
WOJCIECH ŻEŁANIEC
University of Gdańsk (Poland)
zelaniec@aol.com

THINGS WE MUST NEVER DO (IF ANY)

abstract

Are there things that we must never do, no matter how untypical the circumstances and “unorthodox” our deontic ideas might be? In this essay I try to make evident that acts I call “pure sadist acts” satisfy this description. I discuss several examples of such acts and alert to their being not always easy to distinguish from certain others. Norms prohibiting such acts I call “true”, and I suggest that other, less suggestive, norms might also be (derivatively) true, if the pertinent acts stand in certain relations with the former ones. I incorporate some ideas from Hume, as well as from elementary model theory, to make mine clearer.

keywords

act, suffering, norm, wanton, deontics

Can *any* deontic norms be either true¹ or false or have any other truth value, should there be more than two? This is the “keynote” question of this paper.

I shall not raise the concomitant question of how the truth-value of any norm (with one exception) could be established (I am not sure if it always can, not even in principle – in this sense I am *not* a cognitivist), nor that of the relation between Is and Ought,² nor that of the Naturalist(ic) Fallacy (see Carcaterra, 1967), nor that of whether the deontic determinations³ can be discovered by reason *alone* or *also* by moral sentiments. These are related to my “keynote” question, but different from it.

Non-professional (non-)philosophers sometimes ask questions like: “Is it true that you should/may/must/need not/must not/ought not x under circumstances z?”, e.g., “Is it true that as of last month, covid masks are no longer mandatory in New Zealand?” or “Is it true that you still ought to wear covid masks on public transportation means in Poland?”. Such questions make sense, and more often than not they admit of a sensible “yes” or “no” answer. Many philosophers would, perhaps, having given such an answer, comment on the question itself in a philosophical-superiority-tone of voice, saying something like “Uhm, what you actually mean is not whether it is true that you have to wear masks in Poland, because, my dear, that you have to, or need not, is a *norm*, this is what it is called, *en-oh-ar-em*, and there is general consent that norms cannot be true or false; what you meant was if that norm was currently *valid* in New Zealand or Poland”. But unless the asker is a lawyer, he is likely to ask back: “What exactly do you mean by ‘valid’? What sort of property is that?”

Short of referring him to Kelsen and/or Lotze (see, e.g., Maxsein, 1938), the philosopher may respond along these lines: “A norm is valid if it has been formulated, agreed upon and made known to everybody concerned by a group of people exclusively authorised to create

1 I am working with the Augustinian, rather than Tarskian, theory of truth, so don’t expect such things as “satisfying formulae by assignments”, Kripke semantics and such-like here. Don’t fear any technicalities from St. Augustine, either. In the context of the logical value of norms I have been influenced by Anscombe’s concept of “practical truth” (Anscombe, 1999; Campbell, 2022) and Plato’s concept of the “correct” (ὁρθός), central in the *Laws* (cf., e.g., 626c, 639e).

2 But see Di Lucia & Fittipaldi, 2021.

3 Such as the morally or legally right and wrong with all the respective variations. The term – not necessarily all of its shades of meaning – is “borrowed” from Hume’s *Enquiry into the Principles of Morals* as is (*moral*) *sentiment*. For referring to a determination which has not been, or is considered as not having been, expressed in any norm, I shall be using somewhat clumsy expressions like “worth/deserving being prohibited/made mandatory” and such-like.

norms”. To which your “man in the street” could reply: “Very well then, I wonder if it is true that the norm about wearing masks in Poland or New Zealand has been created by the authorised people”. Here, the truth or otherwise of the norm gets pushed back one remove from the norm, for it is now the truth about the validity of the norm and not the truth about the obligatoriness of covid masks in Poland or New Zealand that is at issue. But given that the norm is valid (let’s suppose it is), one can say: “Covid masks are obligatory in Poland or New Zealand, and it is so”, meaning: it is so in the mode of being called *validity*.⁴ There are many modes, this we know from Aristotle,⁵ in which we say that something is something else, and there are modes more puzzling than validity: as Miss Anscombe notes (Anscombe & Geach, 1961, p. 23), if the bird dodo is extinct, this *is* so. A mode of being to be called *non-* or *no-longer-being*? Not necessarily so: Aristotle has called it the *mode of truth* (ὡς ἀληθείας).⁶ Yet, to those who believe in Hume’s guillotine,⁷ the idea of an *is* in the mode of validity, if this validity should be that of a deontic norm, may seem an absurdity even more patent than that of an *is* in the mode of non-being.

Now Hume famously claimed that however we analyse or “anatomize”⁸ human acts and actions we never find moral qualities *in* them, as matters of fact or a system of relations between the actions, agents or their mental states⁹. But moral qualities are not nothing for Hume. On the contrary, at the beginning of his *Enquiry into the Principles of Morals* he writes that you must be a “disingenuous disputant”¹⁰ (or an idiot) to deny the “reality of moral distinctions”. They are real, even if they cannot be found “inside” the acts. Their reality consists – Hume thinks – in commanding universal acclaim, admiration and other positive sentiments.¹¹ Following Hume, we can admit that just like the beauty of the circle is none of its (inherent) properties,¹² being obligatory or prohibited in Poland (or wherever) is not an *inherent* property of the norm but a complex property straddling several subjects and expressible thus:

1. the norm has a standard linguistic formulation in which there is a word signalling its

4 “By the word ‘validity’ we designate the specific existence of a norm” (Kelsen, 1967, p. 10).

5 “[Γ]ὸ δὲ λέγεται πολλαχῶς” (Aristotle, *Metaphysics*, book 4 (Gamma), section 2, 1004b5).

