live. The choice to live ultimately comes down to the choice to use one's rational faculty—the exercise of this faculty is volitional. As suggested, conceptual awareness is not automatic. It is self-directed. It requires one making the effort to focus one's consciousness. "Existentially, the choice 'to focus or not' is the choice 'to be conscious or not.' Metaphysically, the choice 'to be conscious or not' is the choice of life or death" (370). Thus, one has to have chosen to live, in the sense that one has exercised the effort to be conceptually aware of the world, if one is to determine what ought to be done. There is for *OE* no concept of good, or notion of what ought to be, apart from and prior to the basic choice to live—that is, the choice to be conceptually aware. Indeed, to ask why one ought to choose to live or why it is rational to so choose is, according to *OE*, to ignore that the very search for an answer to such questions presupposes that one has chosen to live and thus is already holding that knowledge is a good in the service of one's life. Such inquiries have no point, because one has chosen to live.<sup>6</sup>

Yet there seems to be a problem with this argument—namely, there is nothing at all conceptually amiss in engaging in an activity and

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<sup>5</sup>Ayn Rand, "Causality Versus Duty," *The Objectivist* 9.7 (July 1970): 4.

<sup>6</sup>It makes no difference to the logical point here whether the choice to live occurs once (and that suffices), or whether the choice is something one continuously does. "First" or "prior" can be understood in a logical, not exclusively a temporal sense.

asking, while so engaged, whether one is justified in doing so. Choice cannot mean just focusing because that does not answer focusing on what or why. Indeed, we just noted above that choice seems to involve a complex process of a deployment of our rational faculty. But again, deployed on what and why? Choice implies evaluation which itself implies a standard. Without an evaluative standard one simply has selection, not choice. In short, “the choice to live” is highly ambiguous. This is because *OE* sometimes gives the impression that every choice is like the fundamental first choice to live, as if the mere act of selection itself sets in motion standards of evaluation. However, if there is no normative standard governing the fundamental first choice because selection alone is sufficient to qualify as a choice, then it’s difficult to see why any other choice would not be like the first one—radically independent. Yet if we bring in an evaluative component to choice, then it is possible to have standards prior to the choice itself. Therein lies the ambiguity.

In this connection, Nathaniel Branden in his essay “The Moral Revolution in *Atlas Shrugged*,” states regarding the choice to live:

Not to hold man's life as one's standard for moral judgment is to be guilty of a logical contradiction. It is only to a living entity that things can be good or evil; life is the basic value that makes all other values possible; the value of life is not justified by a value beyond itself; to demand such justification - to ask: Why should man choose to live? - is to have dropped the meaning, context and source of one's concepts. “Should” is a concept that can have no intelligible meaning, if divorced from the concept and value of life.<sup>7</sup>

*OE* holds that one must accept one’s life as one’s ultimate end and value on pain of engaging in a self-contradiction if denied, and this suffices to overcome the putative is-ought gap.

However, as has been noted elsewhere,<sup>8</sup> *if the existence of any “ought” is truly dependent on one choosing to live*, then Branden’s retort—namely, that asking why one ought to choose to live involves a

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<sup>7</sup>Nathaniel Branden and Barbara Branden, *Who is Ayn Rand?* (New York: Paperback Library, 1962), pp. 26-27. The contradiction of which Branden speaks might be better understood as performative in character.

<sup>8</sup>See note 15 below.

logical inconsistency or engages one in unintelligibility<sup>9</sup>—would seem to have no normative force. One must choose to live in order for it to be the case that one *ought* not to engage in making inconsistent or unintelligible statements. The “ought” succeeds the choice. If so, there appears to be a gap between what is logically required and what is morally required. Furthermore, there appears to be a gap between the logical requirement that choices can only be made while being alive and a moral obligation to choose in life-supporting ways. Being guilty of self-contradiction or making a meaningless claim is only of concern if one has knowledge as one’s aim or, to put it in Rand’s terms, has chosen to live; and it is the obligatory character of making that choice that remains at issue. Thus, either there are “ought’s” applicable to the choice to live or there are not. Since *OE* seems to hold that there are no standards prior to the choice to live—however locked in to life one is upon choosing—it would appear, then, that for *OE* there is no normative standard or ontological context that governs such a choice. It may be that this is due to *OE* failing to differentiate what is to be chosen from the act of choice itself—that is to say, failing to differentiate *preferring* one alternative to another to merely *selecting* one over another.

#### *Footean Ethics*<sup>10</sup>

Ethics is a practical concern. Its essential aim is neither to know some fact nor some logical principle but rather to guide human conduct. If any is-statement or logical principle is going to provide guidance for what humans ought to do, then there needs to be an account of practical rationality that not only allows reason to provide such guidance, but also explains how it is that what reason discovers can direct what one chooses.

A concern, then, if not *the* concern, of *FE* is to provide an alternative to the (neo)Humean view that our wants or desires are the determining factors for what we do and that reason is only a “slave to the passions,” and hence that ethics is not a matter of knowledge.

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<sup>9</sup> Strictly speaking, to affirm the proposition “P and not-P” is to hold something that is necessarily false but this is not something literally meaningless or unintelligible. Indeed, one has to understand what is being affirmed to see that it is false.

<sup>10</sup> Unless otherwise noted, all quotations regarding *FE* are taken from Philippa Foot, *Natural Goodness* (Oxford: Oxford University Press, 2001). Page numbers are noted in the text.

Moreover, Foot does not think that this challenge can be solved by a system of hypothetical imperatives. Indeed, she regards the idea of morality as a system of hypothetical imperatives as suffering from “obvious indigestibility” (60). Practical rationality cannot be concerned only with the relation of means to ends. Nor can it ultimately be based merely on what one wants, desires, or even chooses. Instead, there must be something that they are for—the directive power of which is not the result of being wanted, desired, or chosen—if we are going to have a basis for what we ought to choose and thus ethical knowledge.<sup>11</sup>

There needs to be a natural end or function—an end or function that is not simply the result of what is wanted, desired, or chosen. Foot holds that there is no reason to be afraid of teleological language when it comes to living things. Such language need not be the result of a world-view that reflects the will of a deity or even human will. Rather, it is part of natural-teleological description of life-forms. It is from such descriptions that an account of what is naturally good and beneficial for a living entity can be developed, including human beings. Human good is a necessary condition for practical reasoning and explains its vital importance.

Ethical knowledge exists, then, because “a moral evaluation does not stand over against the statement of a matter of fact, but rather has to do with facts about a particular subject matter” (24), and because life is at the center of this subject matter. As Foot states:

‘Natural’ goodness, as I define it, which is attributable only to living things themselves and to their parts, characteristics, and operations, is intrinsic or ‘autonomous’ goodness in that it depends directly on the relation of an individual to the ‘life form’ of its species. On barren Mars, there is no natural goodness, and even secondary goodness can be attributed to things on that planet only by relating them to our own lives, or to living things existing elsewhere (26-27).

What is naturally good is either attributable to a living thing in virtue of its relationship to its life-form or to facets of reality as they are related to living things, for example, when we speak of good weather as being good for plants, animals, or human beings.

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<sup>11</sup>Foot states that her approach involves “seeing goodness as a necessary condition of practical rationality . . .” (*Natural Goodness*, p. 63).

The importance of life to an understanding of what is morally good and what ought to be done is shared by both *OE* and *FE*. The crucial metaethical difference between them seems to be that the former (*OE*) holds that the questions “Why ought one choose to live?” or “Why be moral?” are pointless, since the very ability to ask these questions is dependent on first having made “the choice to live,” which is necessary for the very concepts of moral good or what ought to be. The latter (*FE*) holds that virtuous activity is necessary to, and constitutive of, human good, which is the ultimate end of practical rationality and standard for human choice. As such, human good provides not only the answer to such questions as “Why ought one to be moral?” but also the ontological basis for doubting the very point of asking “ought” in this context.<sup>12</sup>

### *Individualistic Perfectionism*<sup>13</sup>

*IP* accepts the claim of *OE* that life is an ultimate end for a living thing and further that life is not a denatured activity, but always and necessarily involves a particular form of living. It also accepts the claim that the use of one’s conceptual faculty is chiefly a matter of self-direction. Like *FE*, *IP* accepts its claim that life so understood is the natural end or function of a living entity. The aim of life is life. Most importantly, the approach taken by *IP* works within the context of metaphysical realism: there are beings that exist and are what they are independent and apart from our cognition of them, but these beings can nonetheless come to be known. Reality is intelligible and is not in principle unknowable. The approach taken by *IP* accepts, of course, the claim that one cannot *think* about what exists, including relationships, apart from their being thought of, but it holds that this neither means nor

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<sup>12</sup>See *ibid.*, p. 65.

<sup>13</sup>For a much more complete account of *IP*, see: Douglas B. Rasmussen and Douglas J. Den Uyl, *Liberty and Nature: An Aristotelian Defense of Liberal Order* [hereinafter *LN*] (La Salle, IL: Open Court, 1991); Douglas B. Rasmussen and Douglas J. Den Uyl, *Norms of Liberty: A Perfectionist Basis for Non-Perfectionist Politics* [hereinafter *NOL*] (University Park, PA: Pennsylvania State University Press, 2005); Douglas J. Den Uyl and Douglas B. Rasmussen, *The Perfectionist Turn: From Metanorms to Metaethics* [hereinafter *TPT*] (Edinburgh: Edinburgh University Press, 2016); and Douglas B. Rasmussen and Douglas J. Den Uyl, *The Realist Turn: Repositioning Liberalism* [hereinafter *TRT*] (Cham, CH: Palgrave Macmillan, 2020). Page numbers for quotations from these works are noted in the text.

implies that existents cannot be or have a nature apart from such thinking.

Accordingly, apart from the self-directed use of one's conceptual capacity, one does not have the *concepts* of moral good or what ought to be. However, this does not show that what these concepts are about does not exist apart from the exercise of one's conceptual capacity. Indeed, *human good is not a concept*. It is neither abstract nor universal, but individualized. It comprises a complex reality that expresses a relationship of potentiality for actuality, which is understood not only in terms of efficient causality but final and formal causality as well.

In this regard, *IP* holds with Aristotle that there is a distinction between grades of actuality when it comes to living things. The first grade of actuality is the possession of a set of capacities that are also potentialities for a living thing's second grade of actuality—that is, their actual use or deployment by a living thing. Included among the set of potentialities of a human being that comprise its first grade of actuality is the potential to exercise one's conceptual capacity. This first grade of actuality is a cognitive-independent reality. However, when one's conceptual capacity is exercised and used in a manner that actualizes the other potentialities that require it, then a second grade of actuality is attained. For example, one has the capacity to know one's good and attain it (first grade of actuality), but one needs to engage in knowing and attaining it in order to be fully actualized (second grade of actuality).

Human good understood in terms of what the first grade of human actuality entails needs to be discovered in order for a human being to attain his form of life—his manner of living—and what that involves—the second grade of human actuality. This means that engaging in the act of discovering human good is good for a human being. It is choice-worthy and ought to be done. Not knowing one's human good does not relieve one of the obligation to discover and attain it, since human beings can in principle make such a discovery. This discovery is of course self-directed, but self-direction can still be for human good without its being compelled to that end. Teleology is not compulsion.

Both *IP* and *FE* are different from *OE* when it comes to understanding the nature of the conditional or hypothetical upon which moral obligation is based. Indeed, this seems to be the ultimate

metaethical difference, and it pertains to how the human life-form is understood. It has to do particularly with the question of whether the human faculty of rationality has a function or end only of its own making or not.

*OE* holds that the “choice to live” (in all its manifestations) is necessary for the very existence of moral obligation; without it, there would be no moral obligation. Though human beings are living things that have their own lives as their ultimate ends, the exercise of their rational faculty, which the “choice to live” requires, stands apart from all the other faculties that function for the sake of human life in that there is nothing that this faculty is for—nothing toward which it is naturally oriented. This approach to moral obligation is what is commonly called a “problematic hypothetical imperative”: one ought to do what is good for one, *if* one wants or chooses to live.<sup>14</sup>

*IP* and *FE* hold that what is good for one as a human being provides an orientation for all human faculties, especially the faculty for rationality. The exercise of our rationality, which is expressed by our conceptual mode of awareness, functions for the sake of our human life-form, and the human life-form determines human good. Attaining this form of life is that for the sake of which human living exists, and this determines what is choice-worthy. It gives rise to moral obligation. This approach to moral obligation is what is commonly called an “assertoric hypothetical imperative”: one ought to *be* good (which involves doing what is good for one), *since* human good is one’s natural end.<sup>15</sup>

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<sup>14</sup>Or, if it is thought that rationality need not be considered as having anything in common with the other faculties of a flesh-and-blood living human being, then this might be understood as a categorical imperative since the ends of reason would be dictated by practical rationality itself. But surely this could not be what *OE* holds.

<sup>15</sup>See the following essays by Douglas B. Rasmussen: “Rand on Obligation and Value,” *The Journal of Ayn Rand Studies* 4.1 (Fall 2002): 69-86; “Regarding Choice and the Foundation of Morality: Reflections on Rand’s Ethics,” *The Journal of Ayn Rand Studies* 7.2 (Spring 2006): 309-28; “Rand’s Metaethics: Rejoinder to Hartford,” *The Journal of Ayn Rand Studies* 8.2 (Spring 2007): 307-16; and “Machan, Realism, and Objective Value Judgments,” *Reality, Reason, and Rights: Essays in Honor of Tibor R. Machan*, ed. Douglas Rasmussen, Aeon Skoble, and Douglas Den Uyl (Lexington Books, 2011), pp. 171-83.

Obligation ultimately rests in *OE* on one's choice, while in *IP* and *FE* it rests on what is one's good.

It must be noted here that understanding what the "choice to live" means in *OE* is highly problematic. This is so because at some points this choice appears simply to mean that someone has determined to conceptually consider some fact or feature of the world and at other points it appears to be a most reflective consideration of whether life is worthy to be lived. It seems to us that either way one must already be at least minimally engaged in some form of conceptual awareness in order to consider the question of whether to focus, think, or live regardless of how that question is understood or applied or what its context may be. This is not to say, however, that much effort is not required to get beyond minimal conceptual awareness, or that self-perfection does not entail self-direction. Yet it is to say that we begin our cognition of the world with the formation of rudimentary concepts that do not require *a level of effort that involves volitional consideration*. Indeed, *IP* (and most likely *FE*) is more inclined to say that the only fundamental choice we face comes after we are minimally conceptually aware, and it is the choice to die, which in most circumstances is not a good idea.

## **Normative Ethics**

### *Objectivist Ethics*

*OE* holds that "man's life, or: that which is required for man's survival qua man" (372) is the standard for determining human good. This standard does not "mean a momentary or a merely physical survival. . . . [It] means the terms, methods, conditions and goals required for the survival of a rational being through the whole of his lifespan—in all those aspects of existence which are open to his choice" (373). Moreover, Rand states:

In order to exist, every part of an organism must function; if it doesn't, it atrophies. This applies to man's mind more than to any other faculty. In order *actually to be alive properly*, a man must use his mind constantly and productively. That's why rationality is the basic virtue . . . . What for? The creative happiness of achieving greater and great control over reality and more ambitious values in whatever field man is using his mind . . . . *To survive properly*, man must think constantly. Man



cannot survive automatically. The day he decides he no longer needs to be creative is the day he's dead spiritually.<sup>16</sup>

Accordingly,

the three cardinal values of the Objectivist Ethics—the three values which, together are *the means to* and *the realization of* one's ultimate value, one's own life—are: Reason, Purpose, and Self-Esteem, with their three corresponding virtues: Rationality, Productiveness, Pride (373, emphasis added).

Further, the virtues of independence, integrity, honesty, justice, and productiveness are considered forms of cognition and conduct that rationality demands.

All of these virtues are part of what “man's survival qua man” involves. They are constitutive. However, these virtues are constitutive not because they are valuable in themselves. Rather, for *OE*, it is because they are causally contributory to an individual's survival—that is, what is necessary for attainment of values that human beings need to survive. It is causality, then, not desire, convention, duty, or even good that is the guiding principle here.

According to one recent account of *OE*,<sup>17</sup> the justification of these virtues, in terms of their causal contribution to what human beings need to survive, does not require holding that these virtues are only a means to survival. Nor does a causal justification of these virtues require treating human good as merely physical survival. It is held that these virtues are constitutive exactly because they causally contribute to human survival. This is so because life is a constant process of self-generated and self-sustaining action that is itself its own end *and* because the actions a living thing takes to maintain its life also constitute it. These virtues are both instrumental to and constitutive of human survival at the

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<sup>16</sup>Ayn Rand, *Ayn Rand Answers: The Best of Her Q & A*, ed. Robert Mayhew (New York: New American Library, 2005), p. 30, emphasis added.

<sup>17</sup>See Gregory Salmieri, “Selfish Regard for the Rights of Others: Continuing a Discussion with Zwolinski, Miller, and Mossoff” in *Foundations for a Free Society: Reflections on Ayn Rand's Political Philosophy*, ed. Gregory Salmieri and Robert Mayhew (Pittsburgh, PA: University of Pittsburgh Press, 2019), pp. 168-175.

same time, and hence there is no instrumental/constitutive dichotomy for *OE*—or so it is claimed.

The aim of morality for *OE* is what is good for an individual human being. It holds “that the actor must always be the beneficiary of his action and that man must act for his own *rational* self-interest.”<sup>18</sup> The relationship of an individual to others is not the definitive ethical concern. Rather, it is the relationship between an individual and his very self that ultimately matters. Hence *OE* advocates ethical egoism and rejects altruism. It is in this regard that *OE* has raised the most controversy and criticism.

Ethical egoism for *OE* does not, however, preclude friendships of various kinds or preclude choosing to risk one’s life for friends and family, or even preclude defending one’s country for the sake of preserving liberty. This does, however, mean that one’s friends, family members, social and political institutions, and country do not have a moral blank check. They are not free from evaluation. They can and ought to be morally evaluated in terms of what they causally contribute to one’s surviving or living properly.

Finally, *OE* rejects the idea that there can be a conflict of interests between people who are rationally pursuing their own good as understood in terms of the principles, methods, virtues, and values that constitute “man’s survival qua man.” When this standard is applied correctly by individuals to the purpose of attaining their own life, then there is no basis for conflict. This is, of course, not to say that individuals invariably do this or act rationally. However, it is to say that for *OE* the differences among individuals understood in terms of who they are and their circumstances *cannot*—as a matter of principle—give rise to legitimate conflicts between individuals regarding what is their respective good and how they should conduct themselves.

#### *Footean Ethics*

*FE* holds that the goodness of a living thing is present to the extent that it instantiates its life-form (or stated more traditionally, to the extent that it conforms to its nature), but since this instantiation is of a

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<sup>18</sup>Ayn Rand, “Introduction” in *The Virtue of Selfishness: A New Concept of Egoism* (New York: Signet, 1964), p. x.

*life*-form, it must involve what is beneficial or good for it as the kind of living thing it is. It must involve being a good *living* thing.<sup>19</sup>

However, it should be emphasized that this is a statement of what it is for a living thing to be good and not a statement of what is needed for a living thing to exist in every set of circumstances or situations. Nor is it even a statement, strictly speaking, of what is necessary to exist. Existing as such is not a living thing's ultimate good or end, but instead it is *living as the kind of living thing it is*. As Foot notes, "the teleological story goes beyond a reference to survival" (43). Natural teleology may require a biocentric foundation and starting point, but that does not necessarily make biological or physical survival the end of a living being. This is especially so for human beings when it comes to the standard for determining human good.

The central question for *FE* is whether there is a common conceptual structure shared by the procedure of determining goodness and defect for a plant or an animal and the procedure of determining goodness and defect for a human being. Regarding this question, Foot makes three important points:

The first is that there is in fact a common conceptual structure to all the procedures of determining goodness:

The structure of the derivation is the same whether we derive an evaluation of the roots of a particular oak tree or the action of a particular human being. The meaning of the words "good" and "bad" is not different when used of features of plants on the one hand and humans on the other, but is rather the same as applied, in judgments of natural goodness and defect, in the case of all living things (47).

The second is that the respective forms of goodness determined by these procedures are quite different, and that the goodness of a human being cannot be reduced to that of a plant or an animal:

When we think about the idea of an individual's good as opposed to its goodness, as we started to do in introducing the

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<sup>19</sup>Goodness of a living thing, then, is explained in terms of what is good for it as the kind of living thing it is. Goodness is not some simple, non-relational property. It is expressed in the relationship of an individual living thing to its life-form.

concept of benefit, human good must indeed be recognized as different from good in the world of plants or animals, where good consisted in success in the cycle of development, self-maintenance, and reproduction. Human good is *sui generis* (51).

Third, nonetheless, a common conceptual structure remains:

For there is a ‘natural-history story’ about how human beings achieve this good as there is about how plants and animals achieve theirs. There are truths such as ‘Humans make clothes and build houses’ that are to be compared with ‘Birds grow feathers and build nests;’ but also propositions such as ‘Humans establish rules of conduct and recognize rights.’ To determine what is goodness and what defect of character, disposition, and choice, we must consider what human good is and how human beings live: in other words, *what kind of a living thing a human being is* (51, emphasis added).

What goodness is for living entities—regardless of their complexity and diversity—is their living qua the kind of being they are. Their particular natures determine in what their good consists.

Foot follows Elizabeth Anscombe in thinking that we cannot have an adequate understanding of what ethics involves apart from a well-developed understanding of human nature. *FE* holds that we do have sufficient understanding of human nature to note that human good extends far beyond biological or physical survival and that human beings need virtues. Humans need virtues, Peter Geach noted, as bees need stings.<sup>20</sup> Virtues, such as courage, integrity, temperance, and justice, are part of what practical rationality requires in realizing the human life-form; and engaging in practical rationality, which is a “master virtue” (62), is the foundation for a human being developing capacities, dispositions, or behaviors that conform to his nature or life-form. It is through practical rationality that human good is made real. As such, practical rationality and its concomitant virtues are both instrumentally and constitutively causes of what it is to be a good human being.<sup>21</sup>

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<sup>20</sup>Peter Geach, *The Virtues* (Cambridge: Cambridge University Press, 1977), p. 17.

