



Conservatism and Secrecy

Heta Aleksandra Gylling

Department of Social and Moral Philosophy, University of Helsinki, Finland
(eMail: Heta.Gylling@Helsinki.Fi)

Abstract Conservatism is an attitude and ideology which strongly opposes liberal-mindedness and non-interference with primarily self-regarding behaviour as well as tolerant equal respect for different beliefs and free self-expression. Conservativists speak for moral authority and, as I will show in my paper, eventually force people into secrets lives if they do not comply with “proper” beliefs, habits and way of life. Conservative societies lead to secrecy, intolerance and hidden practices when people realize that they do not want to surrender to self-appointed moral and other authorities. The more these authorities want to interfere with individual choice and life-styles, the more secretive people get. Unfortunately the arguments conservative minded people use for justifying interference, tend to fail and only lead to an intolerant society which forces us into having secrets and, at the same time, tries to punish us for having them.

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When the claim to superior knowledge of good and evil lacks justification, the exercise of moral authority of one man over another deteriorates into something which may be called *moral tyranny*. The subject is then forced to do things “in the name of his good”, when actually he knows better himself what is good or bad for him (G.H. von Wright, *The Varieties of Goodness*, 1963, p.189).

1. From liberal openness to conservative secrecy

Ideally, in a liberal democratic society, people are free to express their opinions, moral views and feelings, they are encouraged to discuss and debate the advantages of various habits, traditions, practices and life-styles, in an atmosphere of tolerance even when some of the voiced views annoy others. And if and when any group of people feels that certain

practices or behaviour should be legally restricted or completely banned, three things should be taken in consideration. Firstly, whether we do have evidence showing that the activity in question is truly harmful i.e. has harmful consequences which can be avoided by the ban, and that people have reason to understand and accept the underlying arguments. Secondly, whether the prohibition is useful and does not lead to disobedience and secrecy in a situation where citizens do not feel motivated to follow the wish of the legislator. Thirdly, the legislators understand that controlling and banning things that some people find “offensive” is a slippery-slope where the society easily slides in a state of intolerance and censorship and drives underground all activities that do not fulfil the demands of “official truth.”

In reality, unlike in high-spirited public speech, many people resent (and would want to ban) what they believe to be bad habits, offensive behaviour and pure immorality.¹ They have a tendency to reproach others, not only when their behaviour seriously threatens others’ well-being but also when they feel annoyed, irritated, disgusted, morally upset or offended. These people I call conservatives. And they, as I shall show later on in this paper, necessarily both promote and ban secrecy. I coin a conservative anybody who strongly opposes liberal-minded attitudes² and non-interference to primarily self-regarding behaviour even when others may find it offensive. They usually believe that traditional inherited values should be held in highest respect³ and free expression of opinion should be held in rein in order to protect common values or, in case they feel self-righteous, they also believe they know the truth and act accordingly. For them, moral authority is what is needed in every society in order to protect those less capable of making sound choices of their own. In John Kekes’ words:

If a society is one that fosters the good lives of the individuals who live in it, then giving precedence to autonomy over authority cannot be right, since autonomous lives may be bad. (Kekes, 1998: 37)

In addition to this traditional type of moralists and paternalists, a new kind of regulator has emerged in our midst. The environmentally sensitive individual who knows what our value preferences should be and who is

¹ This usually equals with “sin.”

² I use the term liberal-minded here to make clear that I am not referring to economic liberalism but rather to Millian type of liberalism where harm can be caused also by omission but where individual liberty and freedom to choose in self-regarding matters are granted paramount value.

³ Simply because they are *traditional* values.

convinced that every single individual should make personal sacrifices by making choices they themselves feel make life far too complicated or reduce pleasures they enjoy. They may well understand the importance of not deliberately wasting resources or polluting the environment but still think that the price they are required to pay in giving up pleasurable experiences is far too high. Instead of voluntarily lowering their room temperatures, reducing their meat eating and air travel, they consume in secrecy.