6 Aristotle, *Metaphysics*, book 6 (Eta), section 2, 1026b36, 1027b33. Not just “called”, also studied it in these, and other, parts of his *Metaphysics*.

7 D. Hume, *A Treatise of Human Nature*, book 3., part 1., section 1. (Hume, 1739-40/1978, SBN p. 469) (“SBN” references stand for the page number in the classical edition of Hume’s works by Lewis A. Selby-Bigge (1894) revised by Peter H. Nidditch (1974), see <https://www.humesociety.org/pdfs/Web-Guide-for-Second-Enquiry.pdf>). Cf. W. Żelaniec, 2021, pp. 55-87.

8 D. Hume, *An Enquiry into the Principles of Morals*, Appendix 1 (Hume, 1751/1975, SBN p. 287).

9 D. Hume, *An Enquiry into the Principles of Morals*, Appendix 1 (Hume, 1751/1975, SBN pp. 285-294).

10 D. Hume, *An Enquiry into the Principles of Morals*, section 1.2, (Hume, 1751/1975, SBN, pp. 69-70).

11 See, e.g., D. Hume, *An Enquiry into the Principles of Morals*, section 2, or Appendix 1 (Hume, 1751/1975, SBN pp. 176-182, or 285-294).

12 D. Hume, *An Enquiry into the Principles of Morals*, Appendix 1, section 14 (Hume, 1751/1975, SBN pp. 291-2): “Euclid has [...] not [...] said a word of its beauty. The reason is evident: The beauty is not a quality of the circle. It lies not in any part of the line, whose parts are equally distant from a common centre”, but maybe exactly this equidistance is what we perceive as beauty? We like (at the first stage of our aesthetic education), things equal, symmetrical, proportionate or the like. Beauty may well be “the effect, which that figure produces upon the mind, whose peculiar fabric of structure renders it susceptible of such sentiments” as finding the circle beautiful; but is not insisting on the distinction – between the properties of a pattern which, given the mind’s “peculiar fabric of structure”, render the pattern likely to produce a certain effect, and the effect itself – pedantic a bit? The Renaissance invention and further development of perspective (in painting) seem to suggest that treating the two members of this distinction jointly and in cooperation can be fairly fruitful. Hume was not sufficiently familiar with the notion of a property (beauty) “straddling” two subjects (the drawing pattern, the mind with its “fabric of structure”).

- obligatoriness, e.g., “ought to” or the like, and
2. it has been enacted, i.e., a body of human beings gathered at some designated place, studied that standard formulation of the to-be norm, voted on it and then told about it everybody else in PL or NZ, in a special form called the “promulgation”.

Once the norm has acquired this complex property (1. + 2.), it is *valid*, i.e., it is true that you must, e.g., wear masks on Polish public transportation means.

A philosopher will remark, perhaps, that property 2. is not, as may be suggested, a fact-like relational property of the norm consisting in its having been enacted, because there is still *validity* lurking in it, not reducible to a well-behaved empiricist matter-of-factly (mode of *being*: the person enacting a norm must have a *valid title* to do so; she must have been *validly* elected as a member of the *legislative* body, or *validly* anointed, or *validly* nominated, or the like. And the *validity* involved in each one of these requires a *valid*, “canonical”, definition, and so on. Ultimately, we shall arrive at the highest authority, with respect to which such questions as “Have you been validly elected a member of the legislative body” and so on cannot be sensibly asked because anything that comes from an authority like that – be it God, or the Kelsenian basic norm, or the *volonté générale* or what have you – is valid by definition.¹³

Yet our man in the street would not be interested in all that. He would, riding on a bus without a mask and hearing the driver saying to him in a stern tone of voice: “Sir, you must put on a mask immediately or get off the bus”, recognise him immediately as a person of authority (which authority? the *right, the relevant* authority) and he will not ask where this authority derives from. “So it’s true, you’ve got to do it in this darned country”, he would think, perhaps. But as proclaimed by this bus-driver, the norm is a distinctly *practical* truth,¹⁴ not just a piece of matter-of-factly, sober information concerning the laws valid in Poland, but “also” (perhaps even chiefly) a command, i.e., the application of a general rule to this individual. This use of norms is often overlooked by some (most?) legal philosophers. For Kelsenians who attribute to their Master a clean distinction between *Rechtsnorm* and *Rechtsatz*, i.e. a statement *about* the former (the legal norm), a purely metalinguistic statement involving nothing normative within it except that a norm is its subject matter, with nothing in between, the Kelsenian “norms in the descriptive sense” (Hart, 1983, p. 287) are dismissed as a mistake. Hart has argued (Hart, 1983, pp. 287-295; pp. 328-330), however, that there *is* something in between, and my driver’s stern reminder about the masks to be worn on the bus would belong to this category (to which Hart did not give any name).

To sum up: positive, man-made norms, as soon as validly enacted, are true in the sense of making themselves true. “Wearing masks is obligatory” expresses a validly enacted norm and – wearing masks starts being obligatory. Obligatoriness accrues to wearing a mask in virtue of this enactment and no-one in their good senses expects to find it inside the mask or the wearer or both.

But, as we sadly know, the man-made normative order is easily disrupted. Resources become scarcer, needs – more urging, neighbouring communities – more eager to get a share in the greener and lusher grass on our side of the fence. It can happen, to say it with Hume, that

a society [...] fall[s] into such want of all common necessities, that the utmost frugality and industry cannot preserve the greater number from perishing, and the whole from extreme misery; it will readily, I believe, be admitted, that the strict laws of justice are

¹³ None of which is a good example of an empirical reality, nay, their very existence is highly disputable.

¹⁴ In the sense of “pