

## MIGHT DOES NOT MAKE RIGHT

Bruce B. Suttle

Most people believe that rules, orders, and directives issue forth from some agency. Granting that, then being obligated to do something is interpreted as having been put under an obligation by some agency to do something. And if an obligation has been imposed upon one by some agency, then, it is concluded, that agency has the power – therefore the authority – to enforce compliance with the obligation.

I will critically analyze the grounds for and implications of this popular interpretation of obligations, supporting as an alternative that moral obligations are exceptions, that moral obligations are context-dependent, rather than rooted in the power/authority of some agency.

The popular concept of obligation yields a formula that is thought to apply to all levels of obligations:

- 1) God – commanding us to keep the Sabbath holy
- 2) Government – requiring us to pay taxes
- 3) Society – directing our customs and traditions
- 4) Bosses – ordering us to do certain jobs
- 5) Teachers – assigning us homework
- 6) Parents – establishing house rules for us to follow
- 7) Peer Groups – pressuring us into conformity

Common to all the levels and examples of being obligated is the presence of an agency, a who, flexing the power to make us behave in a certain way, that can punish us if we don't do as we are told. From such an analysis it is easy to understand how one could conclude that when

there is no agency steering our behavior, no who that is making us act a certain way, then we are free from any obligations. Or, to put it another way, given the above analysis it should be no surprise that most people believe that if a situation lacks any agency imposing obligations upon us, then it is entirely up to us what, if anything, we ought to do. If there is no power agency according to whom we are obligated to act in a certain way, then we are not obligated to act that way. The flip side of this interpretation is that we are entitled, we have a right, to do or not do whatever we desire, unless or until an outside agency puts limits upon us.

Previously I used the phrase ‘power – therefore authority...’ We now need to look more closely at the relationship between power and authority, particularly as it applies to obligations. First, we can’t seriously believe that power and authority are always correlated. A simple example should be sufficient to separate the two: while a gunman has the power to order us about, he certainly doesn’t have the right to, he certainly is not entitled to, he certainly lacks the authority to order us about. Accordingly, one could have the authority to make certain judgments (such as, ‘you ought not do that’) and yet not have the power to enforce compliance (as is the case with the victims in the gunman example).

Second, once it is recognized that power and authority are not inherently linked, the meaning and status of obligations become an open question: Can one be obligated to do certain things if there is no outside agency that can enforce the compliance? If, for example, I promise you that I will raise your salary when the company’s stock is selling for \$20.00 a share, and I don’t do it, am I not morally obligated to keep my promise (assuming all things are normal) even though you can’t force me to raise your salary? And, of course, there are other common examples: I find a wallet in a deserted area, take the money, destroy the rest; I drive by a disabled vehicle, and despite a person signaling me, I neither stop nor phone for assistance. Granted, there can

be unique circumstances that would justify such behavior. For instance, I find out that you've been sleeping on the job; the wallet belongs to a notorious criminal and I donate the money to charities; my cell phone was broken and I was rushing my child to the hospital. But, lacking unusual circumstances, our intuitions tell us that I owe you a raise; that I should take steps to return the wallet to its owner; that I ought to at least phone for assistance. Under normal conditions, the situations themselves, given one's ability and opportunity, are sufficient to create a moral obligation.

Third, given this analysis, we can now seriously consider that certain obligations are not dependent upon some agency issuing forth an imposition, that one can be obligated to act in a specific way not because some agency says so and has the power to force compliance, but because the circumstances warrant that type of behavior. You are alone and happen upon an injured animal. Even though there is no one to force you to attend to the animal, and you are able to ignore its suffering, you are still not entitled to do nothing; you do not have the moral right to do nothing. Rather, you are, due to the very nature of the situation, obligated to attend to the injured animal. Granted, one cannot be forced by another to feel sympathy for the less fortunate. Yet, it nonetheless makes sense to describe one as being morally obligated to feel sympathy for those in need and to act upon that feeling.

Fourth, a century ago Lord John Fletcher Moulton, a noted English judge, referred to 'the domain of obedience to the unenforceable' – that domain of obligation in which man cannot be forced to act morally. 'He is the enforcer of the law upon himself.' No doubt, one can be forced to do that which positively affects others. Yet, as G. K. Chesterton said of forced apologies, 'a stiff apology is a second insult'. A coerced action, a feigned apology or promise, trade at a discount, offered in exchange for immunity from ill-treatment.

Finally, if the reason one acts a certain way is due to some agency coercing the behavior, then one could not be

said to be acting out of appreciation for what is right, one could not be said to be fulfilling one's moral obligation. Rather, if one's actions are motivated primarily by regard for self, not the well-being of others, then, at best, one is prudent and at worst, one is selfish. Yet, prudence is considered a virtue. So what's the problem? The problem is one of being clear and accurate in describing what a person is doing or did. As one can't be moral for selfish reasons, so one can't treat others morally right for prudential reasons. To act prudentially, the intent and consequences must be confined primarily to the agent – for example, attending to one's health when such does not detract from one's moral responsibility to others. Accordingly, while it is morally permissible to be motivated by self-interest (be it in anticipation of benefit or out of fear of harm) when one is the primary object of one's action, it is not morally permissible when the consequences (even if generally beneficial) primarily affect others. The platitude of doing the right thing for the wrong reasons might apply to such occasions.

So, the long and short of it is that certain obligations – specifically moral obligations – do not acquire their status due to being issuances of agencies that command the power to enforce compliance. Equally, if one's reason for acting a certain way is out of fear of what would happen to one if not acting as commanded by some agency, then one's actions cannot be considered moral (regardless of how good might be the consequences for others). As it is absurd to suggest that one can act morally for non-moral reasons, so it is absurd to suggest that the origin or fulfillment of moral obligations can be of a non-moral nature.

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