

## Chapter Three: Fairness and Friends

### 1. *Cheats and manipulators*

Sally is a person who lacks commitment to fairness. Is Sally, then, a cheat and a manipulator?

Maybe, but probably not. Lacking a commitment to fairness, Sally is prepared to cheat people and to manipulate them. She is prepared to take opportunities to cheat people or to manipulate them should she perceive such opportunities and should she judge them worth taking. A cheat and a manipulator, though, looks for opportunities to cheat or manipulate, perhaps even sets out to create such opportunities; he isn't simply concerned to notice them should they appear. A cheat and manipulator is interested in cheating and manipulating; he is, that is, *committed* to cheating and manipulating. If Sally isn't looking for or creating opportunities to act unfairly and has no interest in acting unfairly save when she judges that performing an unfair act will bring her something she wants, Sally isn't a cheat or a manipulator. That she has no or little commitment to fairness does not mean that she has any commitment at all to unfairness.

A person can lack all commitment to fairness without being drawn to unfairness. Not all people who lack commitment to fairness are cheats or manipulators, though they are prepared to cheat or manipulate.

There are in the world cheats and manipulators. There are people who get a kick out of cheating and manipulating people; there are people, that is, who love cheating or manipulating people for its own sake as well as people committed to cheating and manipulating people as a means of, for instance, humiliating others (they might love for its own sake humiliating others or to see others humiliated).

The choice between having a commitment to fairness and not having a commitment to fairness is not the choice between being consistently fair and being consistently unfair, being a cheat and manipulator. The choice between being an honest person and not being an honest person is not the choice between honesty and dishonesty as a ruling passion. People who are not kind people need not be cruel people, people who lack compassion need not be malevolent. Those without concern for the general wellbeing need not be hostile to the wellbeing of others.

In each case, being without the commitment could amount simply to being indifferent. Sally, lacking a commitment both to fairness and to unfairness, is simply indifferent to fairness. She is unmoved by the thought that some action she could perform in her situation would be the fair action and she is just as unmoved by the thought that some action she could perform would be unfair. Fairness leaves her cold, and unfairness does as well. That returning the magazine to the rack would be the fair thing to do does not appeal to her as a reason to return the magazine to the rack, but neither does it appeal to her as a reason not to return the magazine to the rack. Whether she returns the magazine to the rack will depend on other desires and goals she has; that fairness requires that she return the magazine is a thought that simply doesn't appear in her deliberations, even if it does happen to cross her mind.

A person lacking a commitment to honesty might not be a dishonest person, an inveterate liar, dissimulator or fabricator. He could simply be indifferent to whether what he is saying is what he

believes. That what he says is false doesn't matter to him and neither does that what he says is true. He says what he says in order to accomplish a job and if he judges lying will best accomplish it, then lie he will. That to say some particular thing would be to lie counts for him neither as a reason not to say it nor as a reason to say it.

We have considered an argument that one's consistently having done the fair thing was not what brought one the rewards one has acquired. What brought one those rewards was that others believed that one consistently did the fair thing (and will continue to do the fair thing). But a good, though not sure, way to get others to believe one acts fairly (and will continue to act fairly) is to act fairly. Wisdom, then, counsels having a small commitment to fairness, to fairness as the default position, at least so long as one isn't powerful enough to be unconcerned about one's reputation and one doesn't get a kick out of being unfair.

Sally, then, we will say, lacks a strong commitment to fairness but maintains a weak commitment out of an appreciation of the usefulness of having a reputation for fairness.

We can always ask of Sally (and of ourselves) whether Sally (ourselves) would do better from the perspective of enjoying the things she loves for their own sakes were her commitment stronger or weaker. Perhaps Sally would do better were her commitment to fairness stronger, perhaps she would do better were her commitment weaker. Perhaps she does well to have the level of commitment she presently has—until, of course, circumstances change significantly.