<sup>21</sup>See Douglas B. Rasmussen and Douglas J. Den Uyl, “On Grounding Ethical Values in the Human Life Form,” a review of Benjamin J. B. Lipscomb, *The*

Regrettably, Foot does not engage in a full account of the values and virtues human good comprises. She notes the importance of creativity, freedom, friendship, justice, and practical reasonableness, and even argues that one can find happiness of a certain sort in situations in which one faces one's demise, knowing that one is nonetheless following the demands of one's integrity.<sup>22</sup> Yet she is more content in *Natural Goodness*, her last major work, to establish the justification for a naturalistic procedure—namely, that there is no in-principle barrier to knowing human good through an examination of the human life-form. It is possible for us to come to understand in what human good consists through an understanding of human nature. Attaining such an understanding involves not only scientific (not scientistic) inquiry, but also philosophical and personal reflection, natural history stories, and common experiences.

From the perspective of metaphysical realism, which *IP* endorses, discovering in what human good consists (that is, its formal cause) need not be simply a matter of deduction or some a priori procedure.<sup>23</sup> It is, broadly speaking, an empirical process, but one that is freed from Cartesian epistemological and methodological assumptions. As a result, it is not necessary to start with an account of human good that has been shown to be immune to so-called radical doubt or to revision. Rather, a starting point for understanding in what human good consists is simply what Aristotle called the “endoxa” (established opinions), which lists some basic, “generic” goods and virtues (as we shall see in the following examination *IP*'s account of human good). This is an initial, though not necessarily final, account of what human good *is*. Clearly, human good is beyond that of biological or physical survival. (This at least is also insisted upon by *OE*.) It would seem, then, that to the extent that Foot was a follower of Anscombe and found Ludwig Wittgenstein's arguments against a “private language” effective, *FE* would find starting with the endoxa to discover in what

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*Women Are Up to Something*; and Clare Mac Cumhail and Rachel Wiseman, *Metaphysical Animals*,” *The Journal of Ayn Rand Studies* 23:1-2 (2023): 327-39.

<sup>22</sup>See *Natural Goodness*, p. 97.

<sup>23</sup>This also seems to be the case for *FE*, but this is not so clear for *OE*, since the list of values and virtues that *OE* offers seem to be derived from the meaning of the definition of “man's survival qua man” (373). However, much here depends on understanding Rand's account of concepts. We shall not engage that issue at this time.

human good consists congenial. This seems to be what Foot is suggesting, at least in part, when she speaks of “natural history stories.”

### *Individualistic Perfectionism*

*IP* holds that it is “*the life-form of a being, not its mere existence, that provides the basis of our understanding its good*” (*TPT*, 29); and it is the life-form of a human being that is the foundation for understanding in what being a good human being consists. In this respect, *IP* and *FE* are alike.

For *IP*, human good is best expressed by the terms “self-perfection” or “human flourishing,” and most succinctly stated this means “the exercise of one’s own practical wisdom” (*TPT*, 33). Self-perfection or human flourishing is the ultimate good or end (*telos*) for human beings. Ontologically considered, it is an activity, an actuality, and a particular way of living.<sup>24</sup> As an account of human good, self-perfection or human flourishing (these terms are used interchangeably<sup>25</sup>) is characterized by the following interrelated and interpenetrating general features:

- a) *Agent-relativity*: always good for and of some individual person or other.
- b) *Inclusivity*: the most final end that includes all other final ends.
- c) *Individuality*: not abstract or universal but determinate and unique.
- d) *Objectivity*: fundamentally characterized as a way of living for a human being.
- e) *Self-directedness*: actualized through the self-directed use of human reason.
- f) *Sociality*: not atomistic but realized with and among others.

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<sup>24</sup> In Aristotelian-Thomistic terms, self-perfection or human flourishing is an immanent activity—that is, it is an activity that has no external result but of itself is perfective of the agent who engages in it.

<sup>25</sup>For a justification of this use, see “The Perfectionist Turn,” *TPT*, chapter 5, pp. 171-200.

Not all of these features can be considered here, but only those that are most useful in comparing *IP* with *OE* and *FE*—and then only very briefly.

Human flourishing is an *inclusive good* in that the causal contribution of the goods and virtues that constitute it are validated and explained in terms of final and formal causality as well as efficient causality.<sup>26</sup> Hence, the pursuit of such goods as knowledge, health, friendship, creative achievement, beauty, and pleasure, and the exercise of such virtues (or rational dispositions) as integrity, temperance, courage, and justice are understood as both productive *and* expressive of human flourishing. They make up what it is for human beings to flourish or perfect themselves in that the effects of these activities are both for, and manifested within, the flourishing or self-perfecting life. They are not found in anything apart the individual human being. They are immanent activities. More generally stated, they causally contribute to a unity that develops and sustains the powers whose exercise constitutes the actualization or perfection of a human being. They help to define what human flourishing is and thus what it is to be a good human being.

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<sup>26</sup>Rand holds that final causation “applies only to a conscious being” (“Causality Versus Duty,” p. 4). Further, she states:

“When applied to physical phenomena, such as the automatic functions of an organism, the term ‘goal-directed’ is not to be taken to mean ‘purposive’ (a concept applicable only to the actions of a consciousness) and is not to imply the existence of any teleological principle operating in insentient nature. I use the term ‘goal-directed’ in this context, to designate the fact that the automatic functions of living organisms are actions whose nature is such that they *result* in the preservation of an organism’s life” (366 n.1). So, given Rand’s understanding of natural teleology, it certainly seems that *OE* does not appeal to final causality in explaining what constitutes human flourishing. However, how does one determine just what is the *result* of the functions of a living organism without an understanding of that *for which* it functions? Why would not death be the result; for that is what happens to every living thing? Living things need to be understood teleologically and as different in kind from other physical phenomena. Indeed, the biocentric nature of natural teleology needs to be recognized. Additionally, it should be noted that there seems to be no place in *OE* for an immanent activity—that is, it is an activity that has no external result but of itself is perfective of the agent who engages in it. In contrast, see *TPT*, pp. 45-47; 193-198; and 219-224.

It should be emphasized that though the pursuit of these goods and virtues are not external means to self-perfection, their worth does not exist apart from them being essential to the perfection of some individual human being or other. Hence, their worth is not “intrinsic” in the sense that it exists apart from their being constitutive features of an individual’s self-perfection. *IP* holds with *OE* that there is no instrumental/constitutive *dichotomy*, but *IP* does hold that there is a *distinction* between them. Not all activities that are—or would seem to be—supportive of self-perfection are constitutive (for example, winning money in a lottery), even though some activities can be both instrumental and constitutive.

Health is among the goods listed in *IP*’s account of human flourishing, which must at least involve biological or physical survival, and it could be regarded as foundational for the achievement of any other good or exercise of virtue. On the other hand, knowledge is also listed and is necessary for any understanding of what biological or physical survival (or any other good or virtue) involves, and so could be regarded as foundational as well. We have to be healthy enough to function, and we have to be knowledgeable enough to function. But this does not make human flourishing simply either a result of health or knowledge—they are not sufficient. Nor does their importance for human flourishing carry with it guidance as to how health or knowledge should be weighted in value relative to all the other goods and virtues in determining how one ought to conduct oneself. In fact, *IP* holds that this can be said about all the goods and virtues that comprise human flourishing.<sup>27</sup> An abstract understanding of in what human flourishing consists is not an adequate guide for moral conduct,<sup>28</sup> and this is where the importance of the individual and the central role of practical wisdom is developed by *IP*.

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<sup>27</sup>The exception to this is, of course, one’s own exercise of practical wisdom, for it is the primary virtue that weighs the worth of the goods and virtues and determines what ought to be done. It provides them with unity and coherence that characterizes human flourishing as a whole.

<sup>28</sup>In saying this, however, we are not saying that generalized accounts of the components of the good life are of no value. They can be used in making general evaluations of people. Further, such accounts are necessary in helping the individual see the dimensions that might need integration as well as being the source of principles needed to guide one through practical experience. *IP* shares this view with *FE* and *OE*.



Interestingly enough, Rand makes no mention of practical wisdom, as far as we can tell.

*IP* holds that self-perfection is *individualized*. Individual human beings are not mere loci for attaining generalized human goods. The conformity of an individual human being to his life-form is more than simply a matter of instantiation of a form, as *FE* might seem to suggest.<sup>29</sup> Self-perfection achieves determinacy and reality only when the basic, “generic” goods and virtues find expression through the individual’s unique talents, potentialities, and circumstances (which is called an individual’s “nexus”). Self-perfection is a matter of not only *what* an individual is but *who* an individual is. Hence, the difference between *IP* and how perfectionism has been often understood regarding human good (and also how *OE* and *FE* seem at times to understand it as well) is as follows:

Though we may abstractly speak of a *summum bonum*, there are in reality only many *summa bona*. There are only many *summa bona*, because each individual’s flourishing is the *summum bonum* for him- or herself, and because there is no single *summum bonum* without unique form or apart from the lives of individual human beings (*TPT*, 42).

It is thus possible, according to *IP*, for self-perfection to be a reality and yet not be universal or impersonal. “The human telos just is, then, the flourishing of each individual” (*TPT*, 37).

Earlier, *endoxa* (established opinions) were spoken of as the starting point for understanding in what human flourishing consists, but the completion point is the exercise of practical wisdom (*phronesis*). Practical wisdom is the excellent use of practical reason, which is a self-directed activity, and it is more, as *FE* also holds, than mere cleverness. Practical wisdom is the ability to determine at the time of action in particular and contingent circumstances the proper weighting or evaluation of basic, “generic” goods and virtues (which involves as well the exercise of dispositions for proper desires and emotional responses—that is, moral virtues). It thus determines what is to be done.

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<sup>29</sup>In *Natural Goodness* Foot does not take up a discussion of how human good is always and necessarily individualized or how its individualized character is ethically important. Of course, not discussing the individualized character of human good does not mean or imply that *FE* would deny its importance.

Practical wisdom is the central integrating virtue of the flourishing life. It is intellectual insight that guides human conduct and perfects the individual. As Aristotle states:

Virtue . . . is a state of character concerned with choice, lying in a mean, i.e., *the mean relative to us*, this being determined by a rational principle, and by that principle by which the man of practical wisdom would determine it.<sup>30</sup>

It is insight into the nature of the appropriateness of the ends to be pursued that transforms practical reason into practical wisdom, depending upon the strength and perceptiveness of the insight.

And insight is of ultimate things in both directions; for insight and not reasoning is of the primary bounding principles and of ultimate things, and insight, *in demonstrations*, is of immutable and binding principles [sc. the principle of non-contradiction], whereas insight, *in matters of action*, is of the ultimate and of the contingent and of the other [sc. minor] premise . . . .<sup>31</sup>

Here is a type of knowing that is not discursive but direct. The role of this form of knowing is, however, not discussed in *OE*.

Finally, there are two remaining issues where *IP* is basically different from *OE*. These can only be quickly noted.

First, since the character of human flourishing as a cognitive-independent reality is neither abstract nor universal but always expressed in individualized form, one person's concrete form of flourishing is not the same as someone else's. Abstractly considered, the goods and virtues found in the lives and characters of human beings may be regarded as the same, but in reality they are and must be individuated, which opens the door to the possibility of conflict. What might make an inference that the good must be the same for all individuals because it is rational appear justifiable would be if the concept of human good is conflated with the reality to which it refers. That is to say, to describe a

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<sup>30</sup>Aristotle, *Nicomachean Ethics*, 1107a1–3, trans. W. D. Ross, in *The Basic Works of Aristotle*, ed. Richard McKeon (New York: Random House, 1968), emphasis added.

<sup>31</sup>*Nicomachean Ethics*, 1143a35-b3, trans. Fred D. Miller from his essay, "Aristotle On Rationality in Action," *The Review of Metaphysics* 37.3 (March 1984): 513 (first interpolation is ours).

virtue as being rational is to thereby suppose it exists (or should exist) in the same way and to the same degree in person X and person Y. But to do this is a non sequitur.

*OE* seems at times to come dangerously close to making such a conflation—indeed, to having a constructivist approach to ethical knowledge—as was suggested in the discussion of the so-called choice to live. Therefore, *IP* holds that the possibility of righteous conflicts between individuals regarding their respective good cannot be ruled out as a matter of principle.<sup>32</sup> In fact, it is a crucial issue when it comes to understanding the proper approach to political philosophy, as we shall see shortly.

Second, *OE* treats the relationship between an individual and his *self* as the central consideration of normative ethics. As noted earlier, *OE* holds that “the actor must *always* be the beneficiary of his action and that man must act for his own *rational* self-interest.”<sup>33</sup> On the other hand, *IP* does not make relationships primary—be they in how they affect others, the greatest number, or one’s self. Ontologically, a human being is the foundation for relationships and not merely a node in a network of relations. *IP* thus rejects consequentialism as the basic way to determine what ought to be done.<sup>34</sup> The crucial question of normative ethics is not whether one is acting for one’s own good or for the good of others,<sup>35</sup> but rather what kind of self one is making. Actions done for

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<sup>32</sup>Long ago, Antony Flew noted that even though neither deserves nor has a right to the job for which they are competing, it can nonetheless be true that two persons have conflicting interests in this regard. See “Selfishness and the Unintended Consequences of Intended Action,” *The Philosophic Thought of Ayn Rand*, ed. Douglas J. Den Uyl and Douglas B. Rasmussen (Urbana and Chicago: University of Illinois Press, 1984), pp. 189-190.

<sup>33</sup>Ayn Rand, “Introduction” in *The Virtue of Selfishness: A New Concept of Egoism* (New York: Signet, 1964), p. x (first emphasis added).

<sup>34</sup>Foot also makes this rejection (48-50).

<sup>35</sup>Rand complains that for altruism “the *beneficiary* of an action is the only criterion of moral value—and so long as that beneficiary is anybody other than oneself, anything goes.” Further she states that “the choice of the beneficiary of moral values . . . is not a substitute for morality nor a criterion of moral value. . . . Neither is it a moral *primary*. . . .” “Introduction,” *The Virtue of Selfishness*, p. viii and p. x. However, for Rand to require that only oneself ought to be beneficiary is to adopt the same logic as that of altruism. It makes the moral worth of conduct dependent on relationships rather than the perfection of the individual human being.

others and done for one's self can be both appropriate or inappropriate depending on the individuals involved and their circumstances. Again, practical wisdom is required.

## Political Philosophy

### *Footean Ethics*

Wikipedia reports that Foot once told a student that “I've never found political philosophy interesting.”<sup>36</sup> However that may be, Foot was interested in applied ethics and had views on abortion and euthanasia. Some sense of her political “theory” can perhaps be gleaned from these issues and elsewhere. First of all, it seems highly unlikely that Foot would embrace a political theory constituted primarily by some form of utilitarianism. She more or less explicitly rejects it and is uncomfortable with forms of consequentialism generally. Indeed, she suggests that what is wrong with utilitarianism just is its consequentialism.<sup>37</sup> Moreover, Foot also notes that benevolence and “welfare” are not the whole of ethics and can be limited by rights and justice.

Indeed, Foot is not shy in suggesting that there are such things as rights and they can trump other moral considerations. Utilitarianism itself is thwarted by rights,<sup>38</sup> and the pursuit of social benefits generally is limited by rights.<sup>39</sup> Foot does allow for both positive and negative rights, saying that these are the two main types of rights and that both can be overridden in exceptional circumstances. However, the duty of noninterference takes priority in “ordinary circumstances,”<sup>40</sup> especially when it comes to property rights. Foot also indicates that rights do not cover the whole of morality, nor even most of it if one is referring to

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<sup>36</sup><[https://en.wikipedia.org/wiki/Philippa\\_Foot](https://en.wikipedia.org/wiki/Philippa_Foot)>. Although she didn't write about it, Foot was in practice a fairly conventional supporter of the welfare state and the British Labour Party.

<sup>37</sup>See Philippa Foot, “Utilitarianism and the Virtues,” in *Moral Dilemmas and Other Topics in Moral Philosophy* (Oxford: Clarendon Press, 2002), 59-77.

<sup>38</sup>“If the theory [standard utilitarianism] was to give results at all in line with common moral opinion *rights* had to be looked after in a way that was so far impossible within even the modified versions of utilitarianism” (emphasis in original), *Ibid.*, p. 61.

<sup>39</sup>“Considerations about rights, both positive and negative, limit the action which can be taken for the sake of welfare.” *Ibid.*, p. 71.

<sup>40</sup>Foot, “Killing and Letting Die,” *Moral Dilemmas*, pp. 78-87.

individual flourishing.<sup>41</sup> In general, what guides Foot in all this is “common moral opinion” and not a developed political theory. But Aristotle also relied on endoxa, and in both cases the starting point of a political theory, and the general paths the theory would likely take, are present. Thus the most accurate thing we can say about Foot’s political philosophy in relation to ours is that her sensibilities seem sound enough, but common moral opinion is not a stable resting place to discern the connections or lack thereof between politics and ethics.

### *Objectivist Ethics and Individualistic Perfectionism*

In Rand’s case, as in the case of *IP*, it makes most sense to discuss her politics as grounded in her theory of rights. The central passage in this regard is the following:

“Rights” are a moral concept—the concept that provides a logical transition from the principles guiding an individual’s actions to the principles guiding his relationship with others—the concept that preserves and protects individual morality in a social context—the link between the moral code of a man and the legal code of a society, between ethics and politics. Individual rights are the means of subordinating society to moral law (381).

As we have noted above, Rand’s ethics is grounded in human nature, and since rights are a moral concept, they too are grounded in human nature. “Rights are conditions of existence required by man’s nature for his proper survival” (383). In this case, rights allow us to engage in the “self-sustaining and self-generated actions required by the nature of a rational being for the support, the furtherance, the fulfillment and the enjoyment of his own life” (382). Notice that Rand’s doctrine is one of individual rights. In the passage cited above we move from “the principles guiding an individual’s action” to “principles guiding his relationship with others.” We could easily imagine someone arguing that it should go the other way with social rules dictating the actions of individuals. But for Rand it is the freedom of the individual that rights are meant to protect. That freedom, Rand would argue, is necessary because the volitional nature of reason is our central tool for living, hence choice-making is elemental for human beings. Rights are therefore protected spheres of actions and not things, positions, statuses,

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<sup>41</sup>See *Natural Goodness*, pp. 13, 69, 77.

offices, or positions of authority. And because they are grounded in human nature, it is not incorrect to think of this doctrine as a natural rights doctrine.

Since the ordinary vernacular around rights uses the language of positive or negative rights, one would have to say Rand's doctrine is one of negative rights. Rand herself, however, puts it somewhat differently:

Thus, for every individual, a right is the moral sanction of a positive—of his freedom to act on his own judgment, for his own goals, by his own voluntary, uncoerced choice. As to his neighbors, his rights impose no obligations on them except of the negative kind: to abstain from violating his rights (382).

The great evil for Rand is coercion, which is the initiation of the use of physical force that includes fraud and breach of contract. Physical force removes acting on one's judgment, which, as we have seen, is fundamental to living a human life. The two main sources of coercion are criminals and the state, with the latter, of course, being the focus of her political theory. Since the central, perhaps only, tool of the state is force, the state, no more than the criminal, cannot be allowed to initiate it. The state can only use force in response to violations of the spheres of freedom that make up our individual rights. Once those spheres are defined, the power of the state stands by to protect, secure, and enforce the rules that define the context in which individual actions will take place—in other words, its power of retaliation ensures the existence of individual rights both domestically and with regard to other states.

We do not get a lot of detail of how to define the scope and limits of rights as they would be determined in practice. It is clear that Rand means for these basic rights to apply to all equally, since our need to make choices and take actions in light of our judgments is the same for all. A key concept in Rand's political theory that follows, therefore, from this need to ensure freedom of action is the notion of property rights. She goes as far as to say that "without property rights, no other rights are possible" (382). The "right to life" is the primary right, but since life requires action in the world based upon choice, we need to understand that choices have implications for actions in the material world. Choices are not just mental states or processes. Similarly, while property rights culminate in material things, it is not things but actions that characterize the nature of a property right:

Bear in mind that the right to property is a right to action, like all the others: it is not the right to an object, but to the action and the consequences of producing or earning that object. It is not a guarantee that a man will earn any property, but only a guarantee that he will own it if he earns it. It is the right to gain, to keep, to use and to dispose of material values (382).

Notice that like all else in Rand, rights are in their primary instance individual rights. We may voluntarily cooperate with others in our utilization of the material world, but any rights jointly held are dependent first upon individual voluntary actions. In short, the right to life is instantiated through the right to property.

Rand's theory of rights implies that the powers of the state be limited and precisely defined. Because property rights are so important and the state generally leaves one alone to cooperate with others through voluntary mutual exchange, Rand likes to call her form of political order "capitalism." She notes that "capitalism is a social system based on the recognition of individual rights, including property rights, in which all property is privately owned."<sup>42</sup> Whether "capitalism" is the best term to use in describing a political theory is of little importance to us here. The term does, however, remind us that Rand's doctrine has no room for collectivism of any kind. It is a thoroughgoing political individualism, and unabashedly so.

From the foregoing account of *OE*, it is likely that the *IP* position would generally accord with Rand on practical politics. Rule of law, strong property rights, laissez-faire economics, limited democracy, and the like would all be part of the political package for both. Any disagreements would likely be about means or modes of maintenance rather than political goals. Our focus here must be, therefore, the way of understanding the foundations for such a political arrangement. For this we should return a moment to Rand's statements about rights.

When looked at generally, Rand's statement about rights that we cited earlier clearly intends to describe the type of political order we have just articulated. Nonetheless, when examined carefully, it lacks conceptual clarity. Here it is again:

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<sup>42</sup> "What Is Capitalism?" p. 11.

