



University of Tabriz-Iran
Philosophical Investigations
Vol. 11/No. 21/ Fall & Winter 2017

Moderate Morality: An Interest-Based Contractarian Defense & its Applied Result in the Political Ethics of International Relations*

Shirzad Peik Herfeh**

Assistant professor, Imam Khomeini International University (IKIU), Qazvin

Abstract

What is morality's scope? Should all our actions be evaluated morally? Is it necessary to be causally responsible for harm to have a responsibility to reduce it? Is there a morally relevant distinction between those consequences of our actions which we intend or do and those which we foresee but do not intend or allow but do not do? Is helping others a matter of supererogation (i.e. beyond the call of moral duty) or a matter of obligation? These are crucial questions that need to be debated in normative and applied ethics. However, they were not raised seriously and independently until the last decades of the 20th century. There are several answers to these questions. This paper defends the answers of an approach which is called "moderate morality." So, at first, it defines "moderate morality," and pays heed to the views of its opponents, including Peter Singer, Shelly Kagan, and Peter Unger. Then, it tries to defend "moderate morality" based on "interest-based contractarianism." Finally, it examines "its result in applied ethics" and tries to find a reasonable answer to a crucial question in the "political ethics of international relations" in our globalized era: What moral obligation, if any, do we have individually and as a society toward the people whose basic human rights are being violated not only in our country but also all over the world?

Keywords: moderate morality, allowing harm, interest-based contractarianism, political ethics, international relations.

* Received date: 2017/06/23 Accepted date: 2017/10/04

** E-mail: shirzad.peik@gmail.com

Introduction

If there is not a morally relevant difference between doing harm and merely allowing it there should be no moral objection to bombing innocent civilians if doing so will minimize the overall number of deaths in war. There should, however, be an objection to our failure to prevent human rights violations all over the world. It seems that the question is pertinent to whether extremist morality is true, as extremists believe that doing harm is no worse than merely allowing it while moderate morality disagrees. Extremist morality, which is a serious rival to moderate morality, requires that we perform - of those acts not otherwise forbidden - that act which can be reasonably expected to lead to the best consequences overall. Moderate morality, however, puts constraint on allowing harm that is merely foreseen as an unintended side-effect, provided that it does not impose a disproportionate burden on the agent. So, when it is possible to stop harm, and assuming it does not impose a disproportionate burden on the agent, it will be obligatory (not supererogatory) to stop it. It means that moderate morality believes in a *pro tanto* (NOT decisive) reason to promote the overall good as well as constraints and their principled defeasibility. I am going to show that this very element of moderate morality is not contrary but according to our self-interest. A *pro tanto* reason to promote the overall good is the only defensible form of promoting our self-interest and is internally consistent and wholly reconcilable with it. That is why I try to extract the three main elements of moderate morality from interest-based contractarianism. It is worth mentioning that although it is my opinion that interest-based contractarianism is a powerful theory, I try to remain neutral toward it in this paper and my claim is that ° regardless of its additional merits ° it has the capacity to defend moderate morality. Finally, I will try to show one important applied result of moderate morality in the political ethics of international relations. According to moderate morality, which is itself based on our own self-interest, we should not be neutral bystanders in cases of injustices and human rights violations. In a world where humanity is in crisis and ISIS territory in the Middle East can threaten Europe and kill Parisians our ethical systems have to pay more attention to those who are in urgent need of help. Otherwise, the world will be worse for all of us. We either win together or lose together. Those who live in a glass house should not throw stones. However, this is not enough. They should not let the others throw stones too.

Moderate Morality

"We can't change the world, but we can change our street, and maybe if we can change our street, then other people will want to change theirs." David, one of the protagonists in Nick Hornby's novel, *How to Be Good* (Hornby, 2001), says the above sentence in his save-the-world-and-love-everyone campaign. He invites all his neighbors, and asks them to share their spare bedrooms with poor homeless kids in their street. However, his wife, Katie, disagrees with him and says "these are their homes, David. And it's not like they're enormous homes, either. Why don't you pick on Bill Gates?"

Or Tom Cruise? How many spare bedrooms have they got?" As Pfluegl, a book reviewer and literary critic, says in his website "being good in a good world is easy, but David is good in a world like ours that is flawed." He adds "I started pondering the question (just like Katie): how good does someone have to be to be really considered a good person?" Finally, he concludes:

David shows us that in a real world with all the shortcomings there are we can make a positive change. We always have all sorts of excuses for not being as "good" as we could be. No time, no money, not now, etc. It is kind of scary to realize that these are all excuses. These are not reasons, just pretexts to not think about the fact that we all could be good (Pfluegl, 2011).