Admittedly the ecologically concerned individuals' intentions may be laudable – saving the planet among other things – but their interpretation of individual responsibility to narrow down one's choices and live ecologically sound life would seldom justify interference because of the loose link between one individual's choices and direct global consequences. It is also visible that many environmental activists first and foremost want to ban what might be called luxuries - which they clearly find morally offensive as such. Alas, they do not differ that much from those who feel morally or religiously offended by what others do and say. It should be kept in mind that conservatives come with various creeds and beliefs and should not be mixed with conservatives representing traditional right wing politics. The common nominator is belief in one's superior knowledge also in matters that belong to the private sphere. They were found in former socialist countries where GDR's secret police Stasi became especially notorious in prying into people's habits, beliefs and other everyday activities which they were forced to keep secret and they can also be found in welfare states where public authorities are keen to guide the lives of their citizens. And whenever moralism or paternalism enter the picture, most people are forced into having secrets. If I am not willing to act the way "they" want me to act, whatever I do, I have to do in secret.

Unfortunately the following kind of remarks seem to become more popular: "You know, smoking is a bad habit! Didn't you know that eating meat everyday is selfish and bad for our planet? Your habit of foreign travel shows how little you care! Ungodly, offensive books should be banned! You should not be wearing that, guess how it makes us feel! That is disgusting behaviour."

The problem with especially the last two expressions, or one might say, gut reactions, is that depending on who is speaking they can refer to almost anything since people do value things differently. The first one may contain serious concern if what is worn is a mink coat and the speaker an animal welfare activist, it may be aesthetic shame caused by poor taste in clothing or religious shame caused by décolleté and miniskirt. And it could be simple jealousy, camouflaged under some nobler cause: since I cannot afford a mink coat, it is only fair that you should not have and wear it either (or at least do it in the privacy of your own home, in secret, so that I

do not have to be aware of it)! What comes to the second exclamation, disgust may be felt by a variety of behaviour: kissing in public, homosexuals holding hands, breastfeeding in public or openly treating women as second class citizens. Whether these and other similar activities are harmful or merely offensive to some, should be assessed separately in each case.

If they are truly harmful to others, then banning them should be justifiable and most people would willingly comply with the rule. But if people, after serious consideration, cannot convince themselves of the harm done and feel that the issue is simply about lack of liberal toleration, they tend to continue with whatever they were doing – perhaps only in secrecy.

Concern for other people's "bad" habits is not restricted to individual relationships but some people make it their professional concern (or are recommended to make by, mostly, public health authorities). For instance, the GP adviser Rural Shah worries about the wisdom and counter-effects of recommended constant "health education" since there seems to be an increasing amount of patients who strongly resent continual reminders about their bad habits, in his words "patronising our smoking couch potatoes by giving them advice they already know."⁴ And what if people get fed up with these and other similar reproaches and reminders? They simply do not tell. They lie about their "bad habits" or "immoral ways of life." They half the amount they drink, double their amount of exercise. And if they "sin" in other areas of life too, then they have to lie again if the new "better" life is not alluring enough, if they are not concerned to the point that they would be ready to change their habits and give up their pleasures. They may tell their colleagues that they plan to take a train to Lapland instead of flying to Thailand, they may hide their fancy sports car in garage and mink coat in the attic, they enjoy their foie gras⁵ and champagne only in company of reliable friends with whom they can also express views and opinions that might be censored otherwise. Why? Because their society has become so illiberal, so conservative that the only possible way of life is a life full of secrets and secretive behaviour.

Conservative, paternalistic and moralistic societies lead to secrecy, intolerance and hidden practices when people learn that if they do not submit to self-appointed moral and other authorities and to what happens to be trendy to oppose, if they do not give up what they enjoy and value themselves, they will be reproached, made feel guilty, in worst scenario punished for their allegedly wrongful behaviour. And the more the

⁴ See Shah (2006).

⁵ I am well aware that for many people foie gras is blacklisted because geese and ducks are force fed.

authorities and others want and will interfere with individual choices and life-styles, the more secretive people get – and the more the authorities will pry into their secrets. All in the name of either their own good or general interest and wrong-doing, labels that can be attached to almost anything.

This paper consists of two integrated parts. Firstly, in the first part, I will say something about secrets and their general nature and, in the second part, will give a more technical analysis to justify conservative endeavours to restrict people's activities when they are not directly harmful to others and when – instead of abandoning their “nasty” habits, people are willing to continue doing whatever they are doing in secrecy. They realize that at the same time they are forced to have secrets, even a secret life and to fear that the authorities try to unveil them in their attempt to eradicate “badness.” In a liberal society people are free to have secrets (which do not harm others) but, on the other, they do not *need* many secrets since they know that the liberal tolerant society allows them to act in ways which others may find irritating, disgusting, irrational and harmful to them. In a conservative society, we need to be secretive if we are not willing to obey moral authorities if and when we disagree about the boundaries of moral and amoral behaviour.⁶ Conservative societies and tolerant openness do not co-exist.