“Rights” are a moral concept—the concept that provides a logical transition from the principles guiding an individual’s actions to the principles guiding his relationship with others—the concept that preserves and protects individual morality in a social context—the link between the moral code of a man and the legal code of a society, between ethics and politics. Individual rights are the means of subordinating society to moral law (381).

First of all, there are many principles “guiding an individual’s actions.” Which ones are we talking about and why those? Social morality seems to be instrumentalized to individual morality in that its purpose is to preserve and protect individual morality. Again, are we to preserve and protect any and all such principles? Is there also no social morality deserving of preservation and protection of its own? And what if our individual moralities do not mesh? Further, what kind of morality is just a “link,” being neither an individual’s moral code nor a legal rule? Is it society that needs subordinating or certain types of individuals? In the Randian world of only individual moralities, what can “society” mean as a thing to be subordinated? Finally, what started out at the beginning of the passage as a “moral concept” ends up being a “moral law.” Somehow those seem to be rather different concepts. Of course, reading more of Rand would help sort out some of these issues. Still, the easy elisions between morality, rights, and law end up leaving a good deal of unclarity about what is or is not being justified.

We do not know whether Rand would accept our way of dealing with these issues, but she does open the door to them. We have seen already the centrality Rand gives to reason and the necessity of choosing to use it in living one’s life. Those choices for living must be made by individuals, even when they associate together, so individual choice is the critical center around which any theory would develop. In essence then, Rand’s view of rights endorses what could be called the vital moral importance of self-direction—that is, the importance of acting on one’s own judgment—even though this endorsement does not consider whether one’s own judgment is morally correct. Absent this direct guidance toward the good, this analysis suggests that the concept of rights has a function that extends beyond that of ethical norms ordinarily understood. Rights in this sense are open to the possibility that doing some things which are ethically wrong may nonetheless be within one’s right. Such a possibility is hinted in Rand’s remark that rights are the



link between the ethical code of a man and the legal code of a society. Something (a right) apparently can have some ethical standing without being specifically directed toward some good. However, this suggestion is not developed or made clear.<sup>43</sup>

Rand does say that the “recognition of individual rights entails the banishment of physical force from human relationships” and that “the only function of government . . . is the task of protecting man’s rights.” Hence, provided they do not use physical force against others, individuals would seem to be free to follow their choices whether they be good or bad ones. Yet why is it permissible to allow wrong-doing? It is often unclear in Rand whether all there is to the social side of morality is respecting rights. Though Rand notes that justice is among those virtues involved in the exercise of the virtue of rationality, does justice require one to do anything socially other than not coerce others? Indeed, what is required socially to “never seek or grant the unearned or undeserved, neither in matter nor in spirit” (374)? And if we look to individual morality, the situation is not much improved. As long as we are following our “rational” interests, productiveness and pride will result. Irrationality always leads to bad outcomes and rationality to good ones with respect to an individual’s own happiness and success. Respecting rights then is a form of rationality—that is, a way of serving one’s interests in maintaining one’s life. It would have the same standing as any other principle that might serve one’s interests.

By contrast, the *IP* position holds that moral norms are not all of the same sort. Some set a context within which moral action can take place, while there are other norms that are forms of guidance toward one’s good. The former we label “metanorms,” and that is what rights are. While we cannot go into the various dimensions of the doctrine here, the relevant point is that rights have a completely different role to play from other moral norms, and they need both a separate justification as well as a place within the moral pantheon generally. Rand is correct in suggesting that what is centrally in need of protection is self-direction, and that putting individual self-direction at the center implies a certain politics. But a lot more needs to be said about why one would have the right to do wrong than we find in Rand. On the one hand, the distinction between the types of norms seems to exist for her. On the other, it is

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<sup>43</sup>See *LN*, p. 111.

difficult to imagine her condoning in any way doing what is wrong, since that would be to condone unreason.

In *IP* politics, the very purpose of rights has nothing to do with rational conduct, though the existence and the respecting of rights is rational. Rights are not only grounded in what is fundamental to human nature, but also what is true about the nature of government itself. Because the central tool of government, coercion, is an anathema to morality, an ethically permissible way needs to be found to limit and define the use of that tool. For various reasons the state cannot (should not) do more than protect self-directedness, even though allowing for it is hardly normative for living a good life.<sup>44</sup> In any case, rights grow out of an understanding of the nature of government and its possible impact on the human good. It is the relationship between the individual human good and the possible consequences of collective action that determine the nature of rights.

It should be noted here also that it is because *IP* is committed to teleology that this distinction between metanorms and norms can be made with some clarity and force. For knowing that norms of goodness come from elsewhere than do metanorms—though both depend upon an understanding of human nature—is made evident by the fact that our telos is not achieved simply by being in the context which is needed for its achievement. Without a sense of that sharp difference between metanorms and norms and the reasons for having both, it is increasingly difficult to give one the right to do wrong.

Finally, as the term “IP” implies, the telos is individuated. In its use of reason *OE*, by contrast, suggests that the same norms will apply to all individuals, and accordingly there can never be righteous conflicts between what is good for one person and good for another. Their actions will be rational or not because they are human and all norms are rooted in human nature. With *IP*, a norm that applies to one person may not apply to another—indeed it might be irrational (not in accord with his telos) for the other to do what was appropriate for someone else. Only conflating the concept of human good with its reality would justify ignoring this possibility, but as has been noted earlier, this is a conflation *IP* rejects root and branch. This strong sense of individualism factors into the nature of rights because rights must not only protect what is understood to be a part of human nature in general, but also somehow

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<sup>44</sup>See *NOL*, and *TRT*, pp. 19-63.

recognize the presence of individuality. Hence rights are one moral notion that *does* apply in the same way to all individuals. Rand certainly values individuals, but it is not clear how much room there is for individualism and why that would matter in how she frames her rights theory.

## Conclusion

Since we are the ones making the comparisons between the three approaches to ethics, it seems pointless to conclude by recommending one theory over the others. Instead, it makes more sense to mention what all of these theories seem to have in common. They are cognitivist theories. They hold that moral knowledge is possible and thus reject emotivism, expressivism, and prescriptivism. They also seem, more or less, to share a commitment to metaphysical and epistemological realism, an emphasis on a life-based approach to values or ends, the centrality of human nature for understanding ethics, and non-reductive naturalism. They stand in opposition to faith, sentiment, socialization, and various forms of transcendentalism,<sup>45</sup> and they do not regard either consequentialism or deontology as adequate ethical theories. All three theories can be said to be within the Aristotelian tradition. Speaking most generally, they hold that “what is” ultimately provides the basis for “what ought to be.” Rand and Foot, among others (such as Anscombe), over the latter decades of the 20th century were significant in eroding the stranglehold analytic ethics has held over ethical theorizing. All three theories seem to have some sort of commitment to natural rights. In short, whatever differences there are between the three approaches, enough solid ground has been carved out by them for continual reflection into the insights this form of ethical theorizing makes available to us.<sup>46</sup>

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<sup>45</sup>It should be noted that John Hacker-Wright interprets Foot in a Kantian fashion: the human life-form is an a priori category that is necessary for the possibility of our understanding ourselves in thought and action. See *Philippa Foot's Metaethics* (Cambridge: Cambridge University Press, 2021), p. 37. See also TPT, p. 230 n74.

<sup>46</sup>We want to thank Roger Bissell, David Gordon, Teodora Nichita, and the editors of this journal for their assistance.

# The Human Form of Life: Rand and Foot on Biological Foundations of Normativity

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## 1. Introduction

In the second half of the twentieth century, Philippa Foot and Ayn Rand each defended novel forms of ethical naturalism that aimed to ground objective ethical norms in biological facts about the nature of life in general, and human life in particular. On this approach, ethical judgments (e.g., “judging people based on their race is morally wrong”) and concepts such as virtue-concepts (e.g., honesty or justice) qualify as objective by reference to a relationship to biological human needs, such as a need for self-esteem, social cohesion, cooperation with others, and/or a sense of fulfillment, to take some examples. This approach (if successful) vindicates ethical judgments and concepts as objective in the sense that scientific judgments and concepts are objective on a realist view: they can be discovered and proved, and are neither reducible to social conventions or agreed-upon norms (in the vein of Thomas Hobbes or David Hume), nor derived from the *a priori* structure of rationality (in the vein of Immanuel Kant).<sup>1</sup> Moreover, ethical judgments and concepts on this approach would be open to revision in light of empirical evidence rather than either being immutable and unchanging or changing due to convention or cultural mood. Finally, both Rand and Foot share a broad Aristotelian commitment to ethics as a subject

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<sup>1</sup> Importantly, the objectivity of scientific judgments might be said to be one pertaining to disclosing new sets of facts (e.g., new discoveries of properties or entities like new planets), whereas ethical objectivity concerns the means by which values are to be selected and pursued (e.g., how to manage relationships or think fundamentally about one’s career). See Darryl Wright, “Evaluative Concepts and Objective Values: Rand on Moral Objectivity,” *Social Philosophy & Policy* 25, no. 1 (2008). However, ultimately the objectivity of scientific judgments depends on epistemic norms guiding the formation of concepts, definitions, etc., and is therefore equally action-guiding, but specialized rather than general as in the case of ethics.

pertaining to *living in a certain way* and to developing a certain character rather than as ranging primarily over evaluations of discrete actions and their consequences as in the utilitarian tradition. Thus, what is vindicated in their ethical approaches is that living a certain way is an objective requirement for human life and ethics is the field determining the content of this way of living.

While Rand's view was not developed in a single treatise or book, a clear position emerges from her various lectures and papers, most prominently "The Objectivist Ethics," as well as her novels, notably *Atlas Shrugged*. Foot's views famously changed over the course of her long academic career, but her monograph *Natural Goodness*, published late in her career, takes up issues she had considered throughout her career and presents her naturalism as I shall consider it here.

Despite the obvious similarities to their approaches to ethics, direct comparisons between Rand and Foot in the academic literature are uncommon. It is instructive to compare their approaches, however, since what appear to be broad similarities or alignments between the two approaches may turn out upon investigation to be somewhat superficial. In particular, while a full investigation to compare the promise of each approach goes beyond my scope here, the differences between them may have important ramifications for making good on the proper goals of a naturalistic ethics. Accordingly, I examine the role that the concept of the human "form of life" concept plays in each theory, namely, how this concept explains the normative standards pertaining to the activities and traits of organisms. While Rand herself does not use the term "form of life," something like this concept is clearly at work in Rand's discussion of life as a "standard of value" in "The Objectivist Ethics," as others have already identified.<sup>2</sup> This concept is needed for the explanatory and metaphysical grounding project at the core of their approaches to ethics.<sup>3</sup>

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<sup>2</sup> For instance, see A. Gotthelf, "The Morality of Life." in *A Companion to Ayn Rand*, A. Gotthelf and G. Salmieri, ed. (Wiley-Blackwell, 2016); D. Wright, "The Place of the Non-Initiation of Force Principle in Ayn Rand's Philosophy," in *Foundations of a Free Society: Reflections on Ayn Rand's Political Philosophy* (University of Pittsburgh Press, 2019); and "The Act of Valuing and the Objectivity of Values" in *A Companion to Ayn Rand*, A. Gotthelf and G. Salmieri, ed. (Wiley-Blackwell, 2016).

<sup>3</sup> I will use "form of life" and "way of life" interchangeably here.

We may list at least two broad and fundamental desiderata that each of Foot's and Rand's projects require at the foundation. First, there must be some metaphysical basis for the human form of life being what it is and having the requirements that it does. In other words, there must be such a thing as a human form of life, and it must have causal requirements for its existence that we can specify. So, there must be some basis for saying that, for instance, the human way of life involves practical rationality and that this involves, among other things, virtues such as justice or prudence. For instance, as Gary Watson puts it, it must be capable of showing that "being a gangster is incompatible with being a good human being."<sup>4</sup> Secondly, and relatedly, the form of life concept must *explain* and sufficiently constrain ethical norms such that judgments and concepts can be objectively shown to be valid or invalid and open to revision in light of empirical evidence. In the context of this discussion, a fundamental issue in answering these questions is whether the life-form concept is genuinely inductive (or not), in the sense that it integrates particular facts and observations about reality into general principles and concepts.

For instance, the field of physics is genuinely inductive in the sense that it proceeds by way of collecting many observations of, say, objects moving through space to develop principles of mechanics. Similarly, biology is genuinely inductive in that it develops principles integrating the functioning of living organisms and their parts to each other and their environment. In each case, these fields are continually able to form new integrations and revise past assumptions on the basis of their inductive nature; for instance, in physics, the geocentric model of the Universe, standardized by Claudius Ptolemy in the second century A.D., was gradually challenged and eroded by competing theories. The most powerful challenges came later on with astronomers such as Nicolaus Copernicus, who posited a circular heliocentric theory. Johannes Kepler in the late sixteenth century proposed instead an elliptical trajectory of the orbits of planets, which made better sense of night-sky observations. These were then strengthened with the arrival of the telescope in 1609, which enabled further observations discrediting the geocentric model, such as proof that Jupiter had moons (i.e., bodies that orbited around it and not around Earth, and also proving that moving

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<sup>4</sup> Gary Watson, "On the Primacy of Character," in *Virtue Ethics: A Critical Reader*, Daniel Statman, ed., (Georgetown University Press 1997); also referenced by Foot in *Natural Goodness*, p. 53.

bodies can have smaller bodies orbiting them). These were then further strengthened and integrated through later developments, such as Isaac Newton's law of universal gravitation, which was shown to lead mathematically to Kepler's laws of planetary motion.<sup>5</sup>

By contrast, if the basis for the life-form concept is fundamentally an expression of the constitution of our mind or of linguistic practice (for instance), it is not genuinely inductive in this sense. Clearly, these do not exhaust the different ways we might understand the origin and foundation of the life-form concept. However, the relevant point here is that the inductive nature of the life-form concept plays an important rhetorical role; the point of drawing on biological facts is to ground the objectivity of ethical concepts and norms in a way modeled on the empirical sciences. On the view that the life-form concept is a feature of our linguistic practice (even if a necessary one), for instance, its basis is not in an investigation or integration of facts about how humans must live, but rather a cataloguing of practices humans happen to have adopted, in the same way that we might catalogue the evolution of behaviors of etiquette or the way innate human linguistic abilities happen to be structured. On the other hand, if ethical concepts are part of the structure of our minds as rational agents, then arguably we need make no appeal to biological or anthropological facts at all, and may proceed in a Kantian project by defining the structure of rational agency and its implications for practical principles for rational agents as such.

If the life-form concept is genuinely inductive, by contrast, then it successfully enables the integration of causal observations about living organisms into a normative concept open to empirical development and revision, and the distinctive metaphysical and explanatory project of Foot and Rand shows promise. This is because, assuming the scientific investigations carried out in biology are inductive, they form a viable model on which to ground and understand ethical objectivity.

In some way or another both Foot and Rand are grappling with both of these requirements. In what follows I shall argue that ultimately only Rand understands the form of life concept as genuinely inductive and therefore capable of delivering on these two requirements. By contrast, Foot's conception of form of life is that of a linguistic structure

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<sup>5</sup> See <https://earthobservatory.nasa.gov/features/OrbitsHistory>.

or practice, and is not genuinely inductive; this ultimately undermines its purported role in grounding objective ethical norms.

## 2. Foot on Forms of Life

Foot's project is to "describe a particular type of evaluation and to argue that evaluation of human action is of this logical type."<sup>6</sup> Ultimately, she argues that moral evaluations are a subclass of a wider range of evaluations that pertain to the "characteristics and operations of living things."<sup>7</sup>

In contrast to attributions of goodness that are merely instrumental (for instance, the usefulness of a tree for lumber or of stone for building to particular human goals), Foot contends that "natural goodness" of the kind only applicable to living organisms involves a special grammar that pertains exclusively to a relation between an individual living being and the life form of its species.<sup>8</sup> For instance, we say that an oak tree is a good tree when it has strong roots, access to adequate nutrition, etc., and the concept of the life form of an oak tree is also what enables us in turn to say that things are good *for* the tree insofar as they enable the tree to carry out its distinctive life.

To explain this life form concept, Foot refers to Michael Thompson's paper "The Representation of Life." There, Thompson lays out some key features of "natural-historical judgments" that make use of the life form concept. According to Thompson, judgments using this concept take a generic form like 'the S is F' (e.g., "the cheetah is a night hunter") are not statistical and express at least a limited normativity (if S is F, a particular individual is defective insofar as it does not F).<sup>9</sup> Foot adds to this the idea that these judgments, in order to pertain to the form

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<sup>6</sup> Foot, *Natural Goodness*, 3.

<sup>7</sup> *Ibid.*, 25.

<sup>8</sup> *Ibid.*, 26.

<sup>9</sup> In fact, Thompson argues that we can express this logical category in different ways, but not analyze it. This is broadly in a Wittgensteinian spirit, in the sense that philosophical problems can be explained away by understanding how our language is used without committing ourselves to metaphysical claims beyond our linguistic practice itself. See Michael Thompson, "The Representation of Life," in *Virtues and Reasons: Philippa Foot and Moral Theory*, Rosalind Hursthouse, Gavin Lawrence, and Warren Quinn, eds., (Oxford: Clarendon Press, 1995).

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of life concept, must be teleological; in other words, they can't simply involve any causal interaction between a living things and its parts or the world, but is restricted to those which "play a part" in the life of the organism.<sup>10</sup> What it means to "play a part," for non-human animals and plants, is being constitutive of or a means to development, self-maintenance, and/or reproduction.<sup>11</sup> From here, the life-form concept begins to emerge. We can observe, first, that there exists for each organism a distinct and unique life cycle, requiring that the organism develop a certain way, be nourished a certain way, secure reproduction, and so on. From this, norms develop that can be applied to individual members of a species, on the grounds that an organism can be regarded as defective or good insofar as it fulfills the normative requirements of its life form. So, a deer needs to be swift in order to survive because of the way the deer form of life operates, and an individual deer that is relatively slow is properly evaluated as defective.

Foot's discussion of the life form concept in *Natural Goodness* is brief, and so to explicate it, we must draw out some implications of some of her auxiliary claims and remarks. In particular, this is important because Foot's initial remarks on the form of life concept, even as applied to human beings, appears to be of an empirical and inductive nature. For instance, she writes:

Whether an individual plant or animal actually succeeds in living the life that is its good to live depends on chance as well as on its own qualities. But its own goodness or defect is conceptually determined by the interaction of natural habitat and natural (species-general) 'strategies' for survival and reproduction. What conceptually determines goodness in a feature or operation is the relation, for the species, of that feature or operation to survival and reproduction, because it is in that that good lies in the botanical and zoological worlds.<sup>12</sup>

This suggests that the procedure of determining the goodness or defect of an individual animal or plant follows from first discovering the causal connections between the aspect of the organism being evaluated (e.g., the acuteness of owl's hearing and vision, the greenness and strength of the leaves of the oak tree) with its ability to survive (i.e., self-maintain)

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<sup>10</sup> *Natural Goodness*, 30.

<sup>11</sup> *Ibid.*, 31.

<sup>12</sup> *Ibid.*, 42.

and reproduce. Clearly, this would be an inductive procedure of just the same kind Charles Darwin describes throughout the *Origin of Species*. Upon observing many instances of owls and their “strategies” for acquiring nourishment, one can find that they need particularly precise hearing and vision in order to catch mice, which they hunt at night. If their hearing or vision become damaged or are insufficiently precise, they will simply be unable to catch their prey and thus starve. Such judgments would also be revisable in light of new evidence (for instance, if it were later realized that owls actually rely on echolocation instead of hearing or vision).

For instance, Darwin believed that the appendix was part of a cecum, a large digestive structure required by the ancestors of apes who ate leafy diets. Consequently, as the diets of our primate ancestors evolved away from leaves, the appendix shrank and lost any biological function. About a century ago, it was discovered that the appendix has lymphatic tissue that is involved in sustaining beneficial bacteria. And more recent research suggests that the appendix is adaptive and has continually appeared independently in dozens of mammals, though its precise function is still not fully clear.<sup>13</sup> Supposing that we could demonstrate, for at least some of the animals that had appendices, that it had some clear biological function, we could thereby show that a mammal with a damaged or dysfunctional appendix is defective.

Foot extends this framework to the human case, claiming that

...it is possible to give some quite general account of human necessities, that is, of what is quite generally needed for human good, if only by starting from the negative idea of human deprivation. For then we see at once that human good depends on many characteristics and capacities that are not needed even by animals, never mind by plants. There are, for instance, physical properties such as the kind of larynx that allows of the myriad sounds that make up human language, as well as the kind of hearing that can distinguish them. Moreover, human beings need the mental capacity for learning language; they also need

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<sup>13</sup> Heather F. Smith, William Parker, Sanet H. Kotzé, Michel Laurin, “Multiple independent appearances of the cecal appendix in mammalian evolution and an investigation of related ecological and anatomical factors”, *Comptes Rendus Palevol*, Volume 12, Issue 6, 2013, 339-354.

powers of imagination that allow them to understand stories, to join in songs and dances—and to laugh at jokes.<sup>14</sup>

Again, the observations Foot cites here are apparently empirical and inductive in nature. To understand the role of language in human life, and the physical capacities underlying it (such as vocal chords, innate psychological capacities for learning grammar, ear drums capable of detecting sonic frequencies, etc.) is a complex inductive project requiring numerous and varied observations.<sup>15</sup> Added to these, certain psychological observations, such as our need for friendships and family ties as well as codes of conduct, appear to be for Foot the basis of inductive generalizations that can demonstrate our need for certain moral virtues, such as loyalty and kindness.<sup>16</sup>

However, Thompson describes a logical grammar or structure to certain modes of thought, rather than gives an account of an empirical basis for ethical propositions.<sup>17</sup> It is worth looking at Thompson's account in more detail, especially as he explicates it in later work, to understand why it rules out such an empirical basis. If so, we may be in a position to see whether Foot also must take on Thompson's anti-empiricism by making use of his life-form concept.<sup>18</sup>

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<sup>14</sup> *Natural Goodness*, 43.

