

PHILOSOPHICAL LECTURE

HONOUR AMONG THIEVES

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OLD-WORLD ethics set Reason to discern a meaning in human life which pointed beyond it. Platonists searched for an ideal of the Good and the Right, to which a moral life will conform. Aristotelians hoped to attune the good life to moral rhythms in the larger universe where human nature belonged. New-world ethics dispensed with all such external sources of meaning. In the Enlightenment main line, moral progress was entrusted to science as a matter of furthering goals internal to human well-being. As Helvetius put it, 'ethics is the agriculture of the mind'. Utilitarianism proceeded accordingly. Even Kant, who believed in calling a spade a categorical imperative, gave Reason a task which was transcendental, rather than transcendent. In one way or another, ethics was to be rationally grounded without appeal to God or to Nature other than human nature. That was the only course, if, as Dilthey declared later, 'life does not mean anything other than itself. There is nothing which points to a meaning beyond it'.

Life can still mean something beyond the individual, however, if culture or, to use the current term, community can bind us and make us part of one another. But the Cartesian origins of the Enlightenment work against that thought. The *cogito* revealed an individual ego, ontologically as independent of other people as it is of the physical world. When the Enlightenment set about a science of society, it began with a science of mind, where minds were individual and society a set of relations between individuals. That favoured a moral psychology where the only reasons which can move an individual are those internal to his own character and concerns. It went nicely with a secular and individualist theory of the social contract, thus making it a central problem of ethics to reason an enlightened egoist into disinterested co-operation.

Today's post-modernists are at one with yesterday's Romantics

in despairing of this whole approach. In the words of Burke's thunderous verdict on the French Revolution, 'the age of chivalry is gone. That of sophisters, economists and calculators has succeeded; and the glory of Europe has departed for ever'. Yet such gloom may be premature. Contractarian ethics is flourishing at present and its exponents are full of ingenious ways of proving that it is rational to be moral. The economist emerges as someone who knows the price of everything and hence the value of everything too. When an individualist psychology is properly construed, we allegedly find that indeed it pays to be good. 'There's glory for you', we might exclaim, provided that there is a knock-down argument involved. I propose to ask whether it is truly rational to be moral from an individualist and contractarian point of view, and, if not, where exactly a corrective should be applied.

All this is spoken from a great philosophical height. The line which I wish to disuss, however, is precise and down-to-earth. So, shifting abruptly from the sublime to the particular, I shall lead off with a vignette of that epitome of modernity, markets and the good life—the antique dealer. Whether fairly or not, I shall suppose antique dealers to be enlightenedly self-interested persons, whose life has no meaning outside itself and some of whose activities, as revealed in the Sunday newspapers, set an interesting problem for a contractarian ethics.

Antique dealers know many tricks. One is to form a 'ring' which gets together secretly before an auction and agrees how high to bid for items in the sale. These items, if secured, are regarded as the property of the ring, which then meets afterwards to share them out among the members, perhaps by holding its own closed auction on the quiet. Each member emerges not with quite what he would have acquired at the public sale, if left to himself, but with an acceptable bundle at bargain prices. Each will make more money than he would have done without the ring, the losers being the outsiders who were trying to sell their possessions on an open market. Since the arrangement is profitable and illegal, it seems to show that there can be honour among thieves because it can pay to be honourable.

Such rings are instructive for contractarian ethics. They are formed through rational individual choice. If all involved comply with their promise, all do better than they would otherwise have done. Yet it is not necessarily rational to comply in full. So members who do comply seem to have accepted a *moral* obligation, thus proving that, overall or at least sometimes, it is rational

to be moral. But, at the same time, suspicion lingers that, whatever precisely the mutually profitable relation involved, it is not moral obligation nor a moral source of reasons for action. I shall start by giving contractarian ethics a run for its money and then pin the suspicion down in order to defend a wider view of morality and rational action.

Think of the dealers as the rational agents of standard decision theory or rational choice theory, playing a game in the sense defined by the theory of games. The game is in three stages, the first ending with agreement to form the ring, the second with the resulting pile of booty from the public auction and the third with its private distribution among the players. Each stage has various feasible outcomes and each player has a complete and consistent order of preference over them. For instance, it may be that Alf will finish up with the ikon, Bert with the samovar and Charles with the Tampion clock; or Alf with the samovar, Bert with the clock and Charles with the ikon; or an outsider may acquire some of these treasures; and so on. The feasible outcomes change between stages, in particular because those of the third stage depend on what exactly is agreed at the first and exactly what happens at the second. Throughout, each dealer follows a strategy of getting more for less, governed by how much he would prefer a given outcome on the one hand and how unlikely he is to get it on the other. (I word this vaguely because nothing turns on questions of maximizing or satisficing, of maximax, maximin or other variants of the approach.)