But is he right? People usually think that morality concerns a relatively short list of specific actions, and many actions are forever beyond morality's reach. In our ordinary morality, our main constraint and concern is "not doing bad" "Doing good" is something supererogatory (i.e. beyond the call of moral duty) in most cases, and is obligatory only when it does not impose much expense on us. So, morality is not pervasive, it has some limits, and just some of our actions are within its domain and should be evaluated morally.

As LaFollette says, the disagreement here is between those who think some actions (options/prerogatives) are always beyond morality's reach and those who do not:

Those who think morality is not pervasive think we needn't morally evaluate some actions because they are forever outside morality's domain. Those who think morality is pervasive believe that although we learn from experience that we normally needn't morally fret about some actions, we can never know that an action (described in morally neutral terms) is forever beyond morality's reach (LaFollette, 2007, p. 257).

The position of our ordinary morality and moderate morality - which wants to defend it - as well, can be characterized by their acceptance of three important elements:

There are constraints on what may be done, either for (a) the sake of promoting the overall good or for (b) the sake of promoting the personal good, and options (sometimes called prerogatives) - not to perform the action which will result in the overall good.

2. There must be principled defeasibility of constraints. By principled defeasibility of constraints, I mean any constraint should be qualified in such a way as to allow for certain principled exceptions; like the exceptions in cases of self-defense and punishment. So, defeasibility generates the principled exceptions that would seem to be an integral part of any worthwhile system of morality.

3. There must be a *pro tanto* reason to promote the overall good (Baltzly, 2001, p. 3).¹

The Opponents of Moderate Morality

Moderate morality faces serious challenges in defense of its three crucial elements. We can regard Peter Singer's challenge, in "Famine,

Affluence, and Morality," as one of the first contemporary challenges to moderate/ordinary morality:

If I am walking past a shallow pond and see a child drowning in it, I ought to wade in and pull the child out. This will mean getting my clothes muddy, but this is insignificant, while the death of the child would presumably be a very bad thing (Singer, 2007/1972, p. 506).

Then he criticizes people's indifference toward others and their reluctance to give a hand to those in need of help:

Should I be less obliged to pull the drowning child out of the pond if on looking around I see other people, no further away than I am, who have also noticed the child but are doing nothing?... unfortunately most of the major evils – poverty, overpopulation, pollution – are problems in which everyone is almost equally involved (ibid, p. 507).

Shelly Kagan also attacks moderate/ordinary morality in his book, *The Limits of Morality*, and rejects the view that there are limits to what morality can impose on humans and defends the doctrine which holds that people are morally obliged, without limit, to do as much good as they can. Kagan maintains that despite the intuitive appeal of ordinary morality, it cannot be adequately defended and he offers a sustained attack on the most basic features of ordinary morality.

Peter Unger also wrote a book developing the attack to ordinary morality, called *Living High and Letting Die: Our Illusion of Innocence*. Unger believes that the rich are morally obliged to help the poor, and argues that most people's intuitive moral judgments of hypothetical moral scenarios are inconsistent. He presents a series of imaginary examples to show that the demands of morality go much further than we ordinarily think. Here is my paraphrase of one of them:

Bob is close to retirement. He has invested most of his savings in a Bugatti, which he has not been able to insure. He enjoys driving it, and knows that its rising market value means that he will always be able to sell it and live comfortably after his retirement. One day when Bob is out for a drive, he parks the Bugatti near the end of a railway siding and goes for a walk up the track. Suddenly, he sees that a runaway train is running down the railway track. Looking further down the track, he sees a child very likely to be killed by the runaway train. He can't stop the train and the child is so far away that he can't warn her of the danger. However, he can throw a switch which will divert the train down the siding where his Bugatti is parked. Then nobody will be killed; but the train will destroy his Bugatti. Bob decides not to throw the switch. The child is killed (Unger, 1996, p. 136).

Using this example Unger reminds us that we too have opportunities to save the lives of those who are in need. He believes that we have an illusion of innocence, because most of us fail to use such opportunities.

In spite of all above, this paper tries to show that the "moderate" may use interest-based contractarianism in her defense of moderate morality.² It is worth mentioning that although my favorite model of morality is against extremist models, it is not totally indifferent toward others and is not

reluctant to give a hand to those in need of help. In other words, I, contrary to minimalists (like libertarians), do not think there is an unbridgeable moral chasm separating "doing good" from "not doing bad" such that we are responsible only for our "bad doings." I think the moral distance between "doings" and "allowings" is a rift rather than a chasm. This feature of my favorite model of morality is shown in the third element: a *pro tanto* reason to promote the overall good.

