

Stubborn Detachments

I've known Tyler Cowen for 25 years. Straussian misreadings notwithstanding, I assure you that he has little patience for open borders and even less for my brand of pacifism. But given the general moral theory that he embraces in his new *Stubborn Attachments*, it's hard to see why Tyler doesn't already agree with me. At minimum, he ought to take my contrarian views far more seriously. What else can he logically conclude, given his endorsement of the "Principle of Growth Plus Rights"? After strongly endorsing the moral value of maximizing economic growth, Tyler adds:

The Principle of Growth Plus Rights. *Inviolable human rights, where applicable, should constrain the quest for higher economic growth.*

Bear in mind that I am working with a pluralistic rather than a narrowly utilitarian approach. I will return to the status and nature of such rights later, but for now just think of such rights as binding and absolute. That means: just don't violate human rights. If we were willing to trade these rights against a bundle of other plural values, at some sufficiently long time horizon the benefits from higher economic growth would trump the rights in importance, and in essence the rights would cease to be relevant...

Philosopher Robert Nozick wrote of rights as "side constraints." The particular specification of these side constraints need not coincide with Nozick's libertarian vision, and need not coincide with his absolute attachment to all forms of private property or his prohibition of most forms of taxation. Still, these rights satisfy Nozick's notion of rights as restrictions on the choice set of an individual or an institution. As I see it, virtually everyone believes in rights of some sort... namely that they have to be pretty strong and nearly absolute.

Note that the traditional notions of "positive rights" or "positive liberties" – both of which refer to people's opportunities – do not fit

into this conception of rights... The result is that these negative rights, restrictive though they may be, represent a stripped-down set of bare-bones constraints, a series of injunctions about the impermissibility of various forms of murder, torture, and abuse.

Tyler's big qualification make little practical difference:

...we should violate rights to prevent extremely negative outcomes which involve the extinction of value altogether, such as the end of the world, as is sometimes postulated in philosophical thought experiments.

OK, so why on Earth isn't Tyler a pacifist in my sense? In the real world, modern warfare *always* means deliberately killing innocent people. What do you expect will happen if you bomb a city? If anyone other than a government deployed such weapons on a population center, virtually any jury would convict them of murder. Even manslaughter would be a stretch.

But what about stopping the "end of the world"? World War II itself hardly qualifies. Indeed, until the Soviet Union collapsed, it would have been quite reasonable to believe that U.S. participation in World War II was a critical step *toward* the end of the world.

Much the same applies for open borders. Immigration restrictions need not involve murder or torture (though they often do). But even if ICE enforced its laws with kid gloves, barring an innocent person from accepting a job offer from a willing employer or renting an apartment from a willing landlord is *extremely* oppressive. Almost everyone would now recognize Jim Crow laws as "abuse." How are immigration restrictions any less awful? You hardly have to be a libertarian to see the force of the question.

Stubborn Attachments is one of Tyler's best books. But if you share his abstract moral theory, you should reject his applied moral moderation. On a personal level, Tyler relishes uncertainty and complexity. But once you accept a moral presumption in favor of negative human rights, uncertainty and complexity reinforce skepticism against coercion rather than undermining it. Clearly.