

Modern defenders of universal human rights typically reject both metaphysics and a teleological ethics. This they do because, to their way of thinking, a teleological ethics grounded in metaphysics, makes asserting any universal human rights impossible. In support of this objection, they argue as follows:

1. Teleological ethics denies any universal human rights because the supreme obligation to pursue the comprehensive or metaphysical telos must override all other moral norms, rendering them merely *prima facie*. Therefore, whatever rights may be affirmed, including the most basic rights to life and bodily integrity, are at best provisional because they are always subject to being overridden by the supreme obligation to bring about the best possible consequences. But this flies in the face of our deepest moral intuitions, according to which such basic human rights as the rights to life and bodily integrity must be absolute and the obligations corresponding to them, "perfect duties" that cannot be overridden in any circumstances.

2. Teleological ethics is also self-defeating in that general adherence to any such ethics prevents maximizing the good. Maximizing the good requires social cooperation and coordination and therefore social practices in which roles are to be played and duties carried out whatever the consequences. If promises are morally permissible, they're to be kept because they're made, just as institutional commitments are to be fulfilled because they've been accepted, laws are to be obeyed because they've been enacted, and so on. But since teleological ethics implies that all specific norms are *prima facie*, it cannot allow this and therefore self-destructs.

3. Teleological ethics, even allowing for the distinction between "act-teleology" and "rule-teleology," necessarily implies that there can be no strictly universal human rights that cannot be overridden by consideration of consequences. For even if the teleological assessment of moral action need not be of every action "separately taken," but may be of different social practices, and so of whole sets or patterns of action, each actor must still decide whether or not probable consequences authorize a given social practice or some alternative set of rules.

How adequate are these arguments? If they can be answered, what counterarguments are to the point?

To the first argument it may be replied that it carries conviction only because it assumes fallaciously that assertion of a comprehensive telos implies that all moral norms other than the supreme teleological obligation are merely *prima facie*, whence its conflict with our deepest moral intuitions. The fallacy of this assumption can be brought out by attending to the second argument that makes no appeal to our moral intuitions, but purports to show why every teleological ethics must be self-defeating, because adherence to it makes maximizing the good impossible. But to this claim one may readily reply that any conception of maximizing the good that would have this result can only be a *misconception* requiring to be replaced by another correct conception, according to which the supreme teleological principle admits of and requires indirect as well as direct applications, which is to say, applications through some system of norms or a social practice that is itself validated teleologically. Thus, if, in some circumstances, keeping a promise may be *proscribed* if pursuit of the comprehensive good is directly applied, it may, on the contrary, be *prescribed* in the same circumstances as conformity to the norms of a social pattern or practice that is itself validated teleologically because or insofar as it is required to maximize the good. But, then—and with this we can reply to the first argument—if a principle that prescribes maximizing the good may be thus applied indirectly through social practices, there is no need to assume that a teleological ethics has to imply the merely *prima facie* character of such practices and the norms governing them. On the contrary, it is free to maintain that each individual has some perfect duties with respect to the treatment of all others, i.e., specific moral obligations that cannot be overridden by any obligation to maximize the good. And this contention will be more or less reasonable depending on the conception of the comprehensive good in question.

As for the third argument, that the difference between direct and indirect application of the comprehensive telos is really only the familiar distinction between act- and rule-teleology all over again, and that the second, no more than the first, allows for *strictly universal human rights that cannot* be overridden by consideration of consequences, the reply is that the

argument, again, rests on a fallacious assumption—namely, that a teleological validation of perfect duties must be empirical. In point of fact, a teleological ethics that exploits the resources of a neoclassical metaphysics can maintain that there is a universal social practice whose governing principle is nonempirical or a priori. This contention can be supported by showing that the meta-ethical character of every claim to moral validity includes a principle of social action by which a community of universal human rights is constituted, and that no moral theory can be valid if it is inconsistent with these rights.

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