The expected utility involved in each dealer's calculations is his own. He wishes the others neither good nor ill. He co-operates with them if and only if he expects to be better off thereby (or at least no worse off) himself. He is moved by considerations conventionally described as moral, but only in so far as it pays him to take them into account. The rationality, which marks each player and which each knows the others to embody, is strictly instrumental, with no other office than to serve and obey the demand of preferences. Thus each dealer, reflecting on his own increased profits, finds it instrumentally rational to join the ring and the first stage sets no puzzles.

The next stage is more challenging. Alf very much wants the Tampion clock for himself. The ring has agreed a limit of £1000 and he knows that he could resell it for £2000. There is a risk both that an outsider will bid more than £1000 and that, even if the ring gets it, it will not fall to him at stage three. He could, however, find a crony outside the ring to bid for it at the public

auction. With his fellow dealers holding back, it would be a sure thing at a bit over £1000 and, if he is careful, no one will know that he is involved. He has of course made a pact of honour not to do this sort of thing, but that makes it the more profitable to do it. Shall he make the free-riding choice? The challenging answer is, 'morally speaking, no; instrumentally speaking, yes; therefore no'.

The challenge to an ambitious contractarian ethics is to show that in joining the ring Alf acquires a reason to comply with its rules even on occasions when it would raise his pay-off not to. By 'ambitious' I mean that 'morally speaking' is to be construed without reference to reasons for compliance independent of all contracts whatever. Older social contract theories of ethics and politics are not as ambitious as this. Locke, for example, presents the contract as our best way to fulfil God's purpose in setting us on earth and expects us to bear this in mind when framing and acting out its provisions. An ambitious theory dispenses with all independent guidance, whether divine or derived from natural rights or implicit a priori in the concept of morality. What it leaves in is not altogether clear, because even the idea that the contracting parties are rational individual agents makes some claim about human nature, as we shall see. But the broad impetus is to exhibit moral reasons as arising wholly from human activity, useful for human purposes and rationally motivating on that score alone.

To give ambition a sporting chance, take the game-theory notion of a pay-off as giving a neutral sense in which one outcome is *better than* another *for* a person or group. 'Instrumentally speaking' it is better for Alf to make sure of the clock by stealth. But what exactly is meant by the suggestion that 'morally speaking' it may not be? It seems not to be true that *all* members of the ring do better if the clock is secured by the ring, since Alf does worse. It seems not to be enough that *most* members do better, in that each then has a prospect of acquiring it afterwards. How exactly do we tell the tale so that Alf is not only pulled in two directions but will do better to let the clock reach stage three, instead of diverting it earlier on the quiet? The central idea is that, if the proverbial 'honour among thieves' is to mean exactly what it says, then it is rational for Alf to do the honourable thing even when it seems to have less expected utility than the dishonourable. This needs to be demonstrable but not too easily.

It would be too easy to prove it by adding some hidden costs. Alf would be taking risks in cornering the clock. There is a risk of blackmail by his crony. There is a risk of being identified, when he comes to resell it. If the others find out, there is a risk in using

dark alleyways and a certainty of being excluded from future rings. We might argue that the balance of risk against extra profit favours keeping faith. But this is too easy because it relies solely on fear. Perhaps, as Hobbes contends, a group of people can co-operate to secure the advantages of commodious living, only if there is a common power to keep all in awe. Yet this is not the ideal answer, because the policing needed to keep the risks of defection high is a dead-weight loss. A ring which operates successfully on trust will be cheaper and, from a collective point of view, more effective. Conversely an ambitious contractarian theory must try to show that even a modest background threat of violence is a sign that some members are not properly rational.

It would also be too easy to give Alf the pangs of a bad conscience, thus raising the costs of free-riding from the inside. An ambitious theory will allow this only if it is *rational* for Alf to let his conscience worry him. Otherwise too much work is being done either by a brute fact of Alf's particular psychology or, worse, by a moral concept slipped in from outside. But this may be only a preliminary objection. The thought that Alf can decide whether to be moved by feelings of guilt invites the further suggestion that he can perhaps choose his dispositions—a matter to return to. For the moment, however, it is too easy to burden Alf with a conscience and too unlikely that all thieves have much of one.