2. Good secrets, bad secrets?

We have secrets, we have heard secrets and unfortunately for others we do not always honour them but betray those who trusted us either because we do not care, because we think we are doing the right thing or even out of sheer malevolence. I assume, little girls may be the best specialists to know how important and valuable secrets are. With secrets you measure whom to trust, secrets are shared by best friends – what is a nice little secret if you cannot share it with anybody! Some secrets are innocent girly kind of secrets which have to be told to your best friend, but unfortunately not all of them so that in order to say something about the value and danger of secrets, they must be categorized according to their goodness or badness to their bearers. Good or innocent or neutral secrets may be self regarding or other regarding. When the little girl tells her best friend (has a terrible urge to tell her!) that she really likes the boy next door, she feels deeply hurt when the friend betrays her trust and tells her secret to others. She is hurt but yet we cannot really say that she has been seriously *harmed*, partly because her secret is what might be called innocent. But innocent or not,

⁶ Amoral meaning habits, practices, behavior that falls and should fall outside the domain of morality.

what really matters is that it can be used against her. Her former best friend may turn against her, use her power given by the secret and demand chocolate bars for keeping quiet. People simply are not always trustworthy, which is a lesson we all learn.

Gossip may also be a form of secrets, social activity loved by many when they are not the target themselves. It may be true or untrue and often it breaches the private life of the person in question as much as any active spying might do. It may be harmless or it may have severe consequences depending on the setting. If an, allegedly strongly religious, young woman is seen drunk in the merry company of men, telling the story around may lead to more than mild reprimand from the relatives' part, even though the thoughtless person telling the story did not intend any harm.

Since some people want intentionally to offend, hurt and harm others, telling secrets may be malevolently done. When one's intention is to harm, the secret must be something the bearer of the secret would not want to be known either generally or by some specific people because she herself feels ashamed or guilty about it or because others find it reproachable or even immoral and she wants and needs to avoid the consequences. It may be something she would not want anybody to know in any circumstances but it can also be something she has to keep secret because of the general intolerant attitude prevailing in her society. It may be true or it may be false, either way the target cannot escape the harm caused by others knowing her secret. She will be labelled since the gossipers remind others, in good conservative spirit, of the old traditional saying "no smoke without fire." Hence, traditional wisdom can always be put in use when it comes to what people should not do! And in worst cases we may be talking about devastating, lethal secrets, again false or true. Accusation of adultery or of having pre-marital sex may lead to being murdered by one's family. This has unfortunately also happened in Western democracies where the rule of law should protect all disregarding one's religious background.

If a society is liberal about matters that predominantly concern the individual him- or herself, people do not have to be secretive about what they do and what kind of choices they make. In a conservative society, there are secrets people feel they are obliged or even forced to keep (for their own good) that can be seen – from a liberal perspective – as malevolently imposed on people. If people want to pursue their activities they know others disapprove of, they have to do so in secrecy. The accusers or those who want to intervene would seldom confess to any malevolence. In their own opinion, they are only concerned about people's "own good." Either, they refer to deviators as not understanding their own good, and act paternalistically, or they refer to immorality as such (as opposed to harm to others) which ought to be eradicated from society. Although they themselves believe that their attempts at interference and intolerance are

benevolent, it can be seen as malevolent intrusion, showing lack of respect for individual autonomy and self-regarding choices. As Donnelly writes:

Equal respect for all persons will be at most a hollow formality without personal autonomy, the freedom to choose and act on one's own ideas of the good life. Freedoms of speech, conscience, religion, and association, along with right to privacy, guarantee a private sphere of personal autonomy. [...] Finally, the special threat to personal security and equality posed by the modern state requires legal rights to constrain the state and its functionaries. These includes the rights to be presumed innocent until proven guilty, due process, fair and public hearing before an independent tribunal, and protection from arbitrary arrest, detention, or exile. Anything less would mean that the state may treat citizens with differential concern or respect. (Donnelly, 1993: 24-25)