<sup>15</sup> The degree of complexity and precision required for this inductive process is relative to one's purposes and contexts, however. At a broad level sufficient for a layperson, it is not needed to see how language underwrites many important human activities, such as promising, celebrating, coordination, etc. On the other hand, a linguist or anthropologist would require detailed study to determine the precise ways that different components of language fulfill important human needs.

<sup>16</sup> *Ibid.*, 44.

<sup>17</sup> Michael Thompson, "The Representation of Life," 31, 59. Thompson, in agreeing with McDowell, writes that, "...we are wrong to think of the concepts of the various life-forms as reached through abstraction of features of their particular bearers" (59).

<sup>18</sup> It must be noted of course that Foot did not have access to Thompson's later work at the time of writing *Natural Goodness*, although she did surely have many discussions with him (as he was her student at UCLA). Importantly, Foot reiterates several times throughout *Natural Goodness* that Thompson's view of the life-form concept rightly locates the sources of normativity; she does not express any concern about disagreements with his view (see *Natural Goodness* 32, 41, 46, and 125 fn. 19).

In his examination there of the concept of “life,” Thompson aims to show that the concept cannot be analyzed or broken down into component parts, such as organization, stimulus and response, or metabolism. This is because to understand any of these concepts in turn presupposes an idea of a vital operation or activity, that is, the life-form concept itself.<sup>19</sup> Since Thompson sees attempts to analyze ‘life’ into a real or metaphysical definition as doomed to failure, he proposes that we understand judgments about living things and their operations as exhibiting a special and irreducible form of logical judgment: “...in the end we will have to do with a special form of judgment, a distinct mode of joining subject and predicate in thought or speech... I am emboldened to say that the vital categories are logical categories.”<sup>20</sup> If the life-form concept is irreducible and unanalyzable, then it cannot be empirical or inductive after all (i.e., it can’t be traced to or reduced to perceptual content or observation); instead, for Thompson, it is a necessary pre-requisite for the cognition of particular organisms and their activities.<sup>21</sup> For instance, in noting that the “Black Poplar has an extensive shallow root system in order to acquire water,” we presuppose a conception of the integration of the activities and parts of the poplar in a life cycle determined toward its own survival. Without that concept, we would be unable to make sense of or understand its nourishment, development, survival, and so on.<sup>22</sup> Obviously, at some level empirical propositions enter into the picture—for example, a tree having this or that increase in weight, size, and shape, leaves bending in this or that direction, water moving into the roots, and so on. But the non-empirical life-form concept is what enables us to think of these as vital operations and characteristics in the first place, versus cognizing them as mere physical operations. Thus, for Thompson the life-form concept is akin to a

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<sup>19</sup> Ibid, 48.

<sup>20</sup> Ibid.

<sup>21</sup> It might be thought that the concepts could be *a priori* and yet have *some* empirical content. For instance, perhaps the general life-form concept is *a priori* but specific life-form concepts relating to specific organisms will have empirical content. At any rate, the question for my purposes would remain the same: insofar as the life-form concept is not genuinely inductive (even if it has some empirical content), it can’t play the kind of role it needs to play to secure objectivity in a way that is relevant for ethical naturalism.

<sup>22</sup> Michael Thompson, *Life and Action: Elementary Structures of Practice and Practical Thought* (Harvard University Press, 2008), 208.

Kantian pure concept of the understanding, in that it structures our experience and constitutes its objects.

Thompson, in a later paper,<sup>23</sup> makes use of a distinction formulated by John McDowell between first and second nature in foundational ethical theory. According to this distinction, a theory of first nature concerns human beings as biological entities with certain physical and psychological properties (e.g., having a certain number of teeth, being capable of language, etc.). A theory of second nature examines human beings in terms of their having been shaped by culture, learning, and habituation, such as the formation of a certain kind of character, cultural value-sets, and habitual responses to the environment. In his seminal paper “Two Sorts of Naturalism,” McDowell stresses that one could read a naturalistic project (of the sort Foot is laying out in *Natural Goodness*) from the perspective that norms of practical rationality could be read off of first nature. In the case of wolves, this might be of the form: “wolves hunt in packs, therefore, this individual wolf is defective in not cooperating in the hunt.” McDowell suggests that no derivation of this kind is possible for human beings, because for any given biological fact or alleged aspect of our first nature, we can step back from it reflectively and consider whether to endorse it. Therefore, all our practical norms come from our second nature - our cultural/historical/social makeup that constitutes our distinctive ethical outlook from within which we can consider and evaluate norms and ethical concepts.<sup>24</sup>

However, and crucially, Thompson clarifies that this objection itself depends upon a notion (which Thompson rejects) of the life-form concept itself being empirical, rather than a first-personal reflection on second nature.<sup>25</sup> That is, it makes just the same mistake that Kant does (according to Thompson) when he assumes that ethical discourse and judgment cannot start from a conception of human life and instead must

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<sup>23</sup> Michael Thompson, “Forms of Nature: “First,” “Second,” “Living,” “Rational,” and “Phronetic,”” in *Reason in Nature: New Essays on Themes from John McDowell*, Matthew Boyle and Evgenia Mylonaki, eds. (Harvard University Press, 2022).

<sup>24</sup> John McDowell, “Two Sorts of Naturalism.” in *Reasons and Virtues*, Hursthouse, Quinn and Lawrence, eds. (Oxford University Press, 1995).

<sup>24</sup> *Natural Goodness*, 51.

<sup>25</sup> Michael Thompson, “Apprehending Human Form,” *Royal Institute of Philosophy Supplement* 54 (2004), 47-74.

start from a non-empirical conception of a self-legislating rational being. Thompson writes that

the intellectual operation through which the individuals reach their respective so-called Gattungen [form of life] is the same in all the self-conscious acts of any bearer of any of them — just as the first person, as an intellectual operation, is the same in all of them. The bearers of the different kinds cotton onto different life forms through the first-life-form operation, as I might put it, slightly idiotically, just as the different individual rational animals latch onto different individual rational animals through the first person concept. The intellectual operation is perfectly pure in either case.<sup>26</sup>

Thus, the life-form concept, which we first exercise in self-conscious thought, is a non-empirical *a priori* concept that structures our experience of the world.<sup>27</sup> In this way, Thompson suggests that it is true that our concept of the human life form is not based on empirical facts about the biological character of human beings in the way science would have it (in this respect, he agrees with McDowell). But nor are we in a position to know anything about what a rational wolf would be like solely based on assumptions about the nature of rationality in general.<sup>28</sup>

Instead, when we apply concepts of, say, *justice* or *virtue* to certain human activities and states of affairs, we are employing a non-empirical concept of the human way of life to understand and judge certain of our practices (e.g., making promises, praising and blaming, etc.) in light of these concepts. Obviously, at some level, there is an empirical input that is relevant here - we perceive the world, and certain activities, properties, and states that we perceive in the world and in relation to ourselves and other human beings come to be related to this life-form concept. However, the concept *itself* is non-empirical, and therefore given to us as an *a priori* concept that structures our experience and enables us to cognize properties/states/activities as vital operations expressive of the life form. In turn, this implies that ethical *knowledge* can be (at least partly) itself non-empirical. To further clarify this position, Thompson invites us to consider ethical knowledge as a kind

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<sup>26</sup> Michael Thompson, “Forms of Nature: “First,” “Second,” “Living,” “Rational,” and “Phronetic,”” 730.

<sup>27</sup> Ibid., 731.

<sup>28</sup> Ibid., 733-35.

of practical self-knowledge that is non-observational, just as is our knowledge of our own intentions. Following Anscombe, he understands knowledge of what one is doing as non-observational knowledge that is constitutive of intentional action: for example, if I am intentionally going to the market to get groceries, I know non-observationally that I am in fact *going to the market to get groceries* — I don't know that by "checking" the world first. Similarly,

as my thinking representation of what I am doing intentionally is an aspect of what this representation itself is about, so this latter cognition will be an aspect of the life characteristic of the developed human subject and will characteristically mediate her practical operations. Such cognition goes to constitute the form of life in question as one in which the things cognized are true.<sup>29</sup>

Thompson doesn't fill in this account, and so his remarks are largely programmatic. Thus, the way such non-empirical practical self-knowledge would work in the case of the ethical is left indeterminate. The thought might be something like this: we know, non-empirically, the reasons for which we are acting - whether we are acting, for example, for the sake of pleasure, or for honor or rewards, or for the sake of a conception of fine or noble action. That desires for pleasure or the avoidance of pain, or for honor or the avoidance of dishonor, are within us and can operate in us is also something we can know non-empirically about ourselves. But it is through such knowledge and through intentionally choosing to act for the sake of the fine, that we develop and have practical wisdom. In learning about ourselves through proper habituation and self-reflection, we simultaneously learn about the human form of life, in a non-empirical way, which is constituted by the correct use of practical reason and the development of practical wisdom. Thus, my knowledge of the role of "justice" in human life is derived from my self-knowledge about the reasons for acting and choosing available to me in contexts when I am thinking about how to judge the actions and character of others.

However exactly this account is supposed to look, some such account must be filled in to make good on the life-form concept as a concept that is both non-empirical and yet tied to our unique nature as a particular kind of life. Is Foot committed to such a non-empirical

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<sup>29</sup> Thompson, "Apprehending Human Form," 47-74.

account or can she draw on Thompson's life-form idea without such a commitment?

Recall that, for non-human organisms, Foot identifies their natural goodness with respect to their life cycle. This, in turn, consists in identifying what is required for their development, self-maintenance, and reproduction (hereafter I shall refer to these three together as 'survival').<sup>30</sup> So, for instance, it is required for the reproduction of the peacock that the male be brightly colored and able to attract his potential female mates. A deer needs to be able to run quickly and quietly in order to evade predators. These are all cases of identifying one kind of activity or trait with a form of life that requires that activity or process as a constitutive component. In the case of humans, however, identifying what is good amounts instead to identifying *reasons* for choice and action: it is "clearly not true," writes Foot, that human goodness is determined merely by its relation to reproduction or survival.<sup>31</sup> But, as we saw, some activity (or part or trait) being shown to be related to survival or reproduction for other animals and plants is precisely central to the inductive procedure of establishing that the activity in question is part of the animal's or plant's form of life.

Given that Foot's goal is to show that a conception of the human form of life can underwrite a conception of human goodness, and that this goodness is a form of practical rationality, the challenge then is whether the procedure of identifying moral reasons for choice and action is an inductive one with some basis *other* than its being connected to survival. For instance, if someone questioned why justice was morally required or not, could she provide an inductive basis for an answer?

In the end, Foot cannot and does not provide such a basis. This is because, for Foot, the ability to exercise our capacity to see things as reasons for action is based on the special role of language in human life, which in turn enables us to engage in specifically *moral* language. In the end, language defines the human way of life, and moral language in particular requires as its grammar not just that patterns of evaluation are structurally similar to natural norms, but that they do so with a conceptual connection between considerations for action to *moral*

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<sup>30</sup> *Natural Goodness*, 32.

<sup>31</sup> *Natural Goodness*, 42, see also 51.



*reasons* rather than between considerations for action to a connection to survival.<sup>32</sup>

As Foot writes, it is language that gives us the power to see and give and explain grounds upon which we act, rather than simply acting according to desires or drives as animals do.<sup>33</sup> But in the case of moral action, these grounds (which serve as reasons) are not based on desire or self-interest (as they arguably are for animals), because it is a prior or more fundamental conception of the human good that is “a necessary condition of practical rationality and part-determinant of the thing itself.”<sup>34</sup> Since human goodness underwrites practical rationality, by what specific procedure, then, do we identify the human good? For instance, by what procedure do we identify that the following is true: I should not harm others for my own purposes, because it is unjust. To say simply that justice is something on which our way life depends<sup>35</sup> only pushes the question back: why is *this* our way of life, and not some other? Foot does not directly answer this question, but a clue to her view lies in her description of ways in which an action can be considered good or bad. She offers three: the kind of action, the end of an action, and one’s beliefs about whether it is good or bad to do.<sup>36</sup> These mental features of action are all accessible to an agent’s consciousness, if she could be said to be acting intentionally at all — that is to say, in Anscombe’s formulation, knowing what one is doing. They are not the product of an inductive or scientific investigation into the external world: a child will be brought up to use the term ‘justice’ and identify treating others fairly as a kind of action with a certain end, etc., but what makes that action ‘just’ is that it is partly constitutive of the human good and not that it contributes to some other thing (self-interest, survival,

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<sup>32</sup> Foot might argue that community-based norms that arise from a shared moral-linguistic community form a basis for a conception of human goodness. On that basis, arguably the project of figuring out the norms of the community is inductive. But unless the community norms themselves were formed by an inductive procedure, rather than by constructive procedures or habituations (for example), this would not make moral investigations truly inductive in the way required to constitute a genuine biological basis for normativity, any more than a system of etiquette in Japan would have an inductive basis just because I have to acquire empirical evidence to figure out what it is when traveling there.

<sup>33</sup> *Natural Goodness*, 55.

<sup>34</sup> *Ibid.*, 62.

<sup>35</sup> *Ibid.*, 114.

<sup>36</sup> *Ibid.*, 75.

desire-satisfaction) that is held to be good or valuable.<sup>37</sup> Instead, the seeing of certain considerations as reasons for action (e.g., that you must fulfill a promise you've made in normal circumstances) is simply what justice *is*, and it cannot be justified "from the outside" (to use McDowell's phrase<sup>38</sup>) of the linguistic practice that makes up the human form of life and enables us to recognize those reasons.

As the reader may appreciate, there is now a tension in Foot's thought. As I initially introduced Foot's discussion, the life-form concept is based on causal interactions in the world that have to be empirically determined, and if the human life form has a "common conceptual structure," then the same should be true for the human life form.<sup>39</sup> And yet, as Foot is clear, human good is *sui generis*, and in transitioning from plants and animals to human life there is a "sea change," where the standards of survival and reproduction do not suffice to answer our normative inquiry about ourselves.<sup>40</sup> When we take Thompson's extended discussion of Aristotelian categoricals into account, as a way of understanding the grammar that is a precondition for our ability to talk about and cognize the activities of living things, the standard empirical and inductive picture is further put into question. It seems that when we consider knowledge of the human life form in particular, we do not depend upon empirical data (though this might be relevant as a kind of external constraint), but rather acquire a non-empirical knowledge about ourselves that serves as the basis for apprehending the human life form.

But if this *a priori* self-knowledge is the basis of our normative conception of the human way of life, what, then, is the practical import for Foot of demonstrating the conceptual similarity between the way we

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<sup>37</sup> See in particular Foot's analysis of promise-keeping in the example of Mikluko-Maklay, *Ibid.*, 50-51. The example serves to show that the justice of Maklay's action is simply in responding appropriately to a certain consideration (promises are not to be broken), even though no harm would have ensued nor would the institution of promising have been undermined. This is a "special linguistic device" for Foot that is part of the human good, but not a means to some other good, such as preventing harm or fulfilling contracts.

<sup>38</sup> John McDowell, "Two Kinds of Naturalism."

<sup>39</sup> *Natural Goodness*, 51.

<sup>40</sup> *Ibid.*, 51, 42-43. Mathias Haase, in his chapter "Practically Self-Conscious Life," in *Philippa Foot on Goodness and Virtue*, has argued similarly that Foot faces such a tension.

cognize living organisms more generally and how we think about and make moral judgments? The answer, I would argue, is more methodological than substantive in focus, and more negative than positive. In particular, the elucidation of the grammar of natural goodness clarifies certain *mistakes* that can be made by philosophers in understanding the conceptual structure of ethical thought. For example, her grammar of natural goodness dissolves Hume's separation between human practical reason and ethical goodness.<sup>41</sup>

This is because, according to Foot, when one asks a question such as, "Why is it rational to act morally?" we can answer by pointing to why specific things count as acting badly for human beings (e.g., breaking promises or murdering). If the question pertains to a general relationship between morality and rationality, the answer lies in a conceptual connection between doing well (acting on the right kinds of reasons) and being rational.<sup>42</sup> It also clarifies the problematic foundations of a position such as G.E. Moore's, on which we must posit the existence of non-natural moral properties and entities in order to explain and justify the reality of moral facts. On Foot's view, to speak of "goodness" in general as a state of affairs or non-natural property existing out in the world fails to cohere with the way in which we cognize and talk about goodness, the moral virtues, praise and blame, etc. It also renders incoherent attempts to derive an ethical framework from the nature of rational beings as such (in the way Kant does) or on the basis of considering the intrinsic goodness or badness of certain states of affairs (in the way utilitarianism does).

As Foot writes in her postscript to *Natural Goodness*, this leaves "substantial moral questions" exactly as they were before, but she has clarified the "framework in which the dispute takes place."<sup>43</sup>

### **3. An Inductive Understanding of Human Nature: Ayn Rand**

The core elements of Ayn Rand's distinctive approach to ethical foundations can be found in her essay, "The Objectivist Ethics."<sup>44</sup> There,

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<sup>41</sup> Ibid., 17.

<sup>42</sup> *Natural Goodness*, 64-65.

<sup>43</sup> Ibid., 116.

<sup>44</sup> Rand's ethical framework is clarified across a combination of her non-fiction essays (in which she is usually addressing a specific delimited topic, such as a current event) as well as her novels, which are philosophically rich in character. I've focused here on "The Objectivist Ethics" because its structure is most

Rand forcefully makes use of the idea of a human way of life, alternately using terms such as “man’s life,” “man qua man,” or what is required for “the survival of a rational being.”<sup>45</sup>

Rand’s distinctive inductive approach to ethics is observable in her method in this essay. First, she holds that an explanation is needed for why ethics is needed at all (and hence how it arises). According to Rand, philosophical discussions on ethics tend to proceed on the assumption that codes of ethics and ethical reasoning exist and that we merely need an account of how they operate (e.g., whether as moral expressivists would hold it, ethical judgments are expressive of non-cognitive attitudes). Foot’s approach to ethics would be no exception here insofar as she is offering another account of ethical judgment.

Rand begins, then, by tracing the origins of and need for a concept of ‘value.’ For Rand, this concept can only arise (and apply) in the context of living organisms pursuing goals in the face of an alternative.<sup>46</sup> Rand writes:

It is only a living organism that faces a constant alternative: the issue of life or death. Life is a process of self-sustaining and self-generated action. If an organism fails in that action, it dies; its chemical elements remain, but its life goes out of existence. It is only the concept of ‘Life’ that makes the concept of ‘Value’ possible. It is only to a living entity that things can be good or evil.<sup>47</sup>

And later:

Only a living entity can have goals or can originate them. And it is only a living organism that has the capacity for self-generated, goal-directed action. On the *physical* level, the functions of all living organisms, from the simplest to the most complex—from the nutritive function in the single cell of an amoeba to the blood circulation in the body of a man—are

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useful to the present discussion.

<sup>45</sup> Ayn Rand, “The Objectivist Ethics,” 28, 30, 31.

<sup>46</sup> *Ibid.*, 16.

<sup>47</sup> *Ibid.*, 18.

actions generated by the organism itself and directed to a single goal: the maintenance of an organism's life.<sup>48</sup>

In the context of living things pursuing their own survival (and the processes and activities needed for it) and avoiding death, things can be demonstrably shown to have value — they are pursued for the sake of a goal (life) and without those values the organism dies. To illustrate this, we may take the example of a deer. In relation to the deer, the world has a value-laden character — it must avoid certain things (animal predators, cold, humans) and pursue others (grass and other vegetation as food, a potential mate, safe cover for resting and hiding) if it is to live. These facts are made possible in turn by the fact that the deer is a particular kind of organism and has particular requirements for its distinctive form of life — indeed, the biological study of deer would have to proceed on such a premise.

It is important here that Rand emphasizes both an epistemic and a metaphysical perspective on value. It is not merely that the concept of 'value' (and hence, normative evaluation in general) is dependent on the concept of 'life,' but that metaphysically things are only good or harmful to living organisms in the context of their pursuing their own survival. 'Value' is therefore a concept that enables us to recognize and grasp this metaphysical fact.

Thus, living organisms and the distinctive requirements they have for their particular lives (the life of a whale, or an oak tree, or plankton, or a mushroom, and so on) give rise to the need for both the concept 'value' and in turn a normative standard for a given organism in terms of what is needed for its life to go well or poorly. A deer does well when it evades predators, finds mates, etc., and suffers or fails insofar as it is caught by predators, can't find food or shelter, and so on. An oak tree, by contrast, seeks sunlight, water, and nutrition in the soil. These respective standards Rand describes as being dependent on "[the organism's] *nature*, by the kind of entity it is."<sup>49</sup>

Notice that here Rand is describing a general concept of value that covers the pursuit of objects (food, mates) or states (safety, warmth, pleasure) by organisms. For Rand, value in the more specific senses of *conscious* values (i.e., those pursued by conscious animals as *goals*) and

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<sup>48</sup> Ibid., 19.

<sup>49</sup> Ibid., 19.

*chosen* values (i.e., those pursued only by human beings as *purposes*) are sub-categories of this wider sense of ‘value.’