Contractarianism

Ann Cudd defines contractarianism as both "a political theory of the legitimacy of political authority and a moral theory about the origin or legitimate content of moral norms" (Cudd, 2012). As Cudd says, "the moral theory of contractarianism claims that moral norms derive their normative force from the idea of contract or mutual agreement" (ibid). Contractarianism goes back to the classical Greek - Glaucon in Plato's *Republic* ° and then (as Rawls says) in the sixteenth century there was a marvelous development of it by the later Scholastics ° Suarez, de Vittoria, Molina and others ° and by Hobbes's time it was a quite highly developed doctrine (Rawls, 2007, p. 23). The first comprehensive statement of contractarianism came from Thomas Hobbes (1588-1679) in his *Leviathan* (1986/1649), in which he offered a contractarian justification for almost unlimited powers of the state. Other important historical figures associated with contractarianism include John Locke (1632-1704), and Jean-Jacques Rousseau (1712-1778).

Recently, however, contractarianism has enjoyed a dramatic resurgence in popularity. This striking renewal of interest is due not only to the skepticism over positivism but, in part, to developments in formal decision making and game theory, to an increasing dissatisfaction with traditional arguments for utilitarianism and its competitors, and to the sense that individuals deserve a pre-eminent place in any plausible account of moral or political obligation (Sayre-McCord, 2000, p. 247). The contemporary contractarians include (but not limited to) James Buchanan, David Gauthier, Jean Hampton, Gregory Kavka, Jürgen Habermas, John Rawls, and T. M. Scanlon; each contributing to this approach in unique and substantial ways.

Contractarian theories can be divided into two main groups: right-based and interest-based. Right-based approaches "attempt to provide morally loaded specifications of the circumstances, and thereby reject any attempt to reduce morality to pure prudential rationality. Rawls's veil of ignorance (blocking the potential citizen s the knowledge of their capacities and positions) is one such approach" (Vallentyne, 1999, 160). In addition, "the specification developed by Scanlon and Habermas that participating parties are motivated by a desire to reach a fair and reasonable agreement" (ibid) represents an additional type of right-based contractarianism.

"Interest-based views contend that the basic desires and interests of individuals are fixed by their nature or circumstances, and are definable without any moral notions" (Freeman, 1998). As Freeman says:

The driving aims of interest-based contractarianism are to show that (a) morality's demands promote each person's desires and interests

in some way, and (b) each person has sufficient reason, based in her particular desires and interests, to accept and abide by morality's requirements (idem, 2006, p. 58).

Interest-based contractarian approaches attempt to provide objective, morally neutral, specifications of the circumstances, and thereby aim to reduce morality to individual or collective rationality:

Agreement is then depicted as a rational compromise or bargain among essentially conflicting interests, where each party is willing to qualify the direct pursuit of their interests on condition that others do too. Essential to interest-based views is that all parties to the agreement must be better off (or at least not worse off) than they would be without it (idem, 1998).

So, as Gauthier says, interest-based contractarianism treats the contract as "a deal that each person finds reasonable to accept in order better to advance his or her own interest" (Gauthier, 2007, p. xii). This kind of contractarianism "is committed to the idea that morality is a human-made institution that is justified only to the extent that it effectively furthers human interests" (Hampton, 2007, p. 10). It is "rational compromise among essentially conflicting interests, where all parties agree to cooperate by observing certain reasonable constraints on condition that others abide by them too, in order that all may effectively pursue their own interests" (Freeman, 2007, p. 15). Hobbes, Gauthier, Kavka, and Hampton are all in this tradition.

An Interest-Based Contractarian Defense of Moderate Morality

In reviewing the reasons which appear to justify moderate morality, we may appeal to contractarian scholars. We may recognize Scanlon's *What We Owe to Each Other* (1998) as the most serious contractarian defense of moderate morality in our era, but his first priority and concern is not defending moderate morality; though his attacks to consequentialist models, both in this book and in "Contractualism and Utilitarianism" (1982) can be categorized as an introduction to contractarian defenses of moderate morality. This introduction has recently been taken seriously by those who try to defend moderate morality based on contractualism.³ Nevertheless, we are still in the beginning of raising contractarian models in defense of moderate morality. Virtually all contractarian models which have been raised are based on right-based contractarianism, and it seems that a large number of moral philosophers think that interest-based accounts are incapable of defending moderate morality.