The third possibility is that people try to justify their willingness to reproach, restrict or ban certain habits since they consider them to be, not only harmful to the agents themselves but to others as well. The attitudes can vary from mild reproachful frown from your neighbour or friend when she sees that you do not recycle your beer cans to the fiercest vegans calling you an immoral person. But whether the accusation of harmful behaviour is valid is all but clear. Animals' right not to be raised and killed for food is still debatable and the causal link between my *individual* responsibility to refrain from activities I enjoy but which may harm the planet is hazy. I do not deny that were we all to change our consumption habits, this might be beneficial to the future of Earth but, on global and industrial scale it is difficult to persuade oneself of the obligation to give up meat and freeze in one's own home based on the assumption that otherwise I am causally responsible for harming future generations. My indulgence in pleasures others consider extravagant should command respect for my autonomy (the fact that they are my choices) as much as the choices made by more ecologically oriented people. If harm by acts and omissions is to be taken seriously, the harm caused by intolerant behaviour should count too.

Another way to look at secrets is to see whether they are self-regarding or other-regarding. Self-regarding secrets may be kept for a variety of reasons. The secret may be private, innocent, trivial, what I called earlier, girly secret where the main reason for it being secret is that it is part of one's privacy and there is no reason why anybody else should know it. It could be something shameful for the person herself, even illegal which justifies one's wish for being secretive about it. Conservative secrets are another thing since here the motive for being secretive lies in other people's responses. The secret is a secret only because others' disapproval or even potential punishment depending on what the society or community in question deems reprehensible. The consequence may be reproaches

concerning your dietary and life-style habits, voiced by your GP; it may be imprisonment for doubting prevailing political or religious doctrines; it may be hard labour that Oscar Wilde got for his homosexual activities in Victorian England as well as the critics of the political doctrine of Soviet Union. And, still today, it could mean being stoned to death.

Other-regarding secrets can sometimes be comparable to self-regarding if the secret is about one's loved ones and they are treasured as ones own. But when secrets are known by others, the situation changes dramatically. Somebody knows something important about me and I possibly may be ignorant about it. It may be because something inadvertently came to somebody's attention and this decent and tolerant person keeps it to himself thinking that gossiping is ugly and, anyway, the matter is none of his business. His neighbour instead maybe the guy who gloats on other people's vulnerabilities and therefore passes the story on without ever reflecting on the amount of damage and heartbreak he might cause. He is simply the malicious person who feeds on others' miseries.

The situation is worse when the aim is to reproach or punish for secrets people feel they are forced to have. As I already mentioned earlier, who wants to be honest about her habits if it leads to moral sermons or being disciplined? How unpleasant and frightening life can get if your indulgence in your unapproved activities (usually hedonistic pleasures) comes to be known to those who seriously object them? If you know that certain people simply wait to punish "evil-doing?" Or should we instead of punishment talk about re-education or rehabilitation (in the name of not offending the feelings of others)? For instance, are English-Pakistani girls to forego their school education and be sent to ancestral villages to learn proper behaviour when parents and elders have doomed their actions shameful and disrespectful to the old country's habits?

3. What is this good and bad they talk about?

We could find an innumerable amount of examples where people are willing to reproach others for repetitiously doing something they either see as "not good" or even "bad" – the general assumption being that since goodness is something everybody approves of, something that should be easily identifiable, something we all agree on and therefore something we should aim at in everything we do, the same should apply to its opposite, namely "non-goodness" or "badness."⁷ But what is this "non-goodness" that people are inclined to see as objectionable, an aberration from decent

⁷ I am fully aware that sometimes in English the opposite of good is not "bad" but "poor."

behaviour? Is this badness something people should avoid altogether or simply something they should do in secrecy, at least in the privacy of their own homes? Does “not good” mean “bad?” Does it imply “you should not do it?” And if it can be labelled “bad,” what kind of non-goodness or badness do we have in mind? *Why* should people refrain from doing it? Is it morally bad in the sense that it would be morally *wrong* to do it? Or are we talking about something which at least some people find unpleasant but which should not warrant moral judgment, i.e. cannot be said to fall in the realm of morality? Something morally neutral or indifferent people know they should tolerate in a liberal democratic, pluralistic society? Or something people should be protected from, something secret and hidden only the not-so-innocents know about?

In order to assess whether reactions to other people’s habits or life-style are appropriate and, even more importantly, if their potential wish to interfere and stop others from doing whatever they happen to be doing is justifiable, an analysis of certain core questions is imperative. Firstly, what kind of actions, practices or behaviour do people seem to find objectionable and worth reproach? Secondly, is irritation, moral offence or similar emotional states of mind enough to warrant such reactions, i.e. can they be seen as appropriate, not excessive responses? And if these reactions seem to measure up with whatever it is people object to, does this justify interference, also in cases where the habit in question is not immoral in the sense of being *seriously harmful* to others? Or should we make a distinction between habits as mostly self-regarding activities and other, other-regarding behavioural patterns? This contrast would allow us to exclude habits (including those people call “bad habits”) from morally relevant, other regarding and directly harmful behaviour because either they are so trivial that they should not offend anybody or because we should exercise toleration even when we encounter habits that annoy, irritate, disgust or offend us. All these distinctions are essential when judging whether the conservative’s wish to ban certain activities is justifiable. Only then can we assess whether the more liberal-minded have reasons to comply or whether they justifiably feel they need to carry on with their activities in secrecy. It is one thing to want keep something secret because, in one’s opinion, the secret is nobody else’s business and another to be compelled to have “not harmful to others secrets” in order to avoid scorn, reproach, discrimination, ostracism or even serious legal punishment.

4. Judging self and other regarding activities as good and bad

When do habits, practices and ways of living deserve judgments of goodness and badness and in what senses? According to von Wright,

conceptual investigation and analysis is needed:

The investigation would show, for one thing, in how many different senses something can be a “cause” of good or of evil. To observe these different senses is essential to any ethics, which measures the moral value or rightness of acts in terms of the consequences of actions. Yet it is an observation which traditional ethics has habitually neglected to make. (von Wright, 1963: 48)

By definition, in the liberal tradition as put forward by John Stuart Mill in his *On Liberty* (1974[1859]), self-regarding activities, secret or open, are only of concern for the person involved and should be tolerated whereas other-regarding activities are due for moral judgment. There are two ways of distinguishing self-regarding and other-regarding: one is the *directive* character of an activity, the other is the *consequence(s)* of that activity. Thus, the first way is to assess the character of some habit as being directed at oneself or others. One’s habit of enjoying a cigar in the privacy of one’s home is directed to oneself; in contrast, the habit of avoiding smoking around non-smokers is directed to other people. The second way is to assess the consequences of an activity, either in terms of beneficial or harmful effects on oneself or on other people. The personal habit of speedy driving may have beneficial effects (causing hedonistic pleasure) but in certain circumstances it may have harmful effects for other people. Turning bedroom heating down may be beneficial if only energy saving is on one’s mind but over-all detrimental if pleasant and refreshing sleep turns into a freezing nightmare. It should be kept in mind that beneficial and harmful are not privative terms. A thing can be neither beneficial nor harmful, although the same thing is either harmful or harmless:

Thus whereas the useful and the useless, and the harmful and the harmless are opposed to one another as contradictories, the beneficial and the harmful are opposed to one another as contraries. They exclude one another, but between them there is a neutral zone. (von Wright, 1963: 45)

Ignoring the distinction between self-regarding and other-regarding activities may be even fatal. Since people intuitively feel that somehow self-regarding activities should be seen as more private than other-regarding activities, treating them (by authorities) alike, could make people feel that if other-regarding activities happen to take place in private, in the privacy of your own home, they somehow become less “anybody else’s business.” Traditional attitudes towards domestic violence illustrate the point: the broken arms of a battered family member are not seen in the same condemning light as similar injuries suffered by one’s friend in the

hands of an unknown violent aggressor. If the line between self-regarding and other-regarding is blurred, unjustifiable, other regarding harm becomes acceptable, part of “our” private life, a secret which has to be kept in secret because the outside world might not understand “our rules, our honour and our way of life.” Secrets about harm caused to others should be distinguished from harmless and genuinely self-regarding secrets.

The third way to assess “goodness” or “badness” is to make a distinction between instrumental and utilitarian goodness and badness. Sharp knives are good for cutting bread, lorries may be valuable for generating economic wealth and social skills, politeness and wish not to offend other people help one get along in life. Instrumental good can then be said to measure the degree of usefulness. What usually remains problematic is that people tend to see usefulness as a criterion for moral normativity. It is polite and useful to refrain from intentionally offending people’s beliefs but that does not mean they should be protected from feeling morally, religiously or otherwise offended, simply because they believe they know the truth. It should be kept in mind that we have reason to distinguish respect for somebody’s beliefs, in the sense of the content of their beliefs from respect for them as autonomous moral agents and their right to hold their beliefs. To demand that I do respect somebody’s belief in fairies (the content of the belief) is nonsensical since respect, like love and hate, is a feeling and no matter how hard I might try, I cannot force myself in sincerely respecting a belief in fairies. If I do find it silly, I am entitled to do so – in the secrecy of my mind at least and, at the same time, I can and I want to respect the *person’s right to choose and hold* his own beliefs. If somebody tries to force me into respecting beliefs in fairies, the only thing I can make myself do is to act *as if* I believed in them, all the time secretly thinking how foolish other people are.

5. Non-justifiable reactions

Habits, practices and ways of life, among other things, do not nicely fall in either – or –beneficial, harmful and neutral categories:

Good habits, for example, have beneficial effects on a man, good laws and institutions beneficial effects on a community or country. Bad habits have detrimental effects on the good of a man, e.g. because they ruin his bodily health. Similarly bad laws and institutions do harm to the community. But habits can also be harmless without being good, and institutions and laws useless or “pointless” without being harmful, positively obnoxious. Thus whereas the useful and the useless, and the harmful and the harmless are opposed to one another as contradictories, the beneficial and the harmful are

opposed to one another as contraries. They exclude one another, but between them there is a neutral zone. (von Wright, 1963: 45)

This observation sets two new requirements for assessing the validity of people's *reactions* to others' so-called habits. Firstly, it should be ascertained, whether we have reason to call something a *bad* habit, instead of just an innocuous sounding "habit." In case it deserves the attribute, why do people feel it deserves it? Secondly, could these particular habits be seen as primarily self-regarding in the sense that although they may annoy other people, they do not expose them to any serious harm. Should the habit be *harmful to others*, it would be better to switch into talking about *bad behaviour* to avoid the idea of triviality, often attached to the concept of habits. "Bad behaviour" conveys the idea of affecting other people, bad behaviour is assumed to have undesirable consequences for others. A restaurant owner's habit of ignoring sanitation may (and probably will) have consequences far beyond irritation, annoyance or disgust. Insouciance of whether customers suffer from food poisoning shows morally condemnable negligence for the well-being of others. The restaurant owner's attempts to keep health authorities out of his kitchen, claiming that it is his private domain, and that the inquisitiveness of the authorities evoked him to keep it a secret area, might not convince customers suffering the ill effects. As I already mentioned earlier, undermining the difference between harming others and harming self only makes it easier to fool oneself that doing something in secret, in the privacy of your own home, makes it into a justifiable secret.

These distinctions are vital since, on one the hand, in a liberal democracy where autonomy is seen as one of the core values, it would be difficult to condemn and legally ban life-style choices and habits that primarily harm or endanger the actors themselves – if anybody. And, on the other hand, habits tend to belong to the realm of social rules, etiquette, not ethics proper, and therefore do not warrant serious moral indignation. Thus one can say "I may feel disgusted by my colleague's habit of constant travel, expensive clothing, ignoring recycling, drinking, smoking and criticizing traditional and religious values and nobody should deny me the right to take it up with her if it really bothers me." This may be clumsy social behaviour but this is a far cry from adopting a self-righteous attitude and calls her ways "bad" with a reproaching tone, suggesting that these activities are *immoral* as well. Her habits may be beneficial *to her*, giving her a lot of pleasurable experiences, or they *may* be even detrimental. But in the end, if it cannot be shown that her ways are not only "wicked" according to self-righteous people, but truly harmful to others, then her behaviour is simply amoral, morally indifferent and does require moral condemnation. As I already mentioned, all things non-beneficial are not

harmful either:

The harmful which is the opposite of beneficial is that which affects the good of a being unfavourably, adversely. And to affect the good of a being unfavourably is not the same as *not* affect it favourably. If it were, then to be harmless (= not harmful) would be the same as beneficial which it obviously is not. (von Wright, 1963: 45)

If we do not see our habits and practices as wicked and disgusting, most of us are not ready to abandon them unless they get heavily sanctioned. They become our secrets which we try to protect from authorities while, obviously, becoming increasingly contemptuous about them and their reasoning.

In matters related to health, some people seem to favour extreme forms of paternalism and moralism and speak for policies where people should be denied certain services if they do not comply with what is seen as a healthy (physically, morally, spiritually) life-style. The less rigorous feel that it is right, if they do not interfere, but simply reproach people for their bad habits and life-styles. Which ever way it goes, the effect on people tends to be the same. People lie. They keep secret how many bottles of wine or beer they actually drink. They do not tell that they eat fatty grilled sausages, not only once in a summer but every weekend and forget to mention that their constitutional actually means a short walk to the nearest pub.

Some of these paternalists may do it in their sincere attempt to educate us ignoramuses, some to show their superior (as they see it) self-control and epistemic authority which they mistakenly translate into moral authority, and some because they seem to believe that people actually have an unbreachable duty to live what they perceive to be an all-around healthy life. But is there any justification for even verbal interference with what some might call “human weaknesses?” By calling health affecting habits weaknesses – eating fatty foods, smoking, avoiding exercise, etc. - we mean that these habits are neither positively virtuous nor vicious – at most, they reflect failures to live up to certain rather high standards. Nevertheless, if these habits have even the slightest tendency to adversely affect people’s own health, the fiercest proponents are ready to refer to the good of these people and ban their “bad habits.”

Good and bad, in the sense of beneficial and harmful are relative to subjects so that no judgment is complete unless we are told *for whom* it is good or bad. This is not the case with *moral judgments*.

The morally good and bad is not in this sense relative to subjects. Phrases such as “morally good for me” or “morally bad for him” must be dismissed as

nonsensical. The fact that an act does harm to somebody may be relevantly connected with the moral badness of the act. But if this act is morally bad, then it is bad simpliciter – and not for some subject, as opposed to others. (von Wright, 1963: 120)

Therefore, to say to a person that X is bad for him *necessarily excludes* the possibility of making a moral judgment. Something may be harmful or beneficial *for us* but that does not mean that it would be *morally* bad for us, that it would be *morally wrong* to do it. Moral judgments are universal – not simply “immoral for you.”⁸ And if somebody does not care about something being *bad for oneself*, there is no justification for the authorities to try to make people feel guilty if and when they try to do something which might be “bad for you.” Marginalizing “wicked people”⁹ means an attempt to take away their right to equal membership in society which, in itself, leads to unsocial, private and secretive life. For instance, Kekes (1997: 208) is of the opinion that moral merit should influence how resources are redistributed: “What is the guarantee that if resources are redistributed without regard to moral merit, then wicked people will not use the resources given to them in evil ways? ...How could it be maintained that good and wicked people should be given the same amount of scarce resources?”

If, in an attempt to avoid moralistic reproaches, people start to fear that their life-style may affect their share of public goods, they have even less reason to be honest and open about their doings. Dishonesty hardly leads to a good, happy and flourishing society.

If somebody wants to claim that avoiding exercise, smoking, eating meat, enjoying fast cars, mink coats, foie gras and champagne, criticizing traditional beliefs, being offensive in writing and speech¹⁰ or wearing sexy clothes are *morally* bad habits, then what the person is actually saying is that it is morally wrong to engage in any of these or similar activities. This particular claim, in order to be a valid claim, would then necessitate from its proponent an argument, showing that either

1. these activities (or any of them) are harmful to others or
2. these activities are not harmful to others but it is morally wrong to inflict potential harm to oneself or
3. these activities are somehow immoral as such (like a “sin”)

⁸ A moral judgment is not person-related, but act-related.

⁹ Conservatives enjoy talking about wicked people and wickedness. See Kekes (1997: 202-203).

¹⁰ The late, ritually murdered Dutchman, Theo van Gogh made offensive self-expression his trademark.

4. it is immoral to engage in activities which offend, irritate, annoy or disgust other people

If it could be shown that these habits do indeed have harmful consequences to others and therefore fulfil the first requirement, then they would deserve to be called, not only morally bad habits but bad, morally condemnable behaviour. But if a particular habit cannot be shown to (seriously) harm other people and, if and when, no justification for the other three claims can be found, it would be wise to admit that these repetitive activities should be called habits, something people should be allowed to engage in, something which at least in normal circumstances should be openly tolerated and not forced to be practiced in secrecy. Every rational citizen should understand that most of us would not want to live in a society where scornful comments and attempts to interfere should be seen as “encouraging” or “helpful” for improving one’s life, every time somebody did something that does not appeal to others.