Approached through the theory of games, the root problem is set by the Prisoner's Dilemma, arising where each dealer can 'comply' or 'defect' and has this order of preference over the four combinations for 'self' and 'others'.

<i>Preference</i>	<i>Self</i>	<i>Others</i>
1st	Defect	Comply
2nd	Comply	Comply
3rd	Defect	Defect
4th	Comply	Defect

Each reasons that, since it is better for him to defect if others comply, and better for him to defect, if others defect, it is better for him to defect *whatever others do*. With all reasoning like this, all defect and the ring collapses to their mutual disadvantage. This is the so-called 'dominance thesis' and the snag of raising Alf's costs is that the problem vanishes if the outcome described by the top line becomes so unlikely or so expensive that it no longer ranks as his first preference. If there is to be genuine honour among rational thieves, Alf has to think his way round the dominance

thesis, not forget about it. To declare the game to be an Assurance game or some other where the 1st preference is for mutual compliance, for instance:

<i>Preference</i>	<i>Self</i>	<i>Others</i>
1st	Comply	Comply
2nd	Defect	Comply
3rd	Defect	Defect
4th	Comply	Defect

is too easy.

A tempting move is to recall that we are looking at only one round among several in one stage of a game with other stages or even, having an eye to past and future rings, in a series of such games. This lets Alf reckon with the reactions of other players in later rounds. For instance, in a supergame of indefinite length, it may pay to comply in the first round and then play tit-for-tat. It can also pay to establish a reputation, which will induce others to play in ways which suit one. Such considerations might make it rational for Alf to override preferences which, for any single round or game, are correctly described by the Prisoner's Dilemma format.

In my view this is still too easy. As a general move, it works by putting enough of a long term price on the free-rider outcome to demote it from first place in the short run. For, given the minimal rational-choice idea of what motivates a rational agent, this is the only way in which it can work. I shall therefore refuse to be tempted, at least until more is said on the topic of motivation. Meanwhile it is not a convincing move in the present case, where the dealers are not fully transparent and Alf can get away with cornering the clock. If he has read *The Prince*, he will have noted Machiavelli's advice that the prince will do best by maintaining a reputation for keeping faith, while secretly breaking faith when occasion suits. An ambitious contractarian ethics, especially if addressed to an everyday world where we are not fully transparent, must tackle Machiavelli head on. This means, among other things, not assuming an established social order in which supergames can be played with reliable information about institutional arrangements and future costs and benefits.

More promising, perhaps, is a notion of pre-commitment. Alf, foreseeing that, faced with a Prisoner's Dilemma, he will defect, commits himself in a way which avoids the dilemma. This is the strategy of the alcoholic who, in a sober moment, locks the cellar

and gets rid of the key. But how? Alf could warn the other dealers to keep an eye on him or make himself somehow transparent to them. But this is, in effect, to take a more Hobbesian view of the necessary form of the original contract by establishing more of a power to keep all in awe. It amounts to conceding that there can be honour among thieves only if they give up all chance to get away with dishonour; or, more simply, that there cannot be *honour* among rational thieves. Alternatively he could place the key out of his own psychological reach by, for instance, changing his dispositions, so that he is no longer disposed to steal a march on anyone who will play fair with him. But, as yet, we see neither how he could nor why he should. As with self-deception, he must consciously arrange his own motivations in a pattern which he now finds unconvincing. It is not clear how this can be done. It is not clear that, while he remains a rational agent, it cannot therefore later be undone. It is still unclear why it would be rational for him to do it.

Someone may suspect that my example is by now doing too much work. Contractarian ethics is a serious attempt to work through the ethical implications of denying all meaning to human life external to human life and yet to emerge with an account of how there can be moral reasons for action. To focus the attempt on honour among thieves, one might complain, is to include an obvious booby trap. If thieves' 'honour' were the genuine article, they would of course not be thieves. Conversely, if thieves were all mankind's epitome, it would be no surprise to find the problem insoluble; but the lesson is only that human nature should not be assumed to have an inbuilt bias to personal gain.

I stand by the example, however, which I chose in order to press contractarian thinking on two fronts, one psychological and one social. Its familiar current versions rely on an instrumental notion of rationality, which relies in turn on the Humean view that only desire can motivate action. These components together put an embargo on discussing the rationality of an agent's ends. A rational agent can have any set of reflectively consistent ends, provided that they translate into preferences, or desires for situations to come about, which can then motivate a choice guided by rational calculation. In that case the generic problem arises not in ethics but because individually rational choices can sum to collectively irrational results. A collectively irrational outcome is defined as one which is Pareto-inferior in the sense that another feasible outcome would have been better for some and worse for none. The question is then whether it would have been rational for each agent to choose what, when summed, would have yielded

a more rational outcome. The answer might turn out to be no. But the defeat for reason would be very serious and, in my view, would leave philosophers to shuffle the post-modern deckchairs as their ship goes down.