Most interest-based contractarian accounts share two important notions about the conditions that must obtain at the bargaining table: the parties to the agreement are thought of as being supremely rational ° "being rational is the non-moral idea of choosing effective means to one's ends" (Smith, 2008, p. 62) - and motivated to maximize their own self-interest. Bargainers are motivated to adopt a set of rules that, if generally followed, will be to everyone's mutual welfare insofar as it seeks to maximize everyone's self-interest, or at least seeks to maximize everyone's ability to promote their own

self-interest (Baltzly, 2001, p. 11). It has long been the hallmark of interest-based contractarian theories that a set of rational bargainers will accept a set of advantage-overriding constraints on their behavior because, ultimately, accepting these constraints is in their best self-interest (ibid, p. 15). As Baltzly quotes from Gauthier, "duty overrides advantage, but the acceptance of duty is truly advantageous" (Gauthier, 1986, p. 2). This feature of interest-based contractarian thought is fairly obvious and standard, and can easily be illustrated by the very famous example of the Prisoners' Dilemma (hereafter PD) (Baltzly, 2011, p. 15).

Puzzles with the structure of PD were made by Flood and Dresher in 1950, as part of the Corporation's investigations into game theory (Kuhn, 2007) which itself was invented by the mathematician von Neumann and the economist Morgenstern during WW2. Game theory "represents ranges of payoffs that players can get from their simultaneous and sequential moves in games in which they interact" (Hardin, 1998). The title "PD" and the version with prison sentences as payoffs are due to Tucker, who wanted to make Flood and Dresher's ideas more accessible to an audience of Stanford psychologists, and attracted widespread attention in a variety of disciplines (Kuhn, 2007). Kuhn quotes from Donniger that "more than a thousand articles" about it were published in the sixties and seventies (ibid). He adds that "a bibliography of writings between 1988 and 1994 that pertain to Axelrod's research on the subject lists 209 entries. Since then the flow has shown no signs of abating" (Kuhn, 2007). There are many characterizations of PD, and I try to devise and discuss a typical model of it in the following example:⁴

A & B have been arrested for robbing C's jewelry and placed in separate isolated cells. Both care much more about their own self-interest than about the interest of their accomplice. A smart interrogator makes the following offer to each: "You may choose to accuse your accomplice or remain silent. (1) If you accuse your accomplice of theft and he remains silent he will be in jail for ten years and you will be in jail just for one year. Likewise, (2) if your accomplice accuses you of theft while you remain silent, you will be in jail for ten years and he will be in jail just for one year. (3) If you both accuse your accomplice of theft, each will be in jail for five years, and (4) if you both remain silent, each will be in jail for two years."

The "dilemma" faced by the prisoners here is that, whatever the other does, each is better off accusing her accomplice of theft than remaining silent. But the outcome obtained when both accuses her accomplice is worse for each than the outcome they would have obtained had both remained silent. In other words, it illustrates a conflict between individual and group rationality: A group whose members pursue just their own rational self-interest may all end up worse off than a group whose members limit their own self-interest (Kuhn, 2007).

Bargainers, in interest-based contractarianism, confront options or prerogatives *prima facie* and they are all going to maximize their own self-interest, and in regards to that goal they are supremely rational ° i.e. they choose effective means to their ends. They cleverly find out that it is only

possible to maximize their own self-interest if they minimize the challenges between each other by means of adopting, accepting, and observing a set of advantage-overriding constraints on their personal behavior. So, these constraints are not their favorite as such, and are just a means to their main motive - self-interest-maximizing motive - and must necessarily be as minimal as possible.

How can the bargainers find the most minimal constraints? Let's think about the following possibilities:

Doing or bringing about harm that is intended as an end: If one person deliberately holds somebody's head under the water until he is dead that death is something he has brought about and his drowning is something that he has deliberately done. Rachels' example shows this kind of harm in the best way:

Smith stands to gain a large inheritance if anything should happen to his six-year-old cousin. One evening while the child is taking his bath, Smith sneaks into the bathroom and drowns the child, and then arranges things so that it will look like an accident (Rachels, 1975, pp. 228-9).

2. Doing or bringing about harm that is merely foreseen as an unintended side-effect: Making noise pollution by installing a car alarm or a car subwoofer, or listening to loud music in my apartment is an example of this, provided that I do not intend to harm anybody and the harm of noise pollution to the health of the other person's body and mind is merely a foreseen side-effect of my action.

