

book review

WITHOUT GUILT AND JUSTICE: FROM DECIDOPHOBIA TO AUTONOMY. By Walter Kaufmann. New York: Peter H. Wyden, Inc. 1973. 274 pp. \$7.95.

Human existence requires autonomy. Those who don't have it, crave it. And they fear it. This fear of "making with open eyes the decisions that give shape to one's life"—termed "decidophobia"—is the starting point of this innovative work in moral philosophy. The book ends with a prescription for creative autonomy and, along the way, challenges some of our most commonly accepted notions of justice, guilt, equality, alienation, honesty, and integrity.

Decidophobia can drive an individual into adopting a variety of strategies which allow him to avoid accepting responsibility for his own life. Professor Kaufmann discusses 10 such strategies. One popular ploy used to avoid making decisions is "drifting," which comes in two varieties. A "Model A" drifter swims with the current, never questioning prevailing traditions and moral codes. The "Model B" drifter, wanting no part of the status quo, opts out of the establishment and wanders aimlessly without long-range goals or plans, his life guided only by the whim of the moment. Both live the illusion that their lives are outside of their own control.

The sense of despair which is a consequence of drifting can lead one to adopt another strategy: allegiance to a movement. A movement can supply a purpose in life and a ready-made solution to all dilemmas. Eric Hoffer has detailed how this strategy works for the decidophobe in his study of *The True Believer*. While joining a movement is not necessarily a cop-out from an autonomous life, it serves this purpose for many people.

Even if he does not avoid major decisions, a person can default on the responsibility of carefully scrutinizing alternatives by endowing a chosen alternative with the blessings of reason or justice. It is easier to say "Justice (or reason) demands that I do this" than to admit that there may be more than one reasonable solution to a dilemma.

Kaufmann then goes on to critically analyze the concepts of justice and guilt and recommends a complete rejection of these for any person aspiring to autonomy. Both justice and guilt rest on the concept of desert—and it is this concept which Kaufmann attacks as "confused and un-

tenable." A concern with desert is a concern with the past. But, what good can be accomplished by focusing on a past which can, in fact, never be undone? A utilitarian position is argued in which punishment is justified not by an appeal to justice but an appeal to future consequences—specifically, deterrence. It is far more honest, Kaufmann feels, to tell a convicted criminal that he is being punished in order to reduce the temptation for others to ignore legal prohibitions, than to piously pronounce that "justice has been served."

While Kaufmann's thoughts on retributive justice do not depart significantly from the academic mainstream, the position he takes on distributive justice is rare in contemporary intellectual circles and will be extremely welcome by libertarians. For a sample, view this excerpt on equality of opportunity: "At what stage in their lives are people supposed to have it? If they are to have it always, we must rigidly control their lives from birth to death, in order to make sure that they do not make choices that will deprive them of various opportunities. . . . Equality of opportunity is a slogan, and those who employ it are not really in favor of the means required to bring it about. Men are not equal. Men should not be made equal. And equality of opportunity is either a hollow cliché or a pernicious goal."

Despite my enthusiasm for many of Kaufmann's observations on justice, his discussion remained unconvincing for two reasons. The first lies not in the text, but within myself. Having grown up with heroes who were distinguished by a passionate concern with justice, I am reluctant to accept the notion that there is no such thing as justice, that my heroes were merely chasing a myth. My second objection has more substance to it. While the book presents the numerous problems with which defenders of retributive justice must grapple, it unfortunately fails to do battle with the most common objections to the deterrence theory of punishment. Most notably absent in this context is any mention of individual rights; yet for most libertarians, justice, in a political sense, is inextricably tied to individual rights. As Hospers has written: "A theory of conduct that includes no explicit doctrine of human rights is a theory without a vital center, and no theory that assesses the rightness of acts in terms of consequences alone can ever provide it." [1]

While a utilitarian guide to conduct seems

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unpalatable in the political-legal realm, it begins to make more sense when the focus turns to guilt. Approaching the subject from a philosopher's framework, Kaufmann joins the many contemporary psychologists who feel that a preoccupation with the past retards growth and development. Kaufmann obliterates the guilt-mongers by showing that guilt feelings: (1) establish no high probability that one will try to rise to a higher level of existence; (2) have no tendency to be proportionate to the wrongs they feed on; and (3) do not protect society by serving as a check on behavior, since those who nurture self-hatred usually have hatred to spare for others.

The remainder of the book is positive in emphasis; it examines the values associated with autonomy: honesty, integrity, and creativity. In "The Need for Alienation"—my choice for best chapter—Kaufmann demonstrates that alienation is *not* endemic to capitalism, but *is* a necessary concomitant of autonomy!

The language of this book is clear and, at times, passionate; its approach is firmly rooted in a belief in a person's ability to shape his own character and future. As a work in moral philosophy, it is liable to be dismissed by those who would question the efficacy of all philosophical enquiry. Discussing the utility of philosophy William James once wrote: "It 'bakes no bread,' as has been said, but it can inspire our souls with courage; and repugnant as its manners, its doubting and challenging, its quibbling and dialectics, often are to common people, no one of us can get along without the far-flashing beams of light it sends over the world's perspectives." [2]

If it seems as though philosophy has been suffering from an energy crisis, and the available beams of light appear not too strong, pick up *Without Guilt and Justice*; it's an important source of fuel.

NOTES AND REFERENCES

[1] John Hospers, *An Introduction to Philosophical Analysis* (Prentice-Hall, Inc. 1967), p. 616.

[2] William James, *Pragmatism* quoted in Mortimer J. Adler *The Conditions of Philosophy* (Dell Publishing Co. 1965), pp. 8-9.

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