Ethics offers a way of saying yes which also shows how a rational agent *can* act in the manner needed. By 'ethics' here is meant the old theme that to consider a situation from a moral point of view is to stand aside from one's own gains and losses and ask what an ideal, impersonal, impartial observer would make of it. Nothing more is meant, because the moral point of view is not external to all human life on an ambitious contractarian account. So, when this ideal observer points out to Alf that the ring will collapse if everyone rides free, thus leaving every member worse off, it ought to do the trick. The example is fair because it emphasizes that Alf has no independent desire to be moral. He will contribute to the collectively better outcome if and only if given sufficient reason. But reasons can motivate Alf only if they persuade him that his existing desires will be furthered by acting as they propose. So far, reference to the collective good *could* move him, because the collective good includes his own, but *will not*, because it is trumped by its being better for him to defect.

The moral psychology involved follows Hume's precept that 'reason alone cannot be a motive to any action of the will'. It takes the form of distinguishing sharply between beliefs and desires and then insisting that only desires can motivate. This all goes nicely with the idea that whether a choice is rational depends finally on the given preferences of the agent.¹ But it seems to me fatal for an ambitious contractarian ethics, which wants it to be rational for Alf to do the honourable thing but does not allow a given desire to do it. Alf can *acquire* a desire to do the honourable thing but only if it would be rational to acquire it in terms of his overall given desire to be better off. One possible escape is to reject this underlying moral psychology. The sharp line between desire and belief is very disputable. For instance, a desire to do the honourable thing has a large cognitive content and can be felt only by an agent with a battery of honour-concepts. If it can be 'felt' at all, it must be possible for belief to be a motive to the will.

¹ Alasdair MacIntyre holds it a modern betrayal of Hume to speak of 'preferences' as motivating, whereas Hume himself talks of passions. Let me say therefore that my references to 'Humeans' are to be construed in a modern way. (A. MacIntyre, *Whose Justice? Which Rationality?* [Duckworth, 1988], especially pp. 304–5 and 338.)

After all, there is supposedly no restriction on the preferences of a rational agent beyond a reflective consistency.

The modern Humean will reply that, since Alf can believe that diverting the clock is dishonourable but still desire to do it, the distinction between belief and desire stands. But now comes a dilemma. If desires with cognitive content are ever allowed in, then the gate is open for desires to do whatever is the moral or rational thing; and the rival Kantian has no further trouble in explaining how the categorical imperative can motivate. If, on the other hand, Alf can be moved only by simple desires without cognitive content, the whole apparatus of instrumental rationality collapses. The pivotal desire throughout has been a desire to be better off. This desire most certainly has a cognitive content, or, rather, is too blank to motivate without one. Either way reason *can* be a motive to the will.²

Although this reopens the game, it does not show that Alf would indeed be rational to do the honourable thing. It does suggest, however, that 'the rational agent' cannot be conceived as a universal dummy with an amorphous desire to do whatever is better for him. Thus prompted I turn to what I earlier called the social front.

Traditionally, social contract theories of moral or political obligation work from a state of nature and trace the emergence of norms among its rational inhabitants. The account is presented historically, but that is presumably a device, being quite implausible as history and open to the crushing retort that the makers of the contract must *already* have had the necessary concepts and institutions. Modern versions are presented analytically by abstracting a group of rational agents from their context and, having placed them behind a thick or thin veil of ignorance, asking what institutions they would design. But the older approach then gets its revenge, if, as is currently alleged, the abstraction yields a modern socially concerned, Western-style democracy only by slipping in an historically specified shared conception of the good. The lesson seems to be that universal dummies moved only by a desire for things to go well for them are not made human enough to work with just by dubbing them rational.

² The last two paragraphs are very compressed. I have argued the case more fully in *The Cunning of Reason* (Cambridge University Press, 1988), Chaps 4 and especially 5 ('External and Internal Reasons'). See also my paper 'The Shape of a Life', in J. Altham & R. Harrison, (eds), *World, Mind and Ethics* (C.U.P. forthcoming).