Foot and Rand share the view that human agency creates a radical gulf in how we consider the life form of humans versus other organisms. Clearly, since human values are chosen and deliberated upon, a mere statement of what humans pursue does not suffice as a standard of what is required for human life, in the way that it would for the life of a deer or an oak tree, whose agency is limited to response to sensations and drives or physical stimuli, respectively. Humans can clearly choose actions that are contrary to their well-being and survival, whether intentionally (i.e., self-harm) or through willful or innocent ignorance, as when people unknowingly injure themselves, choose unhealthy and mentally destructive relationships, or become addicted to unhealthy drugs. Rand in particular stresses that the specific nature of human consciousness is such that it gives rise to specific psychological and social needs, which together constitute a much more complex system of self-maintenance than one would find in the life of, say, a deer or wolf.<sup>50</sup>

However, Rand’s view of the nature of reason’s role in human life differs from Foot’s. Whereas Foot highlights the fact that we justify our actions and choices with reasons, and hold others accountable, and so on, Rand stresses the distinctive survival value of reason. In particular Rand stresses the fact that humans have conceptual needs — we need to formulate, apply, and extend our conceptual knowledge of the world in order to surpass our dependency on perceptual knowledge. Whereas deer and wolves have patterns of behavior and goals set by nature for them, humans need to discover, plan, and learn about themselves and their environment using conceptual knowledge in order to survive. For instance, humans learned how to master fire for cooking and warmth, how to master materials for building an extraordinary array of structures suited to innumerable purposes, and how to create complex institutions such as governments and financial institutions that enable coordination and collaboration on a large and sophisticated scale. Since conceptual knowledge is not automatic and people need a way to orient their actions and choices to integrated purposes, Rand sees ethics as a fundamental conceptual solution to the fact that we need guidance in the achievement of values in order to survive.

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<sup>50</sup> *Ibid.*, 21.

This is a view that, on the face of it, most philosophers would balk at as implausible: clearly one can survive without ethics — not only because many immoral people seem to survive just fine, but because survival simply seems to be a separate issue. Survival is about meeting basic physical and psychological needs to avoid death in the short-term, whereas ethics is either unrelated to well-being or related only to well-being in a higher sense—the achievement of happiness or distinctively ethical or aesthetic values (individually or collectively).<sup>51</sup>

Moreover, this view seems to be susceptible to the kinds of worries or objections Thompson and McDowell raise (on Foot’s behalf), in thinking that such a view merely makes ethics into a subcategory of biology. This view is objectionable, from their perspective, for two reasons. First, it might suggest that issues of justice, or questions about the nature or importance of honesty or integrity, say, are to be decided by scientific investigations and classifications. Such a view does not do justice to our volitional conception of practical reasoning, which in part involves an ability to step back from any putative activity and evaluate it as worth doing or choosing, regardless of its putative role in a natural process. Secondly, it seems not to do justice to our self-reflection on normative standards, and the fact that we begin ethical reflection not from a Cartesian place of bare foundations, but from an already acquired rich view of what is good, right, and virtuous. As Rosalind Hursthouse puts it, our ethical reflection occurs from within an acquired ethical outlook.<sup>52</sup>

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<sup>51</sup> Many of these points can be found in the secondary literature on Rand. See, Leonard Peikoff, *Objectivism: The Philosophy of Ayn Rand* (Dutton, 1991), (especially Chapters 6-8), Tara Smith, *Viable Values* (Rowman & Littlefield, 2000), Gregory Salmieri, “Selfish Regard for the Rights of Others” in *Foundations of a Free Society: Reflections on Ayn Rand’s Political Philosophy*, Salmieri and Mayhew, eds., (University of Pittsburgh Press, 2019), Gregory Salmieri, “Objectivism” in *The Routledge Companion to Libertarianism*, Zwolinski and Ferguson, eds. (Routledge, 2022), and Darryl F. Wright, “Evaluative Concepts and Objective Values: Rand on Moral Objectivity,” *Social Philosophy & Policy* 25, no. 1 (2008), 168.

<sup>52</sup> Rosalind Hursthouse, *On Virtue Ethics*, 163. The issue of the ability to “step back from” our ends, including our ultimate end of life, has been one generating much discussion in secondary literature on Rand. On Rand’s view, ethics only has normative authority to us based upon our choice to live; that is, to adopt life as a human being as our ultimate end. But whether and in what sense this choice itself is justified, is not obviously clear. See Darryl Wright, “Reasoning about

However, to dismiss Rand's view on such grounds would be to fail to see the subtlety and sophistication of the view she develops.

For Rand, the fact of human volition does not alter the fact that for her human life (and *a fortiori* human consciousness) has specific requirements for its proper maintenance. She writes:

That which [man's] survival requires is set by his nature and is not open to his choice. What is open to his choice is only whether he will discover it or not, whether he will choose the right values or not. He is free to make the wrong choice, but not free to succeed with it. He is free to evade reality, he is free to unfocus his mind and stumble blindly down any road he pleases, but not free to avoid the abyss he refuses to see. Knowledge, for any conscious organism, is the means of survival; to a living consciousness, every "is" implies an "ought."

...

Since reason is man's basic means of survival, that which is proper to the life of a rational being is the good; that which negates, opposes, or destroys it is the evil.

Since everything man needs has to be discovered by his own mind and produced by his own effort, the two essentials of the method of survival proper to a rational being are: thinking and productive work."<sup>53</sup>

The conceptual nature of human consciousness and the capacity for it, which Rand refers to as 'reason', determine specific uses of our volitional capacity *if* we are to gain knowledge and successfully engage in productive work (which for Rand, is the most central or core survival element of a human way of life). Thus, her view maintains a deep respect for practical reason's capacity to "step back" from any given standard and ask why one should adopt it, including the ultimate end of living as a human being at all. For Rand, ethics offers guidance and standards

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Ends: Life as a Value in Ayn Rand's Ethics," in *Metaethics, Egoism, and Virtue: Studies in Ayn Rand's Normative Theory*, Allan Gotthelf and James G. Lennox, eds. (Pittsburgh, PA: University of Pittsburgh Press, 2010), 26, and Allan Gotthelf, "The Choice to Value," in *Metaethics, Egoism, and Virtue*, Gotthelf and Lennox, eds, 33-46, in particular.

<sup>53</sup> *Ibid.*, 28.



only to those who have embraced the goal of living, and that therefore any specific standard or guidance can be critically examined in light of that fundamental goal.<sup>54</sup>

What about the way in which ethical reflection seems to begin from an acquired outlook? After all, it is clearly false that we can only begin to think about the nature of the human good and virtues after having, say, taken a course on biology or psychology. Rather, when we can truly appreciate these questions, we already have many moral judgments and views about the nature of the good.

Rand's view neither implies nor requires that ethical reflection begin from axioms or Cartesian reflection, outside of an acquired outlook. To illustrate her view of how ethical reflection works, I will raise two cases as exemplifying her distinctive form of foundationalism and how it relates to the inductive process in the case of ethical knowledge.

For the first case, consider Rand's view of the importance of honesty, which she sees as a moral virtue.<sup>55</sup> Prior to deep moral reflection on this topic, one is likely to have the view or attitude (perhaps implicitly) that telling or representing the truth is sometimes useful, but sometimes it is beneficial to ignore the truth in favor of a pretense or to deceive others in order to secure advantages. The beginning of such a process would have to involve thinking about cases in which one deceived oneself or others, what one is doing or thinking about in such cases, and how the dishonesty impacted one's ability to achieve and keep important values. From there, one could begin to generalize using external observation beyond one's own personal experience about how dishonesty tends to lead to needless complications, undermines personal relationships, and seems to undercut self-esteem. From there, one could reflect even more deeply on a view of human nature according to which, by the nature of human consciousness and reality, pretense does not change the nature of the facts of reality with which we deal; in order to

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<sup>54</sup> It would be impossible to elaborate fully on this point in the space available here (which would take me into the realm of normative ethics), but what is relevant for my purposes is to illustrate the way in which this model is fundamentally inductive, but preserves the distinctive role of practical reason that is (rightly) seen as central to ethical thinking.

<sup>55</sup> See Gregory Salmieri, "Atlas Shrugged on the Role of the Mind in Man's Existence," *Essays on Ayn Rand's Atlas Shrugged*, 397-452.

achieve genuine values, we need to consistently appreciate and respect the way things actually are. In fact, dishonesty is profoundly destructive, because it undercuts one's ability to create and appreciate genuine values: as in the case of secret unfaithfulness to a partner, which undercuts the genuine value of the relationship, or lying about qualifications on a job application, which undercuts the achievement of securing that job and being recognized for one's qualifications. Conversely, the reward of honesty is an experience of being in control of one's life and knowledge of reality, and therefore that one's achievements are real.<sup>56</sup>

In addition to self-reflection on one's experience, Rand's inductive understanding of human nature depends on historical facts and developments in existing ethical viewpoints and cultural values, and how such developments can require important and radical revisions to our views.

As an example, for Rand, the identification of the two core activities of a rational life—thinking and productive work—have to be identified inductively, and continual investigation and reformulation of what that means is required. A central aspect of Aristotle's ethical system, for instance, with which Rand agrees, is the centrality of rational activity to human life. But Aristotle saw this as being expressed most completely and consistently in an activity of theoretical contemplation, understood as thinking and theorizing pursued for its own sake and not for any further material end.

Rand's identification of productive work as central to a proper human life is a significant departure from this Aristotelian ethical framework that is based on Rand's interpretation and understanding of human history after the Industrial Revolution. For Rand, rational thought — scientific innovation, the rational planning and investment in business enterprise, and the coordination of both of those — led to continual technological and economic breakthroughs that dramatically improved human life. Taken together, observations and understandings of the history of this period were essential for Rand to her identification of productive work, understood broadly as the application of reason to the problem of survival, as central to human life.

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<sup>56</sup> See Ayn Rand, *For the New Intellectual*, 129.

In turn, this made possible further inductive theorizing on the ethical requirements of human social systems, insofar as the Industrial Revolution was made possible by the partial realization of a capitalist social system, in which productive work of the kind described above is liberated. Rand defines capitalism as “a social system based on the recognition of individual rights, including property rights, in which all property is privately owned.”<sup>57</sup> While she points out that no society in history has fully realized such a system, the northern states in America in the nineteenth century nearly did.<sup>58</sup>

In an extended discussion of the nature and meaning of capitalism (drawing on this period in America), Rand writes:

Capitalism demands the best of every man — his rationality — and rewards him, accordingly. It leaves every man free to choose the work he likes, to specialize in it, to trade his product for the products of others, and to go as far on the road of achievement as his ability and ambition will carry him. His success depends on the objective value of his work and on the rationality of those who recognize that value...It is the basic, metaphysical fact of man’s nature—the connection between his survival and his use of reason—that capitalism recognizes and protects.<sup>59</sup>

The emergence of capitalism thus reveals historically in a new way a system of socio-economic organization that in turn provides an inductive basis for a new perspective on the human way of life. Whereas previously human societies had been primarily agrarian, the specialization of labor and innovation made possible in capitalist societies reveals to us, from Rand’s perspective, a new way to understand human nature. The theorizing of the sort that Rand engaged in was responsive to the actual experience and emergence of capitalism itself. In this way, reflection on actually existing cultural outlooks and approaches, integrated with a view of human nature that can transcend

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<sup>57</sup> Ayn Rand, “What Is Capitalism?”, 19.

<sup>58</sup> For further discussion and elaboration on Rand’s views of these issues, see Ayn Rand, “What Is Capitalism,” in *The Virtue of Selfishness* (Signet 1964), Gregory Salmieri, “*Atlas Shrugged* on the Role of the Mind in Man’s Existence,” in *Essays on Ayn Rand’s Atlas Shrugged*, Robert Mayhew, ed., (Lexington Books, 2009), Leonard Peikoff, “Objectivism Through Induction.”

<sup>59</sup> *Ibid.*, 20.

particular cultural norms, is a crucial part of the inductive and empirical project of understanding the human way of life. Thus, Rand's project enables just the sort of objectivity — and the critical reflection and revision enabled by it — in ethics that the biological sciences can achieve through observation and reflection on the lives and activities of other organisms, and astronomy can achieve in observation and reflection on celestial bodies.

As we saw with Foot, her insistence that the human good is not based upon survival means that we need some other basis on which to understand the content of the human form of life, as against the way we determine the life forms of other organisms. Following Thompson, we can make sense of Foot's claims that human goodness is *sui generis* and is based on a capacity for a certain kind of logical grammar and linguistic practice—justifying our choices and actions in light of reasons for action. As Thompson's discussion of the life-form concept clarifies, the content of ethics is instead based upon an *a priori* self-knowledge of one's own reasons for action, for example, knowing why we are acting (for the sake of virtue, for some advantage, or for pleasure). This, in turn, makes Foot's theory neutral on the content of ethics itself and “leaves everything as it was,”<sup>60</sup> rather than providing a framework for an inductive system.

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<sup>60</sup> Foot, *Natural Goodness*, 116.

## Aspiration and Inspiration in Foot and Rand

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“*Even at our best* we are so situated as to have to, and as being willing to, give up much to achieve much, whichever way you look at it: we are a delicate mix of *consumers* and enjoyers of the goods and riches we have achieved, and then of driven and reflective *producers* of new goods, new challenges.” – Gavin Lawrence<sup>1</sup>

“Perhaps ‘because it is there’ is not sufficient reason for climbing a mountain.” – Spock<sup>2</sup>

### 1. “Because It Is There”

On June 3, 2017, mountain climber Alex Hennold became the first person to “free solo” California’s El Capitan mountain—that is, climb it by himself without any equipment. His ascent was filmed for the documentary *Free Solo*, and what’s notable about that movie is Hennold’s intense rationality and self-discipline. It’s particularly striking in scenes involving his girlfriend (now wife) Sanni. We see her understandably alarmed at the extreme danger to which he exposes himself—yet Hennold frankly tells her that he values mountain climbing more than this romantic relationship with her, and if forced to choose, would select it over her.

Hennold’s climb was an astonishing achievement, requiring great focus and diligence, and one must admire his dedication to his goal. But is it *rational*? Can his choice to devote such energy—and risk the feelings of those who love him to such a degree—be substantiated by

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<sup>1</sup> Gavin Lawrence, “The Deep and the Shallow,” in John Hacker-Wright, ed., *Philippa Foot on Goodness and Virtue* (Guelph, ON: Palgrave Macmillan, 2008), p. 238.

<sup>2</sup> *Star Trek V: The Final Frontier* (Paramount Pictures, 1989).

reason? When mountaineer George Mallory was asked in 1924 why he wanted to climb Mt. Everest, he replied “because it is there.” I want to consider how Philippa Foot and Ayn Rand would evaluate that answer. My broader goal is to examine the role of *aspiration* in a morality that purports to be grounded in nature.

First, we should acknowledge the traditional explanation, offered by Aristotle. Aristotle refers to the *megalopsychos* or “magnanimous” man who pursues “fine” goals (*to kalon*) because of their fineness, not as an act of calculated moral choice, but on account of his honor. As Julia Annas puts it, this *kalon* is “done for its own sake, without ulterior motive...with the *kalon* as its aim, rather than benefit or pleasure, which are other characteristic human aims.”<sup>3</sup> Aristotle says such magnanimity “does not arise” without the virtues and “is not possible without being fine and good,”<sup>4</sup> so this is not an amoral or immoral choice.<sup>5</sup> Yet the magnanimous man pursues the noble goal not because it serves an end, but as an end in itself: on account of its nobleness. When Mallory said he wanted to climb Mt. Everest “because it is there,” he was plainly appealing to that kind of choice: to select a grand goal, and prioritize it, *because of its grandeur*.

## 2. Foot on Motivation

In *Natural Goodness*, Philippa Foot grounds ethics in nature by arguing that each living being has a form of living—its nature—such that its possession or lack of these species-specific qualities give reason to conclude that it is a good or bad instance of that kind. Thus a deer that cannot run fast is a defective deer. Likewise, “human beings are creatures with the power to recognize reasons for action and to act on them,”<sup>6</sup> so a person lacking the qualities of character whereby he recognizes valid reasons for action and acts upon them is a defective person. Basic virtue includes choosing well, and being moved by moral

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<sup>3</sup> Julia Annas, *The Morality of Happiness* (New York: Oxford University Press, 1993), 123.

<sup>4</sup> Aristotle, *Nicomachean Ethics*, trans. Terence Irwin (Indianapolis: Hackett, 1985), 99.

<sup>5</sup> I leave Nietzsche aside, although I suspect one reason Foot (as I argue) gives this whole idea short shrift is because it is so associated with him.

<sup>6</sup> Philippa Foot, *Natural Goodness* (New York: Oxford University Press, 2001), 24.

considerations is “on a par” with other kinds of choosing well.<sup>7</sup> Someone disposed to choose well—who has “goodness of the will”<sup>8</sup>—finds moral reasons sufficient ground for action, without needing any additional motivating desire.

Foot acknowledges that “sentiments” such as “pride” can also “motivat[e] human virtue.”<sup>9</sup> Yet she offers no account of how that works. In fact, the framework she offers for naturalistic ethics is quite minimal, and it’s noteworthy that she spends more time on defects or vices such as “shamelessness”<sup>10</sup> than on virtues, excellences, or even the “goodness” of her title. In brief, it’s unclear how aspiration fits into her account at all, let alone the motivation to realize a *kalon* project. Instead, the “automatic reason-giving force of moral judgment”<sup>11</sup> looks like ordinary ratiocination. A smoker, for example, has sufficient reasons for quitting when he knows *facts*: that smoking causes cancer and that it is “silly to disregard his own future.”<sup>12</sup>

But it does not seem “silly” either to climb a mountain for its own sake or not to do so. Hennold therefore either has no *reason for action* in this respect or his reasons for mountain climbing aren’t moral ones. Foot can adopt the latter position only by rejecting Aristotle’s idea of pursuing noble ends for nobility’s sake. She can recognize that physical fitness or mental discipline, such as Hennold manifests, are virtues—and that for an *unfit* person to attempt such a climb would be a defect—but she can offer only a hint about whether “because it is there” is a good reason for climbing a mountain.

In fact, Foot might regard Hennold’s choice not as a virtue but a defect. In *Virtues and Vices*, she observed that “most men waste a lot of their lives in ardent pursuit of what is trivial and unimportant.”<sup>13</sup> The distinction between valid ends and trivial, unimportant ends seems to Foot to rest on the premise that there are intrinsically or objectively valid human ends, the pursuit of which qualifies as worthy, and the attainment

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<sup>7</sup> Ibid., 11.

<sup>8</sup> Ibid.

<sup>9</sup> Ibid., 24.

<sup>10</sup> Ibid., 19.

<sup>11</sup> Philippa Foot, *Virtues and Vices* (Berkeley: University of California Press, 1978), 154.

<sup>12</sup> Foot, *Natural Goodness*, 23.

<sup>13</sup> Foot, *Virtues and Vices*, 6.

of which leads one to what she calls “deep happiness,” as opposed to the superficial satisfaction that trivial attainments bring. Gavin Lawrence summarizes:

for something to count as deep happiness only certain objects can be involved, and the agent has to view them in certain ways, and not in others; victories in disputes with neighbors over milk bottles can’t be so viewed, absent special circumstances, whereas those other things, like family life, and work, can be (and cannot not be, absent a special story). That is, not just anything can intelligibly be viewed as something *basic* in human life, nor as *nonbasic or trivial*.<sup>14</sup>

Obviously someone like Hennold isn’t *vicious*, but Foot also acknowledges that there are circumstances in which virtues can operate as vices due to context: a hardworking person, for example, might work to such excess that he neglects other goods so that the result is a defect.<sup>15</sup> Perhaps in Hennold’s case she would say his courage and steadfastness run contrary to the virtues of seeking tranquility or a stable family life, and his virtues cease to function as virtues because—being focused on trivial ends—Hennold wrecks the goal virtues are meant to serve, which include not just “satisfying appetites and following desires,”<sup>16</sup> but satisfying the *right kind* of appetites and desires.

Hennold presumably *has no* desires contrary to climbing El Capitan.<sup>17</sup> He even prefers it to his girlfriend’s love. What’s more, he at least seems deeply happy, not superficially so. (“I felt so good,” he says afterwards. “I’m so happy that the experience was like what I’d hoped for. I didn’t compromise on any of the things that were super-important to me.”) It seems like Foot would regard this as a flaw. She suggests this when she says that virtues depend on the nature of the *species*. She uses the analogy of a wolf: “there is something wrong with

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<sup>14</sup> Lawrence, “Deep and Shallow,” 202.

<sup>15</sup> Foot, *Virtues and Vices*, 16-17.

<sup>16</sup> Foot, *Natural Goodness*, 17.

<sup>17</sup> In the film, Hennold submits to an fMRI scan, and the scientist who reviews it concludes that his amygdala responds differently than the ordinary person’s, so that what others find stimulating does not stimulate him. This is a provocative thought, but fMRI science remains so imperfect, one hesitates to place too much weight on it yet. “Revisiting Doubt in Neuroimaging Research,” *Nature Neuroscience* 25 (2022): 833-34.



a free-riding wolf that feeds but does not take part in the hunt,” she writes; such a wolf would be “as *defective* as those who have defective hearing, sight, or powers of locomotion”—and she concludes from this that “the assessment of human action” must involve the good that a person does for others.<sup>18</sup>

That view seems to beg the question of whether goodness should be assessed in terms of the species or the individual. Biological evolution, at least, does not support her, because the relevant unit of evolutionary selection is not the species, or even the individual animal, but the gene.<sup>19</sup> Obviously naturalistic ethics does not contend that goodness depends on what fosters the replication of genes, but that’s because consciousness doesn’t exist at the gene level; it’s an emergent property manifested in *individuals*, and only human individuals can flourish, suffer, judge, think, or act, so virtue and vice must relate to the individual *qua* individual, not just as a representative of his species. Even the jump from the idea that wolves instinctively hunt in packs to the proposition that there’s something wrong with a free-riding wolf seems overly hasty. Actually, if we encountered a “lone wolf” who figured out how to improve his chances of survival with substantially less investment of resources, we would be unlikely to call him defective, but would probably remark on his extraordinary intelligence (which is a virtue). For humans the situation is even more drastic. We surely do not regard August Landmesser—famous now as the only man refusing to salute Hitler in a photograph of a Nazi Party rally at Nuremberg—as defective for “free-riding” on Nationalist Socialism.<sup>20</sup>

The problem with Foot’s analogy is that we aren’t “social animals” as she unfortunately says,<sup>21</sup> but are better described, in Bronowski’s phrase, as “social solitaires,”<sup>22</sup> meaning that our capacity for introspection generates the possibility of dual allegiances: the group

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<sup>18</sup> Foot, *Natural Goodness*, 16.