3. Allowing harm that is intended as an end: If a person does not do or bring about an action, but his inaction leads to his intended harm, he has allowed harm that is intended as an end. Rachels has showed this harm by changing his first example (The case of Smith):

Jones also stands to gain if anything should happen to his six-year-old cousin. Like Smith, Jones sneaks in planning to drown the child in his bath. However, just as he enters the bathroom, Jones sees the child slip and hit his head, and fall face down in the water. Jones is delighted; he stands by, ready to push the child's head back under if it is necessary, but it is not necessary. With only a little thrashing about, the child drowns all by himself, 'accidentally,' as Jones watches and does nothing (ibid, p. 229).

4. Allowing harm that is merely foreseen as an unintended side-effect: If a person does not do or bring about an action, but his inaction leads to harm despite his desire, he has allowed harm that is merely foreseen as an unintended side-effect. All cases in which we refuse to help somebody who is in need are examples of this kind of harm.

Regarding that the bargainers are looking for the most minimal constraints, as Posner puts the point, "the rules of the contract law might be like the rules of the road: adequate, as long as everyone agrees on what the rules are, within very broad constraints that can be identified without rigorous analysis" (Posner, 2005, p.146). So, the bargainers surely will not

adopt any constraint on (4) *prima facie*, and will choose among (1), (2), and (3).

We have so far seen that interest-based contractarianism leads to options (or prerogatives), and constraints, but can it lead to the principled defeasibility of constraints?

The defeasibility of constraints is a necessary element of interest-based contractarianism. Bargainers adopt constraints or sacrifice some liberties for the sake of promoting their own self-interest and lessening some of the evils accompanying the state of nature. So, as Balzly says,

While adopting the contract will bring about protection from a great number of the evils the bargainers would encounter in the state of nature, this protection comes at the price of certain new threats that are sure to arise in life under the contract. The bargainers accept the threat of these new evils because they prefer the trade-off; still, though, they will seek to make this trade-off as slight as possible (Balzly, 2001, p. 7).

It is the desire to minimize trade-off costs that makes interest-based contractarianism "such a promising means of justifying the principled exceptions to constraints on harming others required by cases of self-defense and free-riders' punishment" (ibid). In addition, this exception is grounded in the very principle that grounded the constraints in the first place - namely, the bargainers' desire to maximize the overall well-being" (ibid, p. 8).

It was not difficult to show that interest-based contractarianism leads to options, constraints, and their principled defeasibility. In addition, I should show that interest-based contractarianism can lead to a *pro tanto* reason to promote the overall good as well as constrain the evil. It was mentioned before that the bargainers are looking for the most minimal constraints and they surely will not adopt any constraint on (4) *prima facie*. So, there cannot be any overall good principle in interest-based contractarianism, because the bargainers think that adopting such a principle will decrease their own self-interest and can be very demanding.

However, I do not think that the bargainers can always reject (4) based on their self-interest. Imagine cases in which for one side observing the overall good principle and adopting constraint on (4) is not very demanding for the agent, and in the other side this lax constraint leads to a great deal of good for a person or prevents the happening of a great deal of mischief, pain, evil, or unhappiness. Can the bargainers still refuse adopting some constraints on such cases? I do not think so. Although adopting some constraints and a *pro tanto* reason to promote the overall good in such cases decreases X amount of good from the agent's self-interest it makes a *safety valve* for her whenever she is in urgent need of help and gives her an nX amount of good. This is while even the utility of these two X s are not the same, because a \$10 bill is almost nothing for a wealthy person, while it can save her life when she is extremely poor and in need. Therefore, aid and helping those who are extremely in need has genuine weight for the bargainers because, as I explained above, it can work like a *safety valve* for them whenever they themselves are in urgent need. Nevertheless, the

freedom to obtain *X* may be outweighed by other considerations or may not be decisive in various cases, meaning that we accept a *pro tanto* reason to promote the overall good by forgoing *X*.

The Applied Result in the Political Ethics of International Relations

The main point of difference between minimalist, moderate, and extremist moral approaches is allowing harm that is merely foreseen as an unintended side-effect. While minimalist morality, like libertarianism, puts no constraint on allowing such harm, extremist morality puts constraint on it in all cases in which such a constraint results in the overall good; no matter if it is too demanding for the agent or not. Meanwhile, moderate morality puts constraint on allowing such harm provided that such a constraint does not impose much expense on the agent.