You yourself have a commitment of some strength to fairness. That level of commitment might change fairly rapidly, week to week, perhaps, especially if you don't think much about such matters. But vague though these things are, it might be that you would do better for yourself to be more committed to fairness than you are or to be less committed. (It might also be the case that the costs in time, energy and emotion in evaluating your level of commitment to fairness would be high, too high to make critical self-reflection on the matter worthwhile.)

## *2. Fairness and personal relationships*

To be a friend to someone, and not just to be friendly with them, is to take sincere care for the good of that person, but only a certain sort of good. That something matters to your friend makes it matter to you, at least such that your friend's life goes well for them. Maybe you don't much care for hockey or the history of the Peloponnesian War but your friend does and so, because she is your friend, you are willing to expend some of your resources to ensure the survival and integrity of hockey or the writing of ancient Greek history, if expending those resources will help.

Friends are to be respected as fellow morally and intellectually autonomous agents. Only a person who aspires to be morally and intellectually autonomous can be a friend. The specific good that friends care about for each other is autonomy.

Treating people respectfully requires that one not seek to manipulate them into thinking, feeling or doing what you would like them to think, feel or do—even if you would like them to think, feel or do something for their own good. When you attempt to buck up a friend by lying to her about her situation, even if that lie brings no harm and does a lot of good, you are not treating that friend as your friend. You might be treating her kindly or with compassion and she might even thank

you some day for having done so. But you are not treating her as your moral and intellectual peer. You are, rather, treating her as someone too fragile to hear the truth or someone incapable of acting on the truth well according to her own values.

When a person treats a friend unfairly, even if that unfairness goes unnoticed and even if it benefits the friend as it was intended to, friendship is tainted. When friends care for each other as friends, they do so by allowing their friends to make their own decisions on the basis of available information. While lying or suppressing information might lead to an outcome favourable to the person lied to or kept in the dark, it cannot be as a friend that one lies to or keeps information from him.

These reflections raise an objection to the wisdom of being prepared to act unfairly in pursuit of one's ends. If one of one's ends is to have certain people as friends and to be a good friend to them, one cannot be prepared to treat them unfairly, even if one can get away with it and even if the act of unfairness is meant to make things better for everyone and would succeed in doing so. If Sally is going to participate in friendship, she cannot stand ready to be unfair but must be committed to treat her friend as a morally and intellectually autonomous person would demand to be treated.

It's no response to this objection to note that not everyone demands or wants to be treated as capable of handling information and thinking things through. Now it is true that many of us are easy about being lied to or being kept in the dark so that our feelings aren't hurt or so that our relations with others do not suffer. Sometimes we are grateful to those who look out for us in our vulnerability. But when we are willing or at least not unhappy to be lied to, we are not asking to be considered a friend. On the contrary. We are asking our friends to put the relation of friendship aside so that they might tend to us in the way that people fond of their pets or responsible for an incapacitated person or a young child might treat their charges. When we accept for our own good to be lied to, we express our preference not to be a friend, at least for the time of our weakness. We prefer solicitude for our feelings over respect for our autonomy.

It's no response to the objection that friendship is incompatible with unfair treatment to note that sometimes friends ask friends to be unfair toward them. That is because whatever motivates that unfair treatment, it cannot be the needs of friendship. If Sally is going to have a friend, Sally must not be prepared to be unfair to that friend, for that act of unfairness, even if never detected, expresses indifference toward the friend as a morally and intellectually autonomous person. It marks the person as not a friend but other than a friend, a supplicant, perhaps, or a beneficiary. Sally becomes a patron, the other becomes a client of Sally's patronage, however generous, well-intentioned or beneficial that patronage is.

Sally cannot, then, have Martin as a friend and be prepared to treat Martin unfairly, even for Martin's own acknowledged and invited good.

The objection we are canvassing is this. A person cannot actually be a friend to another should that person be willing to treat that person unfairly. Whatever relation the two might have, that relation cannot be experienced as friendship by the one who is willing to be unfair to other, even if she's willing only should her unfairness benefit the other. A person, then, for whom friendship

with another is something they value for its own sake, cannot be wise to be indifferent to unfairness, for that indifference will prevent her from maintaining and enjoying friendship.