At any rate that is why I have picked a specific kind of norm, honour, and agents with a specific idea of what is better for them, a larger and cheaper bundle of clocks, ikons and samovars. Dishonour involves both shame and guilt. But, being thieves, they put a negotiable price on both, feeling ashamed only when caught out by others and feeling guilty only when too greedy for their own good. The contractarian problem is then to convince them that free-riding does not pay the rational thief. In this precise form it is no more soluble than when posed abstractly. But the source of trouble is more instructive. It lies, I submit, in the distinction of ends from means. Ends are specified in terms of possession of objects representing future profit and hence utility. Honour comes in as one of the possible means of acquisition, to be judged strictly in relation to the ends. This is a strangely tactical notion of honour.

Honour is a strategic concept in the sense that it governs the value to be placed on an activity, both on the doing and on the having done. The honour-value of a clock acquired by cheating is not its profit margin. Alf's diverted clock is worth £900 net to his bank balance and zero to his honour. The way of cornering it was ingenious in a thief but stupid in a man of honour. There is a surface symmetry here, with the virtues of theft being the vices of honour and honourable reasons to do something being pecuniary reasons to avoid it. But the symmetry is not deep, because one angle of vision depends on separating means and ends, the other on fusing them. Social relationships, which are instrumental from one angle, are, to introduce a new word, 'expressive' from the other. I shall argue that a wholly instrumental view of rationality cannot be sustained.

A contractarian ethics tries to persuade rational agents that it will pay them to switch from an instrumental to an expressive angle of vision, when dealing with other similarly rational agents. It does not aim to turn them into saints, if that means returning good for evil, honour for dishonour. The rational policy is to act justly to the just, and unjustly to the unjust, thus avoiding the unsatisfactory state, where

The rain, it raineth every day
upon the just and unjust fella.
The former suffers most because
the unjust hath the just's umbrella.

In a wholly just world, everyone's umbrella is safe. In a wholly unjust one the umbrella market collapses and we all get wet. But,

since this rationale is instrumental at heart, it depends on making free-riding not worth the risk, because rational individuals are, or let themselves become, too transparent to fool others. Whatever merit this may have for a world of separate individuals, it seems to me to fail where there are hidden cartels, like the antique dealers ring.

The ring's advantage is that its members can cover for each other, thus sharing the cost and effort of looking honest to outsiders. This lets it ride free on the legal property arrangements, which outsiders practise. Meanwhile the members treat each other in the honourable way in which they pretend to treat the rest of the world. By making a distinction between insiders and outsiders, they have made possible an instrumentally very rational policy of acting justly to the unjust insiders and unjustly to the just outsiders. So long as they can get away with it, they have outplayed contractarian ethics at its own game.

Contractarians must reply, I think, that the ring is unstable, because each member, being still a thief at heart, will undermine it. Witness Alf's temptation to divert the clock on the quiet, thieves cannot manage the switch from instrumental to expressive rationality. Where the underlying motive remains personal gain, it cannot be suspended thoroughly enough to stop members of a ring of honour from snapping up undetected bargains at the margin. This reply seems to me to be finally right. But it also seems to me to sabotage contractarian ethics, because it works only if, unlike Alf, rational persons are not finally motivated by personal gain. If that sounds obvious in those terms, notice that 'personal gain' is short-hand for an Humean economist's phrase like 'the satisfaction of the agent's own preferences'. What motivates is not some specific content, like profit, or disposition, like greed, but the fact that the preference is the agent's own. Any consistent set of preferences or desires can motivate a rational agent so far.

It is time we asked exactly what Alf is up to. In what precise way is he 'better off' by getting the clock cheap? What is he going to do with the proceeds? They are plainly not for the benefit of the public at large, whom he has cheated throughout, nor for the benefit of his colleagues, whom he cheated at the second stage. They might be for the benefit of the community centre round the corner from Alf's home. But this would make life instrumentally better for *him* only if either it eases a bad conscience, which it is not rational to have, or it pays off in his relations with his neighbours. We still ask what kind of pay-off. In other words, where does the line between outsiders and insiders finally fall?

It may be that, in the last resort, Alf is the only insider. It is, I suppose, conceivable that Alf's relations with his wife, children, friends and neighbours are fully contractual and wholly instrumental. But, if so, Alf is trapped by appearances, which do not signify what they symbolize. Suppose that he wants the love of a wife who loves him for himself or the affection of friends who warm to his unselfish affection for them or the regard of neighbours who respect his public-spirited character. These things are not for sale. He can buy the appearance of them; but that is only the outward aspect of an inward reality which he cannot buy. Deceit will get him the appearance but he is culturally fooled or inwardly self-deceived, if he takes it for the reality.

Instrumental rationality cannot be unpacked solely in terms of preference. To judge one action more instrumentally rational than another, it is not enough to know that the agent prefers its expected consequences. We also need the measure of value being applied, including the end allegedly better served. The end in this case is whatever Alf cares most about, what he seeks not for the reason that it furthers a more distant or wider end. The relation however between Alf and what he most cares about is intimate, with his deepest concerns to be seen as an extension and expression of himself. They are not means to his flourishing but its constituents. Otherwise, unintelligibly, he will be trapped in instrumental relations with himself. So, if it is Mrs Alf's birthday and she is among his deepest concerns, there is no question of why it pays him to give her a birthday present. In making her happy he expresses the relation between them.

The circle round Alf, which marks the boundary between insiders and outsiders, can be shrunk or expanded. It may fall between family and others, between friends and acquaintances, between neighbours and strangers. Where it falls may vary with context, so that friends become mere acquaintances, when matters of business are involved. I do not have a philosophical view on the proper boundary. But I will just mention its limits. One is, as noted, that it may include only Alf himself. Here I voice the suspicion that no man can be an island and a person. His most intimate relations cannot be solely of possession. He needs to be related to other people who know him as he is, not merely as he wishes to seem. The other is that it must include all mankind or even all sentient beings, if Alf is truly to flourish in some moral sense. This is the expressive contrary of the contractarian attempt to unite reason and morality through an enlightened construal of instrumental relations. Meanwhile, let us suppose, for the sake of

argument, that Alf's circle has an intermediate boundary and includes enough people to form a group which has his allegiance for no instrumental reason. He helps his friends and neighbours because they are his friends and neighbours, thus expressing who he is and where he belongs.

Honour is an intermediate relation which defines a group and gives its members the expressive reasons for action which go with dealings among insiders. One calls them personal reasons, with a stress on the first person singular and plural. What *my* honour demands of *me*, it may not demand of you even if we both belong to the group. But differing particular demands are governed by *our* honour which claims mine and yours. This is not to say that, if you are an outsider for me, I can treat you dishonourably, since honour codes vary on that score. A soldier's honour traditionally includes duties of respect to some women, although often not to those of inferior classes or nations. Witness this example or that of the Mafia, reasons of honour are not beyond criticism and I shall pursue this matter presently. But they stand in instructive contrast to instrumental reasons.

It is tempting to mark the contrast with Weber's distinction between *Zweckrationalität* and *Wertrationalität*. But, although his '*zweckrational*' equates nicely with 'instrumental', he says that action is *wertrational* when its goal is so dominant for the actor that it drives out all calculation of means and consequences, as with acts of heroism and self-sacrifice. This suggests Colonel Blimp facing stiffly into the past, while a canny enemy slaughters his men from behind. But, as Weber himself points out when discussing politics as a vocation, it is a mistake to oppose principle to consequences in this bone-headed way.³ The principled politician needs to calculate consequences finely, knowing that policies rarely work out as planned, partly because the world is fluid and complex, and partly because his opponents are not idle. Calculation is in the service of principle, however, and its use is in judging whether an outcome is realistically the best to aim at. Similarly men of honour must work out what their honourable course of action is (or which honourable course is better). There is no reason why the choice has to be obvious. Honour sets measures of value, for the journeying as much as the destination, but it does not turn unflinching fools into heroes. Recalling Machiavelli's advice to the prince in pursuit of glory that he must emulate the fox as

³ 'Politics as a Vocation', in H. H. Gerth & C. Wright Mills (eds), *From Max Weber: Essays in Sociology* (London, Routledge & Kegan Paul, 1948), pp. 77–128.

well as the lion, we might say that honour is not peculiar to the rhinoceros.

Less cryptically honour is a game but in a sense closer to Wittgenstein than to game theory. It is not a game where the rational player measures strategies by their expected pay-off in a currency external to the game. For honour the measures are internal to the rules of honourable conduct, which are of two kinds. Constitutive rules define the essential relationships between the players and set their purpose. Those of chivalry, for instance, define what it is to be a knight or, presumably, a damsel in distress. Regulative rules facilitate progress within the constituted framework, covering, for instance, the proper way to court a damsel or defend her honour. In general, regulative rules are an aid to solving problems of action set by the rules constituting the game. Neither kind of rule merely constrains the players. The one enables them to play the game at all; the other enables them to play it well.