I have tried to defend the moderate as a reasonable component of interest-based contractarianism. In other words, I have shown that the moderate may in fact have recourse to (even) interest-based contractarianism in her defense of moderate morality, for (even) this kind of contractarianism (which is based on "self-interest-maximizing" motive) can put some constraints on "allowing harm that is merely foreseen as an unintended side-effect." So, if this paper is successful, then the claims of the "extremist" which accuses our ordinary everyday moderate morality to an illusion of innocence and the claims of the "minimalist" which accuses moderate morality to be too demanding will crumble. I think after standing on such an Archimedean point, we can use public education, art, mass media, etc., to focus on "doing good" as well as "not doing bad" and move toward making the world better as well as avoiding making it worse.

Regarding this result in normative ethics, what can be its probable implications in applied or practical ethics? "World hunger" is a very popular example, but I do not want to discuss it because it has already been discussed frequently and in depth. My main question here is: What, if any, should fair and just governments (in which people enjoy their basic human rights), and their people and governmental organizations and NGOs, do to help those who live in unfair and unjust societies, and are deprived of their basic rights?

It is very surprising that moral philosophers who write on morality's demands and scope usually propose some examples on "world hunger," and pay a little, if not any, attention to the obligations of governments, organizations, and NGOs toward the injustices and human rights violations in the world. Let's start with a thought experiment to show the impermissibility of such inactions: You have driven home from your job at a cold snowy night. You are exhausted because you had a very busy day. So, the only thing you want to do is taking a hot shower and going to bed. Suddenly, you hear someone is screaming. The lady living in the next door asks help because her spouse is hitting her brutally. You want to call 911, but you have mislaid your cell phone and your home phone is also out of work and needs to be repaired. So, you decide to go out and use the public phone in front of your apartment. However, it is exactly in front of your neighbor's apartment and it means that the guy hitting his wife may find out you called

the police and it can come down on you something fierce. You go to the alley behind your apartment and use its public phone to call the police. Police comes in minutes, enters their apartment, finds the lady stabbed but still alive on her couch, takes her to the hospital, and arrests her husband. So, the lady owes her life to you.

What would happen if you did not call the police? She would probably die. If so, would you be responsible for her death? Based on what we explained in the normative section of this paper you were responsible because what you have done:

did not impose so much expense on you; &
was very valuable for the person received it.

A reader of my position might agree with what I have said yet. However, we do not live in such a society. The murder of Hugo Alfredo Tale-Yax in 2010 showed us again that our society is not as innocent as we may think and as moral as it should be. Here is my paraphrase of New York Post news:

Hugo Alfredo Tale-Yax, a heroic homeless man, stabbed after saving a Queens woman from a knife-wielding attacker, lay dying in a pool of blood for more than an hour as nearly 25 people indifferently strolled past him. In the wake of the bloodshed, a man came out of a nearby building and chillingly took a cell phone photo of the victim before leaving. And in several instances, pairs of people gawked at Tale-Yax without doing anything. More than an hour and 20 minutes after the victim collapsed firefighters finally arrived and discovered that he had died (Livingston, Doyle, and Mangan, 2010).

This behavior of the neutral bystanders reminds the famous 1964 murder of Kitty Genovese in Kew Gardens, Queens; where her screams after being stabbed failed to rouse assistance from 38 neighbors of hers.

We see the same and even worse and more detestable inactions in our trans-national behaviors. There are some campaigns and organizations to raise awareness of human rights violations around the world, but most of them work as if it is a matter of charity to help those whose rights are violated and voices are muffled. The best thing is to live in a world in which there is no human rights violation. However, this is not our world. So, the second best is those whose rights are violated must be fully compensated so that after such compensation the individuals who are affected would no longer regard their rights as violated (Sengupta, 2006, p. 87). But, as LaFollette says, of those who can help, some are ignorant, others are indifferent, and some are greedy (LaFollette, 2007, p. 260). And most governments care little to observe the rights of their own citizens, let alone those of other societies. Meanwhile, we can stop a lot of such violations and make the life of some persons back to them by nothing more than caring about what is going on in our globalized world, paying much attention to it, informing the ignorant people and taking part in some peaceful demonstrations; wherever and whenever necessary. This is the crucial applied result of the moderate morality which most of us fail to observe practically though we may accept theoretically.

Conclusion

We live in an increasingly integrated global world in which we are deeply intertwined with each other. What we do in our societies, from what we buy to how we vote, profoundly affects others in every part of the globe and what others do in every part of the globe profoundly affects us. This paper, if successful, shows that the third element of the moderate morality, that is a *pro tanto* reason to promote the overall good, is not contrary but in accord with our self-interest. So, based on both moderate morality and self-interest, helping people is a moral obligation in all cases in which:

It is possible to stop, or at least reduce, big harms such as the violation of basic human rights, muffling people's voices, and suppressing them brutally;

It does not impose a disproportionate burden on the agent; and

It is extremely valuable for the victim(s).