<sup>19</sup> Richard Dawkins, *The Selfish Gene* (New York: Oxford University Press, 1976).

<sup>20</sup> Landmesser’s nonconformity cost him his job; drafted into the army, he went missing during the war, presumed dead. Elizabeth Flock, “August Landmesser, Shipyard Worker in Hamburg, Refused to Perform Nazi Salute,” *Washington Post*, Feb. 7, 2012.

<sup>21</sup> Foot, *Natural Goodness*, 16.

<sup>22</sup> Jacob Bronowski, *Science and Human Values*, 2<sup>nd</sup> ed. (Cambridge: MIT Press, 1965), 47.

and the individual. We keep company not only with others but with ourselves,<sup>23</sup> and this inescapably means that we have obligations to ourselves that can compete with whatever obligations we may have toward others. This dual nature has a significant consequence for how we manifest virtues.

To start with, it would be more accurate to say that virtues relate to roles, and that we (and wolves) inhabit concentric roles simultaneously, so that it's possible to have virtue in one role but lack it in others. A "lone wolf" might have great virtue as a hunter but deficiency as a member of the pack. Likewise, Hennold might have great virtue as a climber, but lack virtues in other areas of life. This is a trivial observation, as such people are plentiful—and it is revealing that the typical examples are artists: Percy Bysshe Shelley; Sammy Davis, Jr.; Frank Lloyd Wright; Jimi Hendrix. Foot is not only silent about the motivations of such people, but, given her contention that moral reasons are sufficient by themselves and require no additional motivating force, I suspect she cannot call these examples of virtue, but must dismiss them as having elevated the trivial over the basic.

In fact, she seems to rule out the choice to excel in sonnet-writing, singing, architecture, guitar-playing, or, presumably, mountain-climbing, as virtuous choices. She differentiates "the goodness of good action," which does not have "a special relation to choice,"<sup>24</sup> from what she calls "competition examples," which involve people stipulating to an arbitrary end, and then using it to judge instances or examples by relation.<sup>25</sup> The latter, she says, "will hardly seem suitable as a model for the use of 'good' in moral contexts," because there is "no point" to the stipulated end, and thus to speak of its goodness or its attendant practices also appears arbitrary.<sup>26</sup> She again uses a canine example, this time spaniels with long ears: once dog-fanciers decided upon this end, they could evaluate efforts to attain the goal of long ears, and judge some dogs "good" in this sense. But that's not what we do when speaking of good or bad human action, in Foot's view. Obviously she does not mean that such actions are exempt from moral evaluation—she would say it is wrong to treat dogs cruelly in order to make them satisfy arbitrary

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<sup>23</sup> Hannah Arendt, "Thinking and Moral Considerations," in *Responsibility and Judgment*, ed. Jerome Kohn (New York: Schocken Books, 2003).

<sup>24</sup> Foot, *Natural Goodness*, 24.

<sup>25</sup> Foot, *Virtues and Vices*, 140-42.

<sup>26</sup> *Ibid.*

aesthetic criteria—rather, she means that *moral* choiceworthiness does not resemble a procedure whereby we simply pick a goal and aim at it, whether it be dog breeding, musical excellence, architectural beauty, or mountain climbing. What, then, do we make of Foot’s acknowledgment that “sentiment” or “pride” can play a role in motivating virtue?

She never addressed that question in detail in her writing. In “Reasons for Action and Desires,” in which she expressed puzzlement that moral reasons should be automatically action-guiding, she acknowledged that some people have “desires to live a certain kind of life,” and “choose” to act in moral ways “because they think they *ought* to do so—because this is how a man ought to live.”<sup>27</sup> But she rejected the idea that moral reasons require any such choice, motivation, or desire. Moral reasons are “necessarily practical” because people “who have successfully been taught morality see moral considerations as reasons for action.” Thus “we do not have to look for something special in the way of ‘moral motivation.’”<sup>28</sup> Virtues therefore consist of recognizing certain kinds of reasons as reasons for action and following through, and just as goodness in a wolf consists (in part) of cooperating with the pack to bring down prey, human nature is such that a good person recognizes and acts upon moral reasons, because that is the form of human life.

This analysis seems better suited to ruling out bad actions than proposing good ones. In short, Foot acknowledges “weakness of will,”<sup>29</sup> but offers no account for *strength* of will. It seems that she could regard Hennold’s decision to climb El Capitan as, at best, a distortion of virtue—an arbitrary aesthetic choice, like deciding what ears are beautiful in spaniels. And given Hennold’s extraordinary devotion to this trivial goal, his acts appear like a defect, because, as with the lone wolf, they disrupt his natural relationship to others of his kind.

That last point matters because, as Lawrence observes, Foot makes this argument in part out of a wish to show that we cannot attain “deep happiness” through evil—specifically, that moral argument excludes the possibility of choosing bad values and still attaining happiness.<sup>30</sup> The loyal Nazi who holds bad values cannot be *deeply*

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<sup>27</sup> Ibid., 155.

<sup>28</sup> Ibid., 142.

<sup>29</sup> Foot, *Natural Goodness*, 19.

<sup>30</sup> Lawrence, “Deep and Shallow,” 214.

happy, whereas the Germans who chose to die rather than cooperate with the Nazis, “did not sacrifice their happiness,” because there was a certain kind of depth to their actions in resisting the evil regime.<sup>31</sup> Their letters, she observes, reveal an “extraordinary sense of happiness,” which appears to have been generated by their sense of how “acting in this way” related (or would have failed to relate) to their later sense of themselves.<sup>32</sup> In other words, (a) what counts as “deep happiness” depends on the basic goods, (b) these include certain virtues and lack of vices, (c) so deep happiness excludes evil or trivial pursuits.<sup>33</sup> But it’s difficult to see how this can work without the kind of aesthetic choices Foot excludes.

The nonconformist Germans chose to act as they did because they thought “this is how a man ought to live.”<sup>34</sup> As Sophie Chappell notes, the choice of fine or noble action seems a far more plausible explanation for the satisfaction of someone who chose death over cooperating with the Nazis.<sup>35</sup> Foot is searching for “a sense in which they did not sacrifice their happiness in refusing to go along with the Nazis.... There would have been a way in which they would not have felt that happiness lay in acceptance,”<sup>36</sup> but this seems like a strained effort to “hold on to” the idea of virtue leading to happiness.<sup>37</sup> As Chappell writes, “the point of the saintly martyr is not that he acts on an imperative of *happiness* at all.... [H]e acts on a quite different kind of imperative: the imperative that Aristotle expresses by *heneka tou kalou*.”<sup>38</sup>

Foot’s argument therefore seems to shift, rather than explain, the role of choice in moral actions. The problem, in Lawrence’s words, is that virtues also “come in optimistic, good-enjoying, situations, not merely as constraints but the very point of the action, the fine, the *kalon*...in short, situations the agent rightly hopes arise in [his] life.”<sup>39</sup>

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<sup>31</sup> Foot, *Natural Goodness*, 95-96.

<sup>32</sup> Foot, *Natural Goodness*, 95 n.19 and 96.

<sup>33</sup> Lawrence, “Deep and Shallow,” 214.

<sup>34</sup> Foot, *Virtues and Vices*, 155.

<sup>35</sup> Sophie Chappell, *Knowing What to Do* (Oxford: Oxford University Press, 2014), 200.

<sup>36</sup> Foot, *Natural Goodness*, 95-96 (emphasis omitted).

<sup>37</sup> *Ibid.*, 96.

<sup>38</sup> Chappell, *Knowing What to Do*, 202.

<sup>39</sup> *Ibid.*, 214.

But if it's sensible to say that the Germans who chose death over cooperating with Hitler held a valid notion of life-success according to which they would not have considered themselves as having succeeded while cooperating, why cannot Hennold likewise say that there is a type of life he would not consider successful—one in which he made no attempt to climb El Capitan—and that the reason is just that this alternative life, while possibly including non-trivial natural goods, nevertheless lacked the fineness a successful life should include?<sup>40</sup>

### 3. Rand's Aesthetic Choice of Optional Values

Rand's approach to virtue is different. She *does* start with choice, but not the kind Foot is denying. Foot is rejecting the idea that moral arguments must add a desire for the result (i.e., a sentiment) to the moral reasons themselves. But Rand doesn't claim that; she argues that there's a single basic choice to enter into the realm of living as a human being, which means, to subordinate oneself to morality. This is not a choice between equally viable alternatives (which differentiates Rand from existentialism<sup>41</sup>), but an acceding to the schedule of values nature lays out for us. Within those values, however—the most fundamental of which are mandated by nature—lies a wide range of additional, optional values.<sup>42</sup> We are free to decide to be a butcher, baker, or candlestick maker. Ethics gives no one right answer within these

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<sup>40</sup> As should become clear below, I in no way intend this comparison to diminish the honor due to those who resisted Hitler. My point is that moral choices must include a sort of internal choice to commit to nobility for the sake of nobility—a choice that will manifest itself in varying degrees based on the circumstances, and in the case of the nonconformist Germans, manifested itself in an especially magnificent and tragic way.

<sup>41</sup> Ordinary reasons cannot carry weight for someone who hasn't already accepted this, so we could not argue a person into it by the kinds of reasons that motivate ordinary action, but despite the resemblance to existentialism here, this choice is not arbitrary. James Lennox, "Reasoning about Ends: Life as a Value in Ayn Rand's Ethics," in Allan Gotthelf and James Lennox, eds., *Metaethics, Egoism, and Virtue: Studies in Ayn Rand's Normative Theory* (Pittsburgh: University of Pittsburgh Press, 2010), 24.

<sup>42</sup> Tara Smith, *Viable Values* (Lanham, MD: Rowman & Littlefield, 2000), 99-101.

alternatives. How, then, does one decide? To an important degree, Rand's answer is *aesthetic*: we pick a value because it is appealing.

I mean "aesthetic" literally. Rand sees art as a teaching device—not in a didactic sense, but in the sense of offering a glimpse of a "sense of life," which means the psychological and moral atmosphere of a hypothetical world generated in accordance with the artist's own values. Rand sees art as a device for "the contemplation of values,"<sup>43</sup> by projecting ideals we may not—probably do not—fully comprehend, but which can convey to us, in ways logical argument never can, what it would be like to live the kind of life that (the artist suggests) is within reach if we make, or fail to make, certain choices. Art lets us choose among available good lives. It does this by *inspiring*. Rand writes:

The generalized abstraction of a hero permits every man to identify himself with James Bond, each supplying his own concretes which are illuminated and supported by that abstraction. It is not a conscious process, but an emotional integration.... What [audiences] seek is profoundly personal: self-confidence and self-assertion. Inspired by James Bond, [a person] may find the courage to rebel against the impositions of his in-laws—or ask for a deserved raise—or change his job....<sup>44</sup>

Inspiration consists of an evocation: an erotic pull on the consciousness toward values which can later be evaluated by reason, but are not deduced from it. This pull is not arbitrary any more than hunger for food is arbitrary, because we must then bring the values that inspire us to the bar of reason. (Should I eat this delicious-looking mushroom?—check if it's poison!) At that point, one inverts the process by *aspiring* to be like the legitimate ideal in question. This is a holistic process of suggestion and evaluation, parallel to the holistic process of induction and deduction we call the scientific method.<sup>45</sup> Rand did not think reason the handmaiden of the passions, but in this context, passion proposes and reason disposes.

This aesthetic selection resembles the Aristotelian choice of the fine or noble, because we're drawn to the instantiation of values by a pre-rational element. But we are not here pursuing the "fine" *truly* for

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<sup>43</sup> Ayn Rand, *The Romantic Manifesto* (New York: Signet, 1975), 160.

<sup>44</sup> *Ibid.*, 133.

<sup>45</sup> Jacob Bronowski, *The Visionary Eye* (Cambridge: MIT Press, 1978), 11.

its own sake, since it is subject to the test of reason. Nevertheless, we also cannot give a full account of the value's preferability *vis-à-vis* others in terms of mere logic. What makes one kind of available life choice "finer" than another can only be felt—even though the range of legitimate "fineness" is constrained by reason.<sup>46</sup>

For Rand, this process is not an adjunct to a good life, but crucial to it. She thinks human beings naturally crave the heroic—but also that heroism can be found even in humble forms of achievement. Sibyl's heroism in Terence Rattigan's play *Separate Tables*—movingly demonstrated by her sitting at a dining-room table—is every bit as inspiring as any classic example of great heroism. The virtue in question here is pride, which Rand defined as "moral ambition."<sup>47</sup> Martin Luther King captured the thought well when he said: "if a man is called to be a street sweeper, he should sweep streets even as a Michelangelo painted, or Beethoven composed music."<sup>48</sup> Ambition begins not with haranguing but with inspiration. In fact, Foot's friend Iris Murdoch approached this idea when she said that "Man is a creature who makes pictures of himself and then comes to resemble the picture."<sup>49</sup>

In his remarkable essay "Two Sorts of Naturalism," John McDowell—commenting on Foot—explores how aspiration relates to

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<sup>46</sup> I suspect this accounts for the otherwise puzzling fact that Rand says that life is "*the only phenomenon that is an end in itself,*" Ayn Rand, *The Virtue of Selfishness* (New York: Signet, 1964), 17 (emphasis added), but later says that "a work of art...is an end in itself." Rand, *Romantic Manifesto*, 4.

<sup>47</sup> Rand, *Romantic Manifesto*, 142.

<sup>48</sup> Mervyn Warren, ed., *King Came Preaching* (Downers Grove, IL.: Intervarsity Press, 2001), 146.

<sup>49</sup> Iris Murdoch, *Existentialists and Mystics* (New York: Penguin, 1999), 75. Murdoch was contrasting what she called the "Natural Law" view of values with the "Liberal" view (70); the Liberal holds that we are free to choose our values and are fully responsible for our actions, whereas the Natural Law view says we are constrained by nature, which we must discover, conform to, and realize. Rand blends the two: man is naturally free to choose values, within limits, and in making that choice he comes to realize his nature, not in the sense of resigning ourselves to limits, but in finding way to act within and through those limits. By "through" those limits, I mean that "rather than restricting you, morality enables you to grasp what your life requires and to choose among the countless ways in which these requirements can be fulfilled." Allan Gotthelf, "The Morality of Life," in Allan Gotthelf and Gregory Salmieri, eds., *A Companion to Ayn Rand* (Malden, MA: John Wiley & Sons, 2016) 90.

moral argument by invoking the concept of “second nature.”<sup>50</sup> People begin their approach to moral decisions by a sort of cost-benefit analysis of rational argument, he contends, but there’s a second step in the formation of moral character, which consists of developing an image of what *kind of person* one wants to be, and then trying to be like that image. This process develops our “second nature”—our habitual capacity to act morally without constantly thinking about it—and that serves the important role of preventing us from defecting from virtue in hard times. Courage, for example, is a virtue because it enables us to “stick to [our] worthwhile projects, in the face of the motivational obstacle posed by danger.”<sup>51</sup> Yet courage consists not of a habit of periodically re-doing the calculations that persuaded us that our projects were worthwhile in the first place; that would actually be the opposite of courage: a constant willingness to run from the enemy or hide from our obligations when the going gets tough. Part of what it means to be virtuous, McDowell writes, is that one does *not* stand, like Falstaff, poised to redo the calculations at every moment, but instead develops, as Prince Hal manages to do, a “second nature”—by drawing a picture of what it means to be virtuous and then diligently seeking to be like that picture. This process teaches us “to take a distinctive pleasure in acting in certain ways,” so that “the rationality of virtue simply is not in suspense, though it is always open to reflective questioning.”<sup>52</sup>

I said earlier that that our capacity for introspection generates the possibility of dual allegiances—the group and the individual—and this nature/second nature distinction seems to parallel those allegiances. There appear to be two levels of virtue: a level of basic goods over which we do not (sensibly) deliberate and a far more complicated and beautiful level, in which our choices consist of this aesthetic process of forming a picture of the good and pursuing it for its own sake, a stage in which the rationality of virtue ceases to be in suspense. Rand’s idea of a moral ambition to become like a (rationally valid) ideal chosen for aesthetic reasons seems to be just this kind of process.

#### 4. Art and Internal Dialogue

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<sup>50</sup> John McDowell, “Two Sorts of Naturalism.”

<sup>51</sup> *Ibid.*, 173.

<sup>52</sup> *Ibid.*, 170.



But are aesthetically chosen *kaloï* not moral—perhaps because they’re “competition examples”? Rand would agree that it’s possible to waste life on “trivial” ends, but she would take care in labeling any end trivial, because while nature limits the optional values one may choose, the boundaries are broad. Among the optional values, we may set valid priorities in aesthetic ways. A goal can be *objectively* trivial, by actually failing to serve the goal-holder’s scheme of values enough to justify the effort involved. But no goal is *intrinsically* trivial. Idiosyncratic optional goals are perfectly legitimate. For example, there are (believe it or not) world beatboxing championships.<sup>53</sup> Rand would *not* regard someone who devotes himself to becoming the world’s greatest beatboxer as wasting his life, assuming he honors all rationally mandatory principles such as independence or integrity, and finds sufficient fulfillment in the endeavor to justify the work. What counts as trivial is an aesthetic choice.

The fact that we choose among optional values in an aesthetic manner explains why Rand regards art as normative—emphatically so. She thinks “an artist reveals his naked soul in his work—and so, gentle reader, do you when you respond to it.”<sup>54</sup> What satisfies our craving for heroism indicates not just who we are but who we want to become. This also explains the extraordinary tenacity of aesthetic judgments, which Rand revealingly likens to romantic love. In her view, we almost literally *fall in love* with works of art, because the mechanism of appraisal is much the same with art as with a person: we’re attracted to people and to artworks in which we see reflected our own “sense of life”<sup>55</sup> or “style of soul.”<sup>56</sup> This “is not a matter of professed convictions,” but “of much more profound, conscious *and subconscious* harmony.”<sup>57</sup> That is why, when someone ridicules or even just dismisses our favorite artworks, we tend to take it personally in a way that we don’t take personally criticism of our favorite car or cell-phone.

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<sup>53</sup> Michael Hill, “Top Beatboxers from Around the Globe Compete This Weekend in Atlantic City,” WNYC News, Sep. 1, 2022, <https://www.wnyc.org/story/top-beatboxers-around-globe-compete-weekend-atlantic-city/>.

<sup>54</sup> Rand, *Romantic Manifesto*, 34.

<sup>55</sup> *Ibid.*, 24.

<sup>56</sup> Ayn Rand, *The Fountainhead* (New York: Bobbs-Merrill, 1943), 270.

<sup>57</sup> Rand, *Romantic Manifesto*, 22.

Foot has a far different view. In “Morality and Art,” she argues that moral judgment differs from aesthetic judgment in ways that are “unfavorable to moral judgment.”<sup>58</sup> For one thing, she thinks we are “freer from anxiety in relation to art than to morality,”<sup>59</sup> meaning that morality appears more urgent, whereas “aesthetic judgments guide our conduct in relatively calm waters when they guide it at all.”<sup>60</sup> Rand would disagree; in her vision, art gives a person, among other things, a spiritual “fuel” that strengthens him in times of stress<sup>61</sup> and, ideally, “equips man for the battles he has to face in reality.”<sup>62</sup> It certainly does guide, and it does so especially in crises.

Foot also thinks aesthetic and moral judgments differ in that the latter can involve cases in which someone has reason to act due to consequences for others—which means moral judgments must equip us to argue that a person should act contrary to his own interest—whereas the only person concerned in aesthetic choices is the person himself, who experiences the art in question, so there’s no need in aesthetics to persuade him to concern himself with others. This distinction would get nowhere with Rand, who rejects the premise that moral judgments focus on others. Foot, however, continues by saying that in morality we would hold that someone should do what’s right even if he gets nothing from it, whereas we would not say he should choose an artwork from which he gets nothing, except in hopes that he might come to appreciate it.<sup>63</sup>

Of course, Rand would dispute the idea that a person should do what is right even if he gets nothing from it.<sup>64</sup> But for a similar reason, she would warn against the idea that someone who gets nothing from an artwork should for that reason cease to choose it. True, if an artwork, upon consideration, really leaves us numb, there’s no reason to waste time on it. But she would caution us that art offers a kind of moral education, by holding out an image of life as it would be if we accepted certain moral premises, and consequently it can draw us to change our

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<sup>58</sup> Philippa Foot, *Moral Dilemmas* (Oxford: Clarendon Press, 2002), 19.

<sup>59</sup> *Ibid.*, 15.

<sup>60</sup> *Ibid.*, 16.

<sup>61</sup> Rand, *Romantic Manifesto*, 38.

<sup>62</sup> *Ibid.*, 133.

<sup>63</sup> Foot, *Moral Dilemmas*, 19.

<sup>64</sup> She would say that either the word “right” is being applied to something not truly right, or that the word “get” is being wrongly used in a way that omits a gain the person actually would realize from so acting.

values or attitudes in ways that improve our lives. This is a gradual process, and she even argues that our aesthetic preferences are likely to change as it happens. Thus it is not a mere matter of coming to like an artwork, but often of interrogating it and adjusting our premises and tastes accordingly.

Perhaps the most important distinction Foot draws is when she says moral statements rely on a “fiction”<sup>65</sup> of objectivity not found in aesthetic judgments: we say a person *should* act rightly with a degree of absoluteness not present when we say he *should* like Rachmaninov; we can take or leave art in a way that we cannot take or leave morality. Again, Rand would deny this. She would contend that we *cannot* take or leave art *any more than* we can take or leave morality—not just because art improves our lives but because it plays an indispensable role in comprehending and formulating values.