How many of us would want to go to work, knowing that once again you run the risk of being criticized for your life-style if you have been imprudent enough to be open about it? To hear that it is disgusting to see an overweight person to eat an ice-cream probably only makes him eat it in secrecy. To hear that drinking, smoking and eating fatty foods makes you a financial hazard to the society only reminds you that you should lie about your preferences. To hear that your extravagant life-style makes you directly responsible for the destruction of the atmosphere and therefore an enemy of “decent responsible people” only leads you to a double life: the modest, dishonest, energy-saver at work, eagerly waiting to get home, behind closed doors to carry on with your secret life, full of vices the righteous disapprove of. Especially in the case of the ecologically more sophisticated, it should be remembered that for them modesty or even asceticism does not constitute a sacrifice, since (often) they enjoy it full-heartedly. It reflects *their self-chosen* values and preferences. Our own preferences and values influence what we find repulsive, stupid or just plain annoying, in a word “bad habits.” Therefore, if we ourselves do not want to be the targets for “social improvement,” maybe we should concentrate more on practising the virtue of tolerance. Unfortunately, for conservatives tolerance and toleration are not necessarily virtues: “Toleration [...] It involves allowing something to go on without interference, even though it is morally suspect.” (Kekes, 1998: 132)

6. Moralism or concern for others’ well-being?

People who feel they have a right or even a duty to make remarks on other people’s habits may believe in the rightness of their cause for two different

reasons. An anti-smoker may believe that reminding smokers of their bad habit implies that, firstly, since she knows that it is (objectively) bad for their health, it is something they should quit doing. She may be right in the sense that they should quit smoking (and any other relatively hazardous habit they might have), if they have a *self-imposed duty* not to endanger their health. However, she is wrong if she believes that the recognition of a health hazard necessarily implies a duty to avoid it. As von Wright (1963: 189) puts it: “With the reaching of moral maturity the moral education of men – in the form of heteronomous self-regarding duties being imposed on them – comes to an end.”

Smoking may be a bad habit in utilitarian or instrumental terms but this does not turn it into a *morally* bad habit and it does not give the anti-smoker a right to demand that the smoker should be compelled to quit smoking. A potentially harmful self-regarding habit does not become immoral when it does not inflict serious harm to others.

Another mistaken attempt to justify control over primarily self-regarding behaviour is to make the illegitimate move the other way round, viz. instead of moving from empirical evidence to normative conclusions, to refer directly to morality and focus on activities which are, according to some intuitive or moralistic ethical thinking, wrong as such. Habits like smoking, excessive drinking, lack of exercise, for instance, are not always seen as mere weaknesses but either thoughtless, irresponsible hedonism or as genuine vices or sins, deserving moral condemnation. Attitudes toward traditionally “immoral,” namely hedonistic habits, provoke moralism, and in some societies even prohibitions which may be considered as a solution – even though we have empirical evidence showing that prohibitions whose value people do not appreciate themselves, do have a tendency to backfire. Prohibition did not put an end to drinking, instead drinking secretly smuggled liquors and moonshine became a public secret. Prohibition laws in US and Finland in 1920s offer prime examples of the ill effects of unwelcomed regulation.

Many authors have tried to point out that liberalism (in the sense being liberal-minded) is a moral doctrine much in the same way as Catholicism and Islamic fundamentalism are. But there is also a marked difference between these doctrines: belief in the value of liberty or autonomy is the only public morality which explicitly rejects the possibility of forcing its way into the citizens’ private lives by legal sanctions. In an Islamic state, the citizens are free to act according to the religious regulations of the country; they are not, however, at liberty to omit acting according to them. Likewise, in a Catholic country citizens are both allowed and obliged to be Catholics. But in a liberal state the situation is different for as long as the citizens abstain from harming each other, they may in their private lives be Islamic, Catholic, Atheist, or whatever they wish to be. Liberalism only

aims at regulating public or other-regarding activities, whereas all other moralities, or ideologies, seek to control the field of private or self-regarding behaviour, our habits and life-styles, too. It is the only credo that believes in openness, allows people to keep their secrets and does not force them into having secrets since their “vices” are tolerated or seen as being nobody else’s business. In a liberal society, you need not have secrets but, if you wish, you may have them. Conservatism, on the other hand, is a contradictory doctrine. It forces people into having secrets, if they do not comply with the prevalent conservative morality, while at the same time trying to punish them for their secrets and secretive life.

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