This is also the case for governments. Governments are more powerful than individuals. So, they are more responsible for human rights violations in the world. The inaction and indifference of any government in stopping such violations, in the name of (or with the veil of) noninterfering in the internal affairs of states, is as immoral as bystanders' inaction and indifference in the cases of Kitty Genovese and Hugo Alfredo Tale-Yax.

The same is also true for the UN. The UN has been fairly successful in maintaining international peace and security between the states and has taken effective measures for the prevention and removal of threats to the peace and for the suppression of acts of aggression. However, it has not been successful in protecting nations' human rights. Peace and security, development, and human rights have been the three essential pillars of the UN since its establishment in 1945. However, it seems that the UN has paid much attention to the first two pillars and has paid little, if not any, attention to the third one.

In the light of the recent catastrophic years in the world and especially in the Middle East we all saw the incapability of the UN, its member states, and its many organizations, to solve the problems of our world and to achieve international co-operation in promoting and encouraging respect for human rights. What did the UN and the global society do toward the violations of human rights? Almost nothing more than expressing deep concern and condemning strongly. Any government requires executive and judicial systems, as well as a legislative system, as an effective means of achieving deterrence of injustices not only for the specific violator in a given case, but also for others similarly situated. The UN should also have a more effective role not only in deterrence of injustices but also in punishing the violators. Otherwise, its treaties and resolutions will not have any enforcement authority and power to protect its third essential pillar.

Notes:

1. He has borrowed the term from Kagan's *The Limits of Morality* (Baltzly, 2001, p. 3). According to Kagan, a "*pro tanto*" reason to promote the good is one

that "has genuine weight, but nonetheless may be outweighed by other considerations. [A] *pro tanto* reason is a genuine reason ° with actual weight ° but it may not be a *decisive* one in various cases (Kagan, 1989, p. 17).

2. In my defense of moderate morality based on interest-based contractarianism, I owe Vaughn Bryan Baltzly. He, in his master thesis entitled *Contractarianism and Moderate Morality* (2001), tried to defend the three crucial elements of moderate morality based on interest-based and right-based contractarianisms. However, I use my own way to show that interest-based contractarianism can lead to a *pro tanto* reason to promote the overall good.

3. I use contractualism in a narrow sense to refer to a particular view developed in recent years by T. M. Scanlon; especially in his book *What We Owe to Each Other*. Scanlon introduces contractualism as a distinctive account of moral reasoning. He summarizes his account thus: "An act is wrong if its performance under the circumstances would be disallowed by any set of principles for the general regulation of behavior that no one could reasonably reject as a basis for informed, unforced, general agreement" (Scanlon, 1998, p. 153). Contractualism is a kind of contractarianism and appeals to the idea of a social contract. "It attempts to derive the content of morality ¶ from the notion of an agreement between all those in the moral domain" (Ashford and Mulgan, 2012). Based on contractualism, "it is not self-interest combined with ignorance of self that makes me take account of everyone's interests, but rather my concern to justify myself to everyone else" (ibid), and, as Ashford and Mulgan say, "this motivation is a key feature of Scanlon's contractualism" (ibid). "All social contract theorists ¶ agree that agents want to justify themselves to others. However, for the interest-based contractarian, such a desire is merely strategic. ¶ For the contractualist, by contrast, agents are morally motivated by an intrinsic desire to justify themselves to others. Having this desire is part of what it is to be a moral agent" (ibid).

4 .I owe the example to Steven Kuhn's entry for *Stanford Encyclopedia of Philosophy* (Kuhn, 2007). However, I have changed some key words in it to make the situation.

References

- Ashford, E. and Mulgan, T. (2012). "Contractualism." in Edward N. Zalta (ed.). *The Stanford Encyclopedia of Philosophy* (Fall 2012 Edition).(Open Document, URL= <http://plato.stanford.edu/archives/fall2012/entries/contractualism/>), Accessed August 2, 2012.)
- Baltzly, V. B. (2001). *Contractarianism and 'Moderate Morality.'* (Master's Thesis). Retrieved from Virginia Tech Digital Library and Archive. (Open Document, URL= <http://scholar.lib.vt.edu/theses/available/etd-07142001-91919/unrestricted/BryanThesis.PDF>), Accessed August 2, 2012.)
- Cudd, A. (2012). "Contractarianism." in Edward N. Zalta (ed.). *The Stanford Encyclopedia of Philosophy* (Fall 2012 Edition). (Open Document, URL= <http://plato.stanford.edu/archives/fall2012/entries/contractarianism/>), Accessed August 2, 2012.)
- Freeman, S. (1998). "Contractarianism." in Edward Craig (ed.). *Routledge Encyclopedia of Philosophy*. CD ROM. Version 1.0. London: Routledge.