If humans need virtues as bees need stings,<sup>66</sup> so we need the aesthetic “deliberation” and selection of values as a way of articulating and refining the virtues we need. To switch philosophers (and bugs), consider Daniel Dennett’s statement that humans tell stories as spiders weave webs: “our fundamental tactic of self-protection, self-control, and self-definition is not spinning webs or building dams, but telling stories, and more particularly concocting and controlling the story we tell others—and ourselves—about who we are.”<sup>67</sup> These stories are how we create the “pictures” Murdoch says we come to resemble, and this happens through the process of inspiration, introspection, and aspiration I’ve described.

W.D. Falk disagrees with Foot that moral reasons suffice for action. Such reasons on their own seem like “the dead exchange of information”<sup>68</sup> because just as one can lead the proverbial horse to water but not make him drink, so “we can take each other to” recognize reasons for action but cannot “make each other assimilate them for what they

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<sup>65</sup> She would obviously have chosen a different word later in life, but the argument remains even if we substitute “claim.”

<sup>66</sup> Foot, *Natural Goodness*, 35.

<sup>67</sup> Daniel Dennett, *Consciousness Explained* (Boston: Little, Brown, 1991), 418.

<sup>68</sup> W.D. Falk, *Reasons, Ought, and Morality* (Ithaca: Cornell University Press, 1986), 77-78.

are.”<sup>69</sup> Being asked to explain why someone should take action after being given the reasons is like being asked to explain why someone should avoid pain: “one may have to *take* guidance from reasons because the guidance they can *give* is there only for the *taking*.”<sup>70</sup> In other words, this, too, is a question of appreciating,<sup>71</sup> and appreciation is fundamentally a self-guided action. “For something to be good on account of what it is like is thus to say that it is good *through* what it is like, by way of being correctly accounted for, computed, or reckoned with. Its value is conceived to depend on its properties, but on them as disclosed in experience or *beheld in contemplation or anticipation*.”<sup>72</sup> We “reckon with” its goodness by imagining it and indirectly experiencing it, to see if it sparks desire. Later, one can justify its appropriateness, but the initial step is erotic. It makes sense that as evolved, biological creatures, we would start with appetite and proceed to justification. This process of drawing out motivations is at least part of how humans do virtue—by the development of a second nature through desire.

This, I contend, is what inspiration and aspiration mean. Perhaps we could say that every person is a potential “megalopsychos” to some degree, and that art gives us the tools by which to comprehend *to kalon*, and to pursue it through a process that, while rational, consists not of constant, mundane calculation, but of a desire to be like the picture of the good.

In short, making pictures and becoming like them is as much in our nature any animal quality is in the nature of wolves, bees, horses, spiders, or deer. Art is the primary—though not sole—means by which we select between optional values, which is part of our moral reasoning.<sup>73</sup> And this is how choice must still play a role in virtue even

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<sup>69</sup> Ibid., 79.

<sup>70</sup> Ibid., 91.

<sup>71</sup> Ibid., 63-66, 118.

<sup>72</sup> Ibid., 112 (emphasis added).

<sup>73</sup> This means art is subject to the same tests of objectivity as the values themselves. It seems plausible to say there’s something wrong with people who profess to “like” certain kinds of art—not just that they have different tastes or attitudes, but that, at least in extreme cases, certain forms of art are bad for the soul because they celebrate, inculcate, and even formulate, unhealthy types of value. Perhaps they *dysinspire*. By the same coin, other kinds of art are preferable—and thus objectively better for human beings—because they

if Foot is right about everything else. Recall her argument that we don't need "desire" in addition to moral reasons to justify action, because people "who have successfully been taught morality see moral considerations as reasons for action."<sup>74</sup> The "successful teaching" of morality consists of being aided to appreciate values, and this is typically done through art, which helps us envision the good life and select among means of achieving our specific form of it, within reason's boundaries. In "Reasons for Actions and Desires," Foot describes moral "teaching" as a process whereby we have inculcated into us the idea that moral evaluations automatically give reasons for action. Shortly afterwards, she acknowledges that some people form "desires to live a certain kind of life," and "choose" to act in moral ways because they believe "this is how a man ought to live."<sup>75</sup> Aesthetic choosing—inspiration, introspection, and aspiration—is a process by which we teach ourselves what optional choices are worthy of enacting.

## 5. Climbing above the Bare Minimum

What, then, of mountain-climbing? Rand suggests one can adopt a grandiose goal such as free-climbing El Capitan by an aesthetic process. One is attracted to this "optional" value, then brings it to the test of reason, where one queries whether it (or its prerequisite steps) will contradict the virtues given by nature—independence, integrity, etc.—or distort one's overall picture of the well-lived life. If so, it's not a true value. One cannot legitimately select torturing people as a goal due to aesthetics—as, for example, Yabu tortures the sailors in James Clavell's novel *Shogun*, to compose haiku about their screams. But if the optional value in question isn't so ruled out, we may adopt it for no other reason than that we are drawn to it. No optional value is ruled out as intrinsically "trivial."<sup>76</sup>

Every normal person chooses "fine" ends in this way, even if the "fine" end in question seems humble. When Martin Luther King spoke of streetsweepers sweeping streets as Michelangelo painted, his

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celebrate, inculcate, and formulate values that are more likely to contribute to the good life.

<sup>74</sup> Foot, *Natural Goodness*, 142.

<sup>75</sup> Foot, *Virtues and Vices*, 155.

<sup>76</sup> This process, of course, goes on throughout life, so we can decide today that what we valued highly a decade ago was actually trivial.

audience cheered because that makes sense: a life with no desire to act finely or well just for the sake of the beauty of doing so would be an impoverished life. And in Rattigan's *Separate Tables*, Sibyl's choice to sit at the Major's table in defiance of her mother is moving precisely because she acts nobly for its own sake. Such examples appeal to us in aesthetic terms to yearn for excellence—to adopt the “sentiment” to virtuous action.

We can therefore subdivide goals into two categories: those set by the basic rules reason warrants, and which require no choice as a motivator (beyond the choice to accede to nature), and the optional goals, which must be *aspired* to.<sup>77</sup> Nature can provide rational moral arguments with respect to the former (which to disregard would be a defect), but the latter are justified by fundamentally aesthetic appeals. The difference is like that which Niccolò Machiavelli suggests between fear and love: people will do the minimum necessary to avoid what they fear, but will go the extra mile for what they love.

Foot acknowledges this extra mile when she expresses admiration for the Nazis who chose to die rather than serve Hitler.<sup>78</sup> Rand offers a similar reflection by giving that kind of death to Kira in *We the Living*, who perishes rather than exist under Communism. She dies smiling while thinking of her lover Leo and reflecting that “she had known something which no human words could ever tell.... Life had been, if only because she had known it could be.... A moment or an eternity—did it matter? Life, undefeated, existed and could exist.”<sup>79</sup> Why does Kira view her life as “undefeated”?—so that she dies in the belief that (to borrow Foot's phrase) she has not sacrificed her happiness? The answer has to do with aspiration.

*We the Living* is specifically *about* aspiration. The word derives from the Latin for “breathing into,” and the novel's original title was *Airtight*, in reference to a passage in which Kira cries out that the Communists “came and forbade life to the living...[and have] driven us all into an iron cellar [and]...locked us airtight, airtight till the blood

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<sup>77</sup> I model this division on Lon Fuller, who opens *The Morality of Law*, rev. ed (New Haven: Yale University Press, 1969), with a distinction between the “morality of duty,” which consists mainly of limits on action, and the “morality of aspiration,” which consists of goals at which we aim.

<sup>78</sup> Foot, *Natural Goodness*, 95-96.

<sup>79</sup> Ayn Rand, *We the Living* (New York: Signet, 1995), 464.

vessels of our spirits burst!”<sup>80</sup> The U.S.S.R. is “ airtight” because the state eradicates the capacity to imagine great achievements—grand optional values—and to pursue them. Kira’s choice is aesthetic: she has the capacity to envision something grand and beautiful, and to seek to realize that vision, that is, to aspire. That’s an act of moral imagination—rational because the values it projects are subject to reasoned evaluation—and, in context, an act of defiance. This is one of the novel’s basic themes; Kira dies smiling because she was able to choose the beautiful and pursue it, even if for a brief time, because that just *is* living.

I conclude that “because it is there” holds more appeal for Rand than for Foot, but as a matter of aesthetics, rather than ethics strictly speaking. Consider a comment Rand made regarding the *Apollo 11* launch. In his 1962 speech announcing the lunar program, President Kennedy quoted Mallory’s “because it is there” remark, adding,

why, some say, the moon...? And they may well ask why climb the highest mountain...? We *choose* to go to the moon. We choose to go to the moon in this decade and do the other things, not because they are easy, but because they are hard, because that goal will serve to organize and measure the best of our energies and skills, because that challenge is one that we are willing to accept, one we are unwilling to postpone, and one which we intend to win.<sup>81</sup>

After attending the moon launch seven years later, Rand said it “conveyed the sense that we were watching a *magnificent work of art*.”<sup>82</sup> Carefully acknowledging that the mission was “not a milestone of science,”<sup>83</sup> she described it repeatedly as an artwork: referring to it three times as a stage-play, the significance of which was that it “made such abstractions as rationality, knowledge, science perceivable in direct, immediate experience.”<sup>84</sup> In other words, the mission made sense as an aesthetic enterprise. In form, this looks like a “competition example.”

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<sup>80</sup> Ibid., 404.

<sup>81</sup> Theodore Sorenson, “*Let The Word Go Forth*”: *The Speeches, Statements, and Writings of John F. Kennedy* (New York: Delacorte, 1988), 178.

<sup>82</sup> Ayn Rand, *The Voice of Reason* (New York: Meridian, 1990), 167 (emphasis added).

<sup>83</sup> Ibid., 170.

<sup>84</sup> Ibid., 171.

Yet where Foot thinks that kind of choice “will hardly seem suitable as a model for the use of ‘good’ in moral contexts,”<sup>85</sup> Rand sees it as highly suitable. The particular decision to go to the moon or climb a mountain, is optional, but the virtues it “enacts” are legitimate and rational, and the pursuit of such a goal is worthwhile, even if we choose it over other enterprises for “romantic” reasons.

Foot is right that nature gives us moral reasons that motivate action toward certain ends whose choiceworthiness is (so to speak) embedded within them, but these establish only the minimal framework, on top of which are the “optional” ends which actually occupy most of our lives. These are selected by an aesthetic process (subject to veto by reason), and this does generate a motivating choice or desire. And these choices elevate mere life to the good life. They’re necessary for what Foot calls “deep happiness.”<sup>86</sup> None is intrinsically trivial, although they can interfere with other values in ways that make them operate as defects. Yet as long as they are maintained in a manner consistent with honesty, integrity, etc., nothing rules them out, and even what might appear as trivial to others can rightly be “deep.”

Thus a person such as Hennold—who possesses the skills to attempt El Capitan—is not wrong to make that achievement the focus of his efforts just because he considers it a fine thing to do, given that he is fit, responsible, and honest with his girlfriend about his values, allowing her to decide whether to take that risk with him. Yet at the same time, there’s no reason to reject John Krakauer’s competing view that mountain climbing is not a value. After barely surviving a disastrous attempt on Everest in 1996, he concluded that while he once thought mountain climbing “a magnificent activity...not in spite of the inherit perils, but precisely because of them,”<sup>87</sup> he now believes, simply, “it’s not worth it.”<sup>88</sup> In the context of his values, that conclusion is just as valid as Hennold’s conclusion that it is.

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<sup>85</sup> Foot, *Moral Dilemmas*, 140-42.

<sup>86</sup> Lawrence, “Deep and Shallow,” 215.

<sup>87</sup> John Krakauer, *Into Thin Air* (New York: Anchor Books 1998), 352.

<sup>88</sup> Jennifer Mulson, “Best-selling author Jon Krakauer to speak at Colorado College.” *Colorado College Gazette*, Apr 17, 2016, [https://gazette.com/life/best-selling-author-jon-krakauer-to-speak-at-colorado-college/article\\_461d8feb-619c-5f7a-90a2-6bf13b2846c5.html](https://gazette.com/life/best-selling-author-jon-krakauer-to-speak-at-colorado-college/article_461d8feb-619c-5f7a-90a2-6bf13b2846c5.html).



Yes, we need virtues as bees need stings, but we also need a vision of a fine or noble life, one that satisfies our natural need for meaning.<sup>89</sup> A life that omits that element is as deficient as the life of a slow-footed deer, and one forced to lead it can rightly complain of being “suffocated.” But one who does enjoy such a life can rightly claim to be “deeply happy.”

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<sup>89</sup> Victor Frankl, *Man's Search for Meaning* (New York: Washington Square Press, 1984).

## Review Essay

### Selling Racism: David W. Griffith's *The Birth of a Nation*

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#### 1. Introduction

In two previous articles for this journal,<sup>1</sup> I explored how Nazi Germany crafted propaganda intended to increase anti-Semitism to the level where the public would support or at least tolerate the systematic abuse of Jews. In this article, I will examine a propaganda film that was made in a markedly different time and place, namely, pre-World War I America, and argue that this film—*The Birth of a Nation*<sup>2</sup>—pushed anti-black racism in much the same way that the films I discussed in those earlier articles pushed anti-Semitism. However, the impact of the American propaganda was weaker than that of Nazi Germany because of the differences between the political systems of the two countries.

I first review briefly my approach in those earlier articles, which will be helpful for analyzing *The Birth of a Nation*. In commercial promotion there is a difference between advertising (marketing) and

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<sup>1</sup> Gary James Jason, "Selling Genocide I: The Earlier Films," *Reason Papers* 38, no. 1 (Spring 2016), pp. 127-57, and Gary James Jason, "Selling Genocide II: The Later Films," *Reason Papers* 39, no. 1 (Winter 2017), pp. 97-123, reprinted in *Cinematic Thoughts: Essays on Film and the Philosophy of Film*, ed. Gary James Jason (Bern: Peter Lang Publishers, 2021), pp. 131-64 and pp. 165-89, respectively.

<sup>2</sup> *The Birth of a Nation*, directed by David W. Griffith (David W. Griffith Corp., 1915).

sales. When a company markets its brand, it aims at increasing the public's positive view of its product line. When the company (or its agents) does direct sales, they are aiming at getting specific individuals to buy specific products from the company's product line. Similarly, a political regime<sup>3</sup> will often employ propaganda to increase the public's approval of the regime or its ideology, but it will also often tailor its propaganda to generate public support for a specific action or policy it plans to pursue.

The Nazi Regime, for example, distributed widely Leni Riefenstahl's documentary *Triumph of the Will* (1935), which she filmed at the 1934 Nazi Party gathering at the Nuremberg Rally. Hitler had assumed power in 1933 and was still relatively unknown among the German public. He wanted Riefenstahl to construct a movie to introduce him and the Party to the wider public. This she did brilliantly from the opening scene with Hitler descending by plane, like a god, to him saluting his followers as they adore him to scenes of Hitler Youth having wholesome fun.<sup>4</sup> This was clearly a film made to market the Nazi Brand.

By contrast, to gain support for the war against Poland, the Nazi Regime made the propaganda film *Homecoming* (1941). That film was designed to convince Germans that German expatriates living in Poland were being subjected to endless abuse at the hands of the Poles.<sup>5</sup>

When a regime aims to get the public to hate some targeted group with such intensity that the public will be willing to commit or at least support violence against that group, it will likely do so through a specific type of propaganda. First, it will produce propaganda that portrays the targeted group as being essentially *different* from the rest of the public. The differences can be in appearance, dress, manners, customs, or mores. But that alone is not enough, for after all, tourists

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<sup>3</sup> I mean to include here political parties and political groups as well as an established political regime.

<sup>4</sup> For more details about the film, see Gary James Jason, "Ein Volk, Ein Feuer: A Review of *Triumph of the Will*," in *Cinematic Thoughts*, ed. Jason, pp. 79-83.

<sup>5</sup> See Gary James Jason, "Film and Propaganda: The Lessons of the Nazi Film Industry," *Reason Papers* 35, no. 1 (July 2013), pp. 203-19, reprinted in *Cinematic Thoughts*, ed. Jason, esp. pp. 62-63.

often travel to countries that are culturally different but which they view as charming. Second, the propaganda will portray the targeted group as *disgusting*. That is, not only will the targeted group be portrayed as different, it will also be portrayed as being different in ways that make it worse. The members of the targeted group will be pictured as inferior mentally, physically, or spiritually with repellent lifestyles, values, or personal characteristics.

Difference and disgust are not enough, though. Some people might view homeless drug addicts as both different and disgusting, but they would not for that reason alone be inclined to harm or support harming homeless drug addicts. In addition to being different and disgusting, the propaganda will also portray the targeted group as being inherently *dangerous* to the general public. This can be the danger of the target (or “out-group”) attacking the general population (or “in-group”), controlling them politically, or “racially polluting” (i.e., demographically replacing) them.

The films I reviewed in those earlier articles—*Robert and Bertram* (1939), *Leinen aus Irland* (1939), *The Rothschilds: Shares at Waterloo* (1940), *Jud Suss* (1940), and *The Eternal Jew* (1940)—were crafted to reinforce and intensify every negative, anti-Semitic stereotype. I will demonstrate below that *The Birth of a Nation* was also crafted to reinforce and intensify every negative racist stereotype.

## **2. *The Birth of a Nation*: High-Quality Propaganda**

*The Birth of a Nation* was based on a 1905 novel and play, by Thomas Dixon, Jr., called *The Clansman*. Filmmaker David W. Griffith met Dixon through a mutual friend. Both Dixon and Griffith were Southerners and devout admirers of the American South’s Confederacy, as Griffith was the son of a Confederate Army officer and Dixon the son of a slaveowner who had been a Klansman. They shared an ideological perspective about the U.S. Civil War, which the film clearly promulgates. I call this ideology the “Southern Historical Narrative.”

The Southern Historical Narrative involves five basic tenets. First, it holds that the Antebellum South, based upon slave-holding

plantations, was as successful a society as the industrial North. It was a society that was prosperous generally, culturally advanced in being refined and genteel (unlike the crude industrial North), and that promoted civic virtue by gentlemen and ladies of honor being imbued with the love of community. Second, it holds that because of the lies spread about slavery, the North decided to impose abolition on the South, even though the slaves were generally content and treated well. Third, because abolition forces were bound to win in the upcoming election, the South was forced to secede in 1861. Fourth, the North waged an unprecedentedly brutal war that the North won despite the gallantry of the Confederate Army. Fifth, at the end of the war, the North imposed a vicious regime of Reconstruction, aimed at putting white Southerners forever under the heels of blacks.

The Southern Historical Narrative was a historical shift in the Southern white elites' view of slavery, which is explored by Jeffrey Grynviski and Michael Munger.<sup>6</sup> They note that the prevalent view of slavery among the Southern elites from the Revolutionary War era until around 1835 held that slavery was a "necessary evil," meaning that while it was incompatible with the liberal principles that informed America's founding documents (i.e., the Declaration of Independence and the U.S. Constitution), it had to be temporarily tolerated until its inevitable abolition. However, the racial prejudices of the white elites and their fears of facing black armed insurrection inclined them to favor restricting and delaying emancipation.

In the mid-1830s, that view of slavery was superseded by the view that slavery was a "positive good." According to this view, slavery was compatible with liberal principles because it (supposedly) brought the slaves the benefits of Christian civilization, protection from abuse, and made them better off than they would be as workers in Northern industrial factories. This new view also held that abolition was impossible. Additionally, racist assumptions made about blacks led white Southern elites to argue that slavery needed to continue because blacks, if freed, could not rule themselves. Buttressing this last point

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<sup>6</sup> Jeffrey Grynviski and Michael Munger, "Reconstructing Racism: Transforming Racial Hierarchy from 'Necessary Evil' into 'Positive Good,'" *Social Philosophy & Policy* 34, no. 1 (Summer 2017), pp. 144-63.

were allegedly “scientific” arguments from anthropology—specifically, ethnology, such as those put forth by Josiah Clark Nott<sup>7</sup>—that blacks were incapable of the same degree of self-rule as whites.

As Grynaviski and Munger explain, this new and more intransigent view of slavery as a positive good was built into the South’s case for secession. For example, according to the 1861 Texas declaration of secession, “the servitude of the African race . . . is mutually beneficial to both bond and free.”<sup>8</sup> The Southern Historical Narrative, which viewed the loss of the Confederacy as a tragedy, was based on a commitment to making slavery a permanent institution.

It is no surprise, then, that a movie produced by two Southerners who deeply admired the Confederacy—and were releasing their film on the fiftieth anniversary of the fall of the Confederacy—would push a profoundly racist message. *The Birth of a Nation* has to be the most ironic film in the history of cinema. Perhaps the best description of this irony is by *The New Yorker* film critic Richard Brody: “The worst thing about *Birth of a Nation* is how good it is.”<sup>9</sup> Artistically, the film was America’s first great film, as it truly established the American film industry. Filmsite.org gives a list of about two dozen movie techniques Griffith introduced or popularized in the film.<sup>10</sup> Commercially, *The Birth of a Nation* was a huge success. It was the first blockbuster in the history of American cinema. It cost \$110,000 to make and earned \$18 million in ticket sales internationally by 1921,<sup>11</sup> which is roughly \$1.8

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<sup>7</sup> See, e.g., Josiah Clark Nott, *An Essay on the Natural History of Mankind: Viewed in Connection with Negro Slavery* (Mobile, AL: Dade, Thompson, 1851).

<sup>8</sup> Grynaviski and Munger, “Reconstructing Racism: Transforming Racial Hierarchy from ‘Necessary Evil’ into ‘Positive Good,’” pp. 144-45, quoting from “A Declaration of the Causes Which Impel the State of Texas to Secede from the Federal Union,” February 2, 1861.

<sup>9</sup> Richard Brody, “The Worst Thing about *Birth of a Nation* Is How Good It Is,” *The New Yorker*, February 1, 2013, p. 1.

<sup>10</sup> Filmsite.org editors, “Filmsite Movie Review: *The Birth of a Nation* (1915),” 2022, accessed online at: <https://www.filmsite.org/birt.html>.