We might want to add a further thought to the above argument. We might think that all of us do or would value for its own sake a friendship with a compatible person whom we admire. Perhaps no life can go as well as it could if it lacks friendships. If it's true that no one who values friendship could be wise to be prepared to act unfairly, and it is also true that all of us do or should value friendship, then no one at all is wise, from the perspective of enjoying those things he or she values for their own sakes, to be prepared to be unfair. The problem with this argument, though, is that those who value friendship are unwise to be prepared to act unfairly toward their friends (or prospective friends). They might still be wise to be indifferent to fairness with regard to everyone else.

### *3. Friends are special*

Not everyone is your friend and even if you've never met a person you didn't like, still, you shouldn't take everyone to be your friend. You love your parents and they love you, let's suppose. But your parents are not your friends and parents don't usually do well as parents when they take their children as friends. You are friendly with lots of people—classmates, teachers, fellow employees, employers, the people at the check-out counters, your neighbours. Although you are friendly with them, few of them count for you as friends.

To be a friend of yours, a person would have to be someone you like and someone you admire. You are fond of your friends but there are many people you are fond of who are not your friends. You admire your friends in that you appreciate their tastes, talents and attitudes and you approve, in the main, of the ways in which they have faced and solved, or attempted to solve, problems in their lives. Not everyone can be your friend, then, because not everyone is both someone you like and someone who has stood up to difficulty in a way you admire.

With those people who are your friends, you want to enjoy them as friends. That is why you don't want to assume the patron-client relationship with them, for whatever enjoyments might come from that relationship, they are not the enjoyments of friendship.

Friendship can be hard and costly. That is why you want to choose your friends carefully and to have only a small number of them. Responding to friends in difficulty can drain your resources. Having a large number of friends, then, puts your resources at risk. And since their pains are your pains, having friends can be emotionally trying. As well, you want to be with your friends and to communicate with them when they are not around. If you have lots of friends, you will have to neglect some of them sometime. Even though you are fond of a particular person and admire them, you might not want to take that person as a friend. It can be a difficult matter determining how close you should be to someone, even to someone trustworthy. (These remarks do not imply that typically people have too many friends. I suspect that, typically, we have too few.)

Finally, because we need to have people in all sorts of relations to us, relations not always easily compatible with friendship, we can go wrong, from our own perspective, to have friends everywhere or to have the wrong friends (to have the wrong types of people as friends).

It's in the distinctiveness of friendship as a relation, the promises and pitfalls of friendship, that we can find what might be a sound response to the contention that a person uncommitted to fairness will be friendless.

As a friend of Martin, I am committed to Martin's wellbeing, and specifically to his wellbeing as a morally and intellectually autonomous person. That is, as his friend and to enjoy our friendship as friendship, I must treat him fairly even when from another perspective Martin would benefit from my hiding a truth from him or from my sabotaging one of his ill-conceived plans. But it is my commitment to Martin as a friend, to our friendship, that prevents me from standing ready to treat him unfairly, even though it would be for his own good. It is not any commitment to fairness that I might have that does the job. I am fair to Martin out of friendship, because fairness is an essential constituent of friendship, not out of love of fairness or an appreciation of the usefulness of fairness.

If this line of reasoning is sound, I might have no commitment at all to fairness and yet be unfailing fair to Martin in all my dealings with him, not for a moment considering cheating or manipulating him. I am unfailing fair to Martin because Martin is my friend, I like that Martin is my friend and I want to enjoy friendship with Martin as friendship (and not as something else).

And, thus, it would seem, a person could be entirely prepared to act unfairly should an unfair act effectively promote his or her interests and yet be an excellent friend to his or her friends, never treating them unfairly. Because this person values friendship with his or her friends, it simply wouldn't be in his or her interest ever to treat them unfairly, at least not for as long as maintaining and enjoying friendship with them is central among his or her interests.