- Freeman, S. (2006). "Moral Contractarianism as a Foundation for Interpersonal Morality." in James Dreier (ed.). *Contemporary Debates in Moral Theory*. Oxford: Blackwell. 57-76.
- Freeman, S. (2007). *Rawls*. London: Routledge.
- Gauthier, D. (1986). *Morals by Agreement*. New York: Clarendon Press.
- Gauthier, D. (2007). "Foreword." in Daniel Farnham (ed.). *The Intrinsic Worth of Persons: Contractarianism in Moral and Political Philosophy*. Cambridge: Cambridge University Press. ix-xiii.
- Hampton, J. (2007). "Feminist Contractarianism." in Daniel Farnham (ed.). *The Intrinsic Worth of Persons: Contractarianism in Moral and Political Philosophy*. Cambridge: Cambridge University Press. 1-38.
- Hardin, R. (1988). "Rational Choice Theory." in Edward Craig (ed.). *Routledge Encyclopedia of Philosophy*. CD ROM. Version 1.0. London: Routledge.
- Hobbes, T. (1986/1649). *Leviathan*. C. B. MacPherson (ed.). Baltimore: Penguin.
- Hornby, N. (2001). *How to be Good*. New York: Viking.
- Kagan, S. (1989). *The Limits of Morality*. Oxford: Oxford University Press.
- Kuhn, S. (2007). "Prisoner's Dilemma." in Edward N. Zalta (ed.). *Stanford Encyclopedia of Philosophy*. (Open Document, URL = <<http://plato.stanford.edu/entries/prisoner-dilemma>>, Accessed August 2, 2016.
- LaFollette, H. (2007). *The Practice of Ethics*. Oxford: Blackwell.
- Livingston, I., Doyle, J. and Mangan, D. (2010). "Stabbed Hero Dies as More than 20 People Stroll Past Him." in *New York Post*.(Open Document, URL=<http://www.nypost.com/p/news/local/queens/passers_by_let_good_sam_die_5SGkf5XDP5ooudVuEd8fbI>, Accessed January 2, 2011.)
- Pfluegl, M. "Book Review: How to Be Good." (Open Document, URL= [http://manfred.pfluegl.at/PhilosophizeWithManfred/How To Be Good_NickHornby_030601.htm](http://manfred.pfluegl.at/PhilosophizeWithManfred/How_To_Be_Good_NickHornby_030601.htm)>, Accessed January 2, 2011.)
- Rachels, J. Active and Passive Euthanasia. In: B. Steinbock and A. Norcross (eds.). *Killing and Letting Die*. New York: Fordham University Press. 1975, pp. 112-19.
- Rawls, J. (1971). *A Theory of Justice*. Cambridge: Harvard University Press.
- Rawls, J. (2007). "Hobbes's Secular Moralism and the Role of His Social Contract." in Samuel Freeman (ed.). *Lectures on the History of Political Philosophy*. Cambridge: Harvard University Press. 23-40.
- Sayre-McCord, G. (2000). "Contractarianism." in Hugh LaFollette (ed.). *The Blackwell Guide to Ethical Theory*. Oxford: Blackwell. 247-67.
- Scanlon, T. M. (1982). "Contractualism and Utilitarianism." in Amartya Sen and Bernard Williams (eds.). *Utilitarianism and Beyond*. Cambridge: Cambridge University Press. 103-28.

- Scanlon, T. M. (1998). *What We Owe to Each Other*. Cambridge: Belknap Press.
- Sengputa, A. (2005). "On the Theory and Practice of the Right to Development." in Arjun Sengupta, Archana Negi, and Moushumi Basu (eds.). *Reflections on the Right to Development*. New Delhi: Sage Publications.
- Singer, P. (2007/1972). "Famine, Affluence and Morality." in Russ Shafer-Landau (ed.). *Ethical Theory*. Oxford: Blackwell.
- Smith, P. (2008). *Moral and Political Philosophy*. New York: Palgrave Macmillan.
- Unger, P. (1996). *Living High and Letting Die: Our Illusion of Innocence*. Oxford: Oxford University Press.
- Vallentyne, P. (1999). "Contractualism." in Christopher Gray (ed.). *The Philosophy of Law: An Encyclopedia*. New York: Garland. 159-61.