Although occasionally only one strategy is possible, the usual case is that a player has several and is in search of a best one. An important feature of rules is that they guide each player's expectations about what other players are likely to do. This is a crucial factor in game theory, where rational choices are often interdependent. For example, the highway can be simply modelled as a coordination game, where it is rational for me to drive on the left if and only if I expect you to do the same. But game theory deals only with games where rational choices are instrumentally rational and so where 'expect' means 'predict'. In Wittgensteinian games there is scope for *normative* expectations, which *entitle* players to count on others behaving in accordance with the constitutive rules. These kinds of expectations are conceptually distinct and, if the normative were dominant wherever they applied, we could put Wittgensteinian teeth into the notion of expressive rationality.

But the games of social life are not so self-contained. I doubt if they ever were, even for my artificial example of the age of chivalry. At any rate they plainly are not in a modern world where norms and reference groups are fragmentary, shifting and command only partial allegiance. Let me give a light-hearted illustration. British Rail used to sport notices in the lavatories of their trains saying 'Gentlemen Lift The Seat'. Try parsing this locution. Construed in the present indicative, like 'cats purr' or 'bears hibernate', it gives information about animal habits and licenses predictions. But, to grasp the illocutionary aim, we need the

subjunctive—‘if you were a gentleman, you would lift the seat’—backed by the optative—‘would that you were a gentleman!’—to yield an imperative—‘lift the seat!’. The currency is one of normative expectations among travellers aspiring to be gentlemen. But I suppose the perlocutionary force was lacking in a socially mobile modern world. Perhaps the notice was doomed to fail as soon as it became necessary. At any rate it has now disappeared, the normative expectations having been defeated by the free-rider problem.

The antiques game, too, is not self-contained. But it matters exactly why not. The obvious diagnosis is that, although the members enter a constitutive relation, they do so for mutual advantage and retain aims which govern what it is rational to do in a standardly game-theoretic sense. Not everyone who professes to be a gentleman is one; and the thieves remain individuals throughout. Analogously an individualist theory of the social or moral contract, which views a civil society as an association of atoms with personal ends, cannot make loyalty rational when it pays to step out of the game. There is a more Wittgensteinian diagnosis, however. Although the members have entered a constitutive relation, they have not abandoned other constitutive relationships. They are playing several games, which pull in different directions. Since other games matter more to them, they play the antiques game instrumentally, when there is a conflict. But defection is instrumentally rational here, only because it is a good move from the standpoint of a more significant game. This diagnosis differs from the other in that it need not endorse an individualist view of games or of players. It is consistent with a theory of the social contract, like Rousseau’s, which takes the contract as constitutive of the players themselves.

Notice that Rousseau’s citizens retain a private will, which may be different from, or contrary to, the general will which each has as a citizen. ‘His private interest may speak with a very different voice from that of the public interest.’ Hence ‘he might seek to enjoy the rights of a citizen without doing the duties of a subject’. That is Alf in a nutshell, with the ring being a ‘faction’ and not an expression of the General Will. Rousseau’s way of dealing with free-riders is drastic and I am not working round to endorsing it. But his contrast between individuals and citizens goes irresistibly with that between instrumental and expressive reasons. Like the honourable or principled thing to do, the public interest may be hard to discern. The search for it motivates the citizen, however, because that is the condition of being a citizen. In this way of

taking the social contract, it sets up the widest game, the one in which the player is himself and acts from expressive reasons, which are not instrumental in some yet wider games.

Here we seem to have reached Wittgenstein's famous thought that 'What has to be accepted, the given, is, so to speak, *forms of life*' (*Philosophical Investigations*, II, p. 226), with one's community being the form of life with moral authority. At any rate this is the stopping point for what is currently termed a 'situated' ethics and it works by blocking questions of what is rational or moral to accept as 'given'. But, if one wants to be able to challenge the moral authority of communities which function effectively by subjecting some kinds of persons to the accepted power of others, the stopper has been applied too soon. For instance the Mafia flourishes in the modern world thanks to rules of allegiance, which once served to unite Sicilian families against foreign oppression and still give its members a sense of who they are and where they belong. Islamic communities are held together by sets of beliefs and practices which, in their fundamentalist forms, keep women in fierce subjection. I would not wish to issue a moral *carte blanche* just because we are dealing with, so to speak, forms of life.

It may be tempting to try starting with groups smaller than a community and more self-contained, as a source of non-instrumental reasons, for instance family, friends and immediate neighbours. If basic rights and duties are those which go with membership of these molecules (or 'little platoons' as Burke might call them), then we might have a workable test for distinguishing between just and unjust communities. The snag of minaturizing and personalizing 'the given', however, is that there are no definite miniature forms. The family, for instance, is a favourite modern candidate for the molecules which can be chained as an account of the just society or moral community. But 'the family' is no Platonic form. Some copybook nuclear families or two parents and 2.3 children are a human disaster; some one parent families are a model of human flourishing; and other varieties of the family group are legion. Yet I do not wish to be dogmatic. It may be that there is some basic, small-scale human relationship, which, while having the authority accorded to single individuals by the idea of individual rights, also has members with basic duties towards each other.

But the difficulty of finding one goes deep, because, in a world where 'life does not mean anything other than itself', rights and duties point to different ideas of what a person is. If we are by nature separate individuals, then rights seem plausibly to be

understood as a strategic device to ensure the benefits of mutual co-operation, and duties then added as the logical way to secure the device. Contractarian ethics seems to me an ingenious attempt to work from an agent-relative to an agent-neutral account of moral reasons in this way. But it has failed to cope with Alf's antics, because it cannot reason him out of securing the benefits as cheaply as he can. A Kantian ethics might have done so, by starting with universal duties and refusing to deal in mutual advantages at all. But, Kant being a contractarian only in politics and not in ethics, that is beyond a contractarian's grasp.

Meanwhile 'duties' can also suggest a *tertium quid* between agent-relative and agent-neutral ethics. If we are by nature not separate individuals but persons essentially located in some of our social relationships, then our duties may be an expression of who we are and where we belong. That, of course, is what causes the trouble with the loyal *mafioso* or the community whose characteristic action-guiding concepts draw distinctions of class, race, gender or in general, power, which fall foul of the United Nations declaration of rights. As noted, it is a trouble which crops up for small or large groupings alike. None the less Alf's antics do show, I hope, that a rational agent's ultimate reference group cannot be himself alone. He needs some group to identify with in relationships whose flourishing is a measure of his flourishing.

In finding Alf an identity, we abandon the individualism of current contract theories. That seems to me no hardship. The dislocated free-rider is like someone who wins a prize by cheating. He has the gold cup but not what it signifies; he has gained it but not won it. He is the master who tries to compel the love of his slaves. Moral pretence can fool many of the people much of the time but it cannot reproduce what it imitates. Where morality requires that one treats another person's interests as one's own, short cuts, which give the appearance without the substance, are literally self-defeating. Hence an individualism which supposes that there is a rational self-interest prior to all human relationships is untenable. The social or moral contract which constitutes a form of life also constitutes the persons for whom this is the most intimate relationship.

On the other hand that does not rule out a contractarian theory like Rousseau's, resting (in a liberal interpretation) on a more social and sociable individualism where a citizen's duties come before an individual's rights. Here the choice to create the new association is made by individuals but, since it produces 'a remarkable change in man', is to be judged rational *ex post*, not *ex ante*.

Citizens realize with hindsight that the choice has been self-creating and, if a General Will results, expressively rational. I am not sure whether a liberal interpretation can be sustained but the attempt seems to me worth making.

In upshot rational ethics in a world where 'life does not mean anything other than itself' depends on there being good reasons for action whose measure of rationality is not instrumental. Otherwise honour among thieves is thoroughly awkward. Either it pays Alf to deal honourably with his cronies or it does not. If it does, it is because a cartel is exploiting outsiders and that can hardly be the morality which modern ethics should recommend. If it does not, it is because someone with Gyges' ring can do better still for himself—a serious matter in a mobile modern society of strangers, where such rings are easily come by. The diagnosis must be that the relationship among thieves cannot be honour. Ersatz relations do not bind morally. But that leaves the question of when expressive relations do and do not bind. Not all honour codes which give meaning to people's lives are thereby to be commended. Some chain social inferiors into subjection. To say so, however, we need a distinction between good and bad reasons for action which can apply to expressive choices. I appeal for help.

Meanwhile these awkward antique dealers are a moral fable for our times. Does it pay to be good in an Enterprise Culture, where relationships are instrumental and their analysis contractarian? Apparently it does, because markets flourish to mutual benefit where there is trust, and fail without it. The snag, however, is that very enterprising persons do better still by forming rings which exploit the less enterprising. Their benefits are not in fool's gold, since bank balances genuinely increase. Money buys commodious living. It buys the trappings of culture too. So a proof that glittering prizes are not always gold needs to cut deeper. It must connect culture and meaning to a moral concept of a person which makes neighbours of us all. Here we are dealing in moral antiques—a part of the trade where there is no substitute for the genuine article.

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