<sup>11</sup> Richard Corliss, “D. W. Griffith’s *The Birth of a Nation* 100 Years Later: Still Great, Still Shameful,” *Time*, March 3, 2015.

billion in today's dollars. It was the highest-grossing film in history until *Gone with the Wind* (1939).

*The Birth of a Nation* wasn't just popular with the public. It was also the first film to have been shown at the White House. President Woodrow Wilson—a college friend of Dixon—saw the movie along with his entire cabinet, thirty-eight Senators, fifty Congressmen, and all of the U.S. Supreme Court Justices.

Critically, *The Birth of a Nation* has been universally hailed by film scholars. Famed actor and director Charlie Chaplin called Griffith “the teacher of us all.”<sup>12</sup> *The New Yorker* film critic Richard Brody said that “*Birth of a Nation* wasn't just a seminal commercial spectacle but also a decisively original work of art—in effect, the founding work of cinematic realism, albeit a work that was developed to pass lies off as reality.”<sup>13</sup> History.com's editors said of Griffith, “Before [his] time, motion pictures were short, uninspiring, poorly produced, acted and edited. Under his guidance, filmmaking became an art form. Despite the harm his *Birth of a Nation* inflicted on African-Americans, he will forever be regarded as the father of cinema.”<sup>14</sup> *Time* film critic Richard Corliss also praised Griffith: “*The Birth of a Nation* was the culmination of six years of pioneering artistry by Griffith . . . more than anyone else—more than all others combined—he invented the film art.”<sup>15</sup> In 1992, the U.S. Library of Congress selected it for preservation in the National Film Registry and, in 1998, the American Film Institute rated the film number 44 on its list “AFI's 100 Years . . . 100 Movies.”

### 3. Summary of *The Birth of a Nation*

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<sup>12</sup> Glenn Frankel, “A Black-and-White Epic,” *The Wall Street Journal*, November 28, 2014, p. C7, accessed online at: <https://www.wsj.com/articles/book-review-the-birth-of-a-nation-by-dick-lehr-1417183338>.

<sup>13</sup> Brody, “The Worst Thing about *Birth of a Nation* Is How Good It Is,” p. 2.

<sup>14</sup> History.com Editors, “*The Birth of a Nation* Opens, Glorifying the KKK,” February 9, 2010, p. 2.

<sup>15</sup> Corliss, “D.W. Griffith's *The Birth of a Nation* 100 Years Later: Still Great, Still Shameful,” p. 2.

*The Birth of a Nation* is a long feature movie—over three hours in length—in two parts. Part One covers the period from 1860 through the U.S. Civil War to the assassination of President Abraham Lincoln in 1865. Part Two covers the era of Reconstruction (1865-1877). I here summarize Part One before moving on in the next section to analyze how the Southern Historical Narrative in general is pushed and, in particular, how blacks are portrayed in the film. I refer to the Photoplay Production’s amazingly well-restored version,<sup>16</sup> indicating where scenes start in the film by their time in relation to this version of the film (e.g., “[1:12.34],” meaning that the scene starts at one hour, twelve minutes, and thirty-four seconds into the film).

The film opens with a prologue about the introduction of slavery into seventeenth-century America. An intertitle tells us: “The bringing of the African to America planted the first seed of disunion.” The opening scene of the story shows African slaves at auction bowing submissively to a white overseer [2:08].

The film cuts to an intertitle that says, “The Abolitionists of the Nineteenth Century demanding the freeing of the slaves,” and we see an abolitionist minister preaching to a crowd while pointing to two submissive black men on display [2:29]. As the crowd applauds, a man guides a black boy down the aisle, collecting donations for the cause.

With this context provided, the first part of the story is built around the interactions between two families—one Northern (the Stonemans) and the other Southern (the Camerons). The Northern family includes the powerful abolitionist Congressman Austin Stoneman,<sup>17</sup> who lives with his three children, daughter Elsie and sons Phil and Tod. The Southern family, residing in Piedmont, South

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<sup>16</sup> Photoplay Productions ultra-HD restored version was produced with the support of the Library of Congress National Audio-Visual Conservation Center. It is available on YouTube.com, accessed online at: <https://www.youtube.com/watch?v=oikeRSja4kl&t=178s>.

<sup>17</sup> Stoneman is modelled on Pennsylvania Senator Thaddeus Stevens, who led the “Radical Republicans” in the U.S. Congress during the Reconstruction period.



Carolina, includes Dr. Cameron and his wife, their two daughters—Margaret and Flora—and their three sons—Ben, Wade, and Duke.

An early scene shows the Stoneman boys visiting the Cameron plantation. The white characters are dressed elegantly, while a wagon with shabbily dressed blacks<sup>18</sup> in it is pulling out with some of the children tumbling out onto the dirt street. Phil and Margaret walk through a cotton field, passing slaves at work picking cotton. A close-up shot shows the slaves smiling, content in their work [12:35]. Shortly thereafter, the slaves enjoy a two-hour dinner break, during which they laugh, sing, and dance—apparently fully happy to be enslaved [14:45].

But then an intertitle proclaims, “The gathering storm.” The visiting Stoneman boys and the Camerons listen while Dr. Cameron reads a report in the Charleston newspaper that warns, “If the North carries the election, the South will secede.” War threatens the peaceful life of the South.

President Lincoln then signs a proclamation calling for 75,000 volunteers, which the film tells us “uses the Presidential office for the first time in history to call for volunteers to enforce the rule of the coming nation over the individual states.” This act, the film suggests, is what started the Civil War.

Back in Piedmont, the town holds a farewell ball for the troops about to go to the front. The partiers celebrate the victory at the first battle of Bull Run, which was a Confederate victory. Early the next morning, the young men ride off to war, cheered on by the townspeople—including blacks [28:45].

The film jumps ahead two-and-a-half years into the war. An irregular militia force of black guerillas raids the town, with the white townsfolk resisting [36:00]. Flora and Margaret run inside their house, where Dr. Cameron puts them and their mother in a room, while he (carrying a pistol) stands guard. The black militiamen break into

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<sup>18</sup> The “blacks” in the film are almost all played by white actors in “blackface” (i.e., wearing black face paint).

Cameron's house, beating the elderly Cameron to the ground and ransacking the house, while the Cameron women hide in a cellar [36:44].

Some of the white townspeople manage to report the raid to a company of Confederate soldiers, who rush in to rescue the town. They rout the black militia, but not before the militia sets fire to the Cameron house. The girls hug their liberators, as does the Camerons' black housemaid [39:49].

As the war progresses, General William Sherman's march is vividly portrayed. A frightened mother and her children huddle next to the charred remains of their house, while Union forces burn vast areas of trees and homes. General Robert E. Lee surrenders to General Ulysses Grant at Appomattox Courthouse, heralding "the end of state sovereignty."

Congressman Stoneman then meets with Lincoln, urging the President to be harsh with the defeated South and telling Lincoln that "[t]heir leaders must be hanged and their states treated as conquered provinces." However, the compassionate Lincoln has a different vision: "I shall treat them as if they had never been away." Under Lincoln's supportive leadership, the South starts to rebuild, but this "healing time of peace" comes to an end with the assassination of Lincoln. In Piedmont, shocked Dr. Cameron reads the news of Lincoln's death in the newspaper and he says mournfully, "Our best friend is gone. What is to become of us now?"

#### **4. The Propaganda Messages in the Film**

Part One of the film pushes all the tenets of the Southern Historical Narrative. First, the scenes of the Cameron plantation—with the whites dressed elegantly, a ball staged for the Southern soldiers, and the Piedmont men volunteering to fight—serve to advance the view that life on the plantation was refined, elegant, and prosperous.

Second, the scenes of the slaves working happily, getting a two-hour dinner during which they sing and dance, and cheering the Confederate soldiers, serve to advance the view that the slaves were contented and taken care of well. Meanwhile, the scene of a white

preacher using a black boy to promote abolition serves to advance the view that abolition was promoted by Northern activist agitation rather than being due to mistreatment of the slaves.

Third, the scenes of Dr. Cameron reading the newspaper about the upcoming election forcing the South into secession and of Lincoln calling up volunteers serve to advance the view that the North forced the war on the South. In reality, the secession of the Southern states started before Lincoln ever assumed office. Moreover, the South's attack upon Fort Sumter—generally considered as the true start of the war—is never mentioned in the film.

Fourth, the vivid scenes of Sherman's march through Georgia advance the message that the North employed brutal terroristic methods to win the war. This brutality is amplified by the fifth point that scenes of Stoneman urging that the defeated South be brutally occupied, and Lincoln resisting but being assassinated, advance the message that the North imposed an equally harsh Reconstruction on the South.

There is also a concomitant virulent racist message. Blacks are presented as different, such that they are portrayed as an alien intrusion into America. They dress and act differently by singing and dancing on the plantation, behaving oafishly in the street, dressing shabbily, and behaving submissively. These differences are presented as being inferior, rendering blacks as unable to take care of themselves and capable of being productive only when controlled by whites. Blacks are also shown as dangerous blacks with the militia raid on Piedmont.

The themes of difference, disgust, and danger are dramatically amplified in Part Two of the film, which sends the message that Radical Reconstructionists in Congress wrought "a veritable overthrow of the civilization in the South . . . in their determination to put the white South under the heel of the black South." An intertitle primes the film's viewers for the reaction to come with another quotation from President Wilson's book: "The white men were roused by a mere instinct of self-preservation . . . until at last there had sprang into existence a great Ku Klux Klan . . . to protect the Southern country."

The historical irony here is that Wilson, a Democrat and the leader of the Progressive movement, was elected to the presidency with

the help of the majority of black voters. However, his own history textbook pushes the Southern Historical Narrative.

In a key scene, the film shows Stoneman—now the “uncrowned king”—appointing Silas Lynch (“the mulatto leader of the blacks”) as his agent in imposing black rule on the South. Before he leaves, we see Lynch eye Elsie lasciviously [1:35:00]. Subsequently, Lynch makes Piedmont his headquarters and “starts the ferment” by organizing a party for blacks. We are shown blacks in the streets, drinking, eating watermelon, and dancing, as Lynch entices them to quit work to quit and join the partying [1:36:16]. The Freedman’s Bureau, set up by the U.S. Congress to aid poor black families transition into freedom, is characterized in the film as “the negroes getting free supplies . . . the charity of a generous North misused to delude,” with blacks grinning as they receive free goods [1:36:58]. Ben Cameron and his sister leave their home and step into the street, when black militiamen force them aside and threaten Ben [1:37:17]. Lynch taunts him by saying, “This sidewalk belongs to us as much as it does to you.”

On election day, black militia guard the ballot boxes, allowing blacks to vote while turning whites away [1:50:56]. Naturally, the returns show that “the negroes and carpetbaggers sweep the state.” Lynch is elected Lieutenant Governor.

The film suggests that as blacks increase their power, they become more arrogant. For example, armed black militia abuse a white father and his two children and assault an elderly white man, some of whom laugh at him [1:53:46]. Black militia also tie up and beat an old black servant who did not vote for the Union League; when an elderly man intervenes, the black militiamen shoot him dead [1:54:17].

Another scene shows the South Carolina House of Representatives in 1871, now dominated by blacks. Black Representatives behave in a crude and uncouth manner by eating fried chicken at their desks, drinking, putting their feet up on their desks and removing their shoes, dressed garishly, and behaving clownishly [1:56:45]. They pass a resolution requiring all white to salute negro militia on the street as well as a bill allowing the intermarriage of blacks

and whites, whereupon the black delegates erupt in jubilation. The film suggests that this legislation was the ultimate prize for blacks [1:58:28].

Legalizing interracial marriage leads to the rise of the Ku Klux Klan (KKK). When Lynch shows some Klan hoods to Stoneman, the enraged Congressman avers, “We shall crush the whole South under the heel of the black South” [2:06:12].

In a later scene, Flora runs off alone to get some water from a spring. She doesn’t know that a black man named Gus is tracking her [2:12:20]. Gus catches up with her and says he wants to marry her [2:14:46]. She climbs a rocky ridge to escape Gus and, as he approaches, tells him to keep away or she will jump. He closes in and Flora jumps to her death, choosing suicide over an interracial liaison.

Ben and a group of other white men capture Gus. That night, in their Klan robes, they subject him to a “trial.” Naturally, the Klansmen find him guilty, whereupon they kill him and dump his body on Lynch’s porch. The next morning, upon finding the body, Lynch orders the black militia onto the streets to suppress the Klan. We now see the Klan in action. Ben, with his Klan group, sends an emissary to the Klansmen of a neighboring county “to disarm all the blacks that night.”

Elsie subsequently turns to Lynch for help, when he locks the door and tells her he wants to marry her. Elsie—showing complete revulsion—threatens to have him horsewhipped for his insolence. Lynch replies by showing her the street filled with black militia and black townfolk, saying that he will build a “black empire” with her as his queen [2:46:31]. Stoneman enters and meets with Lynch, not knowing that Elsie, who has fainted, lies in the next room. Lynch tells Stoneman that he wants to marry a white woman, whereupon Stoneman congratulates him. But when Lynch tells Stoneman he wants Elsie, Stoneman is furious. Outside, we see blacks—now in control of the streets—intimidate whites [2:53:54].

Simultaneously, we see Klans fully assembled, with Ben in charge, riding *en masse*. The Klan army rides to the rescue of Piedmont, routing the black militia, who run away in fear [3:01:01]. Ben and a group of the Klansmen rescue Elsie and capture Lynch. Black militiamen are forced to lay down their arms and they flee in panic

[3:06:32]. The Klan then stage a parade, with Elsie and Phil Stoneman now riding with them as Northerners who are now Klan supporters. The whites in the town hail their liberators. In the next election, the town's black citizens go to vote only to see a line of Klansmen on horses, so they turn away in fear [3:07:40].

Part Two of the film shows the Southern Historical Narrative completed. Reconstruction was—according to the film—a deliberate attempt to permanently place whites under the control of blacks by disenfranchising whites and placing armed black militia in Southern towns and cities. The KKK—again, according to the film—was white Southerners' way of staving off black oppression.

Moreover, the leitmotifs of difference, disgust, and danger are now driven home graphically and intensely. Blacks are portrayed as different in their manners, dress, language, and values. These differences are viewed as disgusting; that is, they are presented as differences for the worse, as blacks are depicted in several scenes described above as being uncouth, rude, power-seeking, high-handed, lazy, stupid, and hyper-sexual.

The film also depicts in numerous ways blacks as dangerous—in their lust for white women, their propensity to physically assault whites, their tendency to steal and vandalize property, and their financial parasitism of the community. It is worth noting here that the gravamen of the theme of danger is that of “racial pollution,” most vividly illustrated in the scene of Flora committing suicide. This is why attempts at legitimizing interracial relationships are shown as the tipping point for the rise of the KKK.

## **5. The Negative Effects of the Film**

*The Birth of a Nation* was a major influential force at the time of its release. When it was distributed, it spurred racist attacks on blacks and race riots around the United States, which continued as long as the

film was in circulation. This rising tension peaked in 1919, during which there were twenty-five race riots, the worst occurring in Chicago.

An even more negative effect of the film was the role it played in resurrecting the KKK. The original KKK—so effectively glorified in the film—was founded in Tennessee in late 1865 by a group of former Confederate Army officers. While it had started as a more or less social, fraternal organization, by 1867 it was overtly political, focused on weakening black citizens' political power through threats and minor violence. By 1870, however, the KKK was using major violence, including vicious beatings and murders—often by lynching. It targeted white Northern leaders (the “carpetbaggers”) and especially black political activists. This escalating violence led the federal government to pass stiffer laws, such as the 1871 Civil Rights Act, and led President Grant to station troops in South Carolina. By 1872 the first incarnation of the KKK was eliminated.

However, when *The Birth of a Nation* opened in Atlanta in December 1915, and the second KKK was founded in Stone Mountain, Georgia by William Joseph Simmons. Simmons modelled the new Klan on the film's portrayal of them rather than on actual history. For example, the new KKK adopted the practices of wearing white robes and burning crosses, which the original Klan apparently did not do.<sup>19</sup> As historian Tom Rice notes,<sup>20</sup> this KKK redivivus often used *The Birth of a Nation* as a recruiting tool. When the film was premiered in Atlanta, the new KKK staged a parade outside of the theater, replete with robed men on robed horses. With the film's help, the new KKK became more widespread than the first KKK.

The new KKK adopted more modern methods of recruiting and marketing by 1921, so the membership grew quickly. It spread to all fifty U.S. states and was no longer an exclusively Southern rural phenomenon. By the mid-1920s, its membership was somewhere between two and five million in a nation of fewer than 116 million.<sup>21</sup>

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<sup>19</sup> Wikipedia, “Ku Klux Klan” (2022), p. 2.

<sup>20</sup> Tom Rice, “How the Ku Klux Klan Used Cinema to Become a Force in America,” *The New Republic*, December 11, 2015, p. 1.

<sup>21</sup> Joshua Rothman, “When Bigotry Paraded Through the Streets,” *The Atlantic*, December 4, 2016, p. 4.

This meant that as much as 20% of eligible Americans (white, male, Protestant adults) were members—a huge number for what was essentially a hate group. As Joshua Rothman points out, the second KKK had many women’s and children’s auxiliaries, with names like the Junior Ku Klux Klan and the Ku Klux Kiddies.<sup>22</sup> Although the Klan presented itself as an all-American fraternal society it engaged in many acts of violence. While it was not as violent as the first KKK, the second KKK still committed hundreds of assaults and murders during the period from the late 1910s to the late 1920s. For example, the KKK lynched 64 people in 1918 and 83 people in 1919 alone.<sup>23</sup>

## **6. Factors Limiting the Impact of *The Birth of a Nation***

I have implicitly drawn a parallel between the Nazi Regime’s group of anti-Semitic propaganda films (summarized in Section 1 above) and the privately produced—yet bearing the stamp of approval by President Wilson—racist propaganda film *The Birth of a Nation*. However, the destructive force of the Nazi films was far more lethal and virulent than that of Griffith’s film, even when you include the baleful effects of the new Klan it resurrected. What accounts for this difference in the success of the propaganda? I think that we can point to a few factors that limited the impact of *The Birth of a Nation*.

Most importantly, the Nazi anti-Semitic films were a product of a well-financed and organized propaganda machine, operating within a pervasive police state that controlled what appeared in theaters, on radio, in newspapers and magazines, and so on. There was thus no counter-propaganda to the anti-Semitic films, as books and articles criticizing anti-Semitism, organized protests against the showing of the Regime’s anti-Semitic films, and movies countering that anti-Semitism were all virtually impossible under the Nazis.

The U.S., in contrast, had freedom of speech, so as soon as *The Birth of a Nation* was released, counters to it sprang up. As the film started to appear in theaters on the East Coast, black leaders such as

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<sup>22</sup> Ibid., p. 7.

<sup>23</sup> Adam Augustyn, “Chicago Race Riot of 1919,” *Encyclopedia Britannica*.



William Monroe Trotter and W. E. B. Dubois as well as black organizations such as the NAACP started writing essays exposing the racism in the movie and organizing demonstrations against it.

Especially noteworthy in the realm of protest were the efforts of Trotter, who was the editor of a Boston newspaper *The Guardian*. He had supported President Wilson for election and was bitterly disappointed with Wilson's apparent endorsement of *The Birth of a Nation*. When the film was scheduled to screen in Boston, Trotter—who had earlier succeeded in getting Dixon's play *The Clansman* banned in the city—tried but failed to get the film banned. Instead, he organized a protest of 3,000 black demonstrators who marched on the statehouse. He kept the protests going for three weeks. While Trotter's demonstrations did not succeed in stopping the screening of the film, they were reported in newspapers nationwide.<sup>24</sup>

It did not take long for other filmmakers to start producing films that countered the racist propaganda of *The Birth of a Nation*. For example, black filmmaker Oscar Micheaux soon made two films rebutting the messages of *The Birth of a Nation: Within our Gates* (1920) and *The Symbol of the Unconquered: A Story of the Ku Klux Klan* (1920).

*Within our Gates* rebuts the portrayal of blacks in *The Birth of a Nation* by offering a counterview of their values. The central plot line concerns an attempt by several good people—white as well as black—to keep a Southern grade school serving poor, rural, black children in operation. The parents of those children are shown as extremely hard-working, honest, and desperate to see their children educated. They do this in the face of fierce racist hatred, including the lynching of innocent blacks (shown in graphic detail in the film). The only attempted rape is perpetrated by a white man against a black girl, who stops only when he recognizes that she is his daughter. Many of the black characters in the film are professionals—doctors, teachers, ministers, nurses, business owners, and so on. The viewer sees quickly that blacks generally are nothing like what is portrayed in *The Birth of a Nation*.

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<sup>24</sup> For additional details on Trotter's role in this matter, see Gary James Jason, "The Birth of a Nation and the Birth of Cancel Culture," *Liberty*, July 23, 2022.

Micheaux's other counter-piece, *The Symbol of the Unconquered*, centers around Eve Mason, a young black woman of light complexion, and Hugh van Allen, a black prospector who owns a large land holding. In the film, a villainous black man, Driscoll, discovers that van Allen's land sits atop large deposits of oil and Driscoll employs the local KKK to help him steal the land. Van Allen gets the support of his black neighbors and they defeat the Klan, enabling him to develop his own land and become wealthy. He loves Eve, but erroneously thinking that she is white, he doesn't act on it. However, she is able to prove that she is black and he marries her.<sup>25</sup>

Micheaux's story here counters the stereotype in *The Birth of a Nation* of black men lusting after white women. Also, the KKK is presented not as being protectors of white people in general or white women in particular, but as being a criminal gang focused on stealing and extorting the property of black people. Micheaux's films were somewhat effective counters to Griffith's masterpiece. Unfortunately, however, his films played primarily in 700 theaters located in predominantly black neighborhoods, so the counter-propaganda effect of those films on the white population was rather limited.

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<sup>25</sup> For more details about Micheaux's films, see Gary James Jason, "Countering *Birth of a Nation* in Film," *Liberty*, September 22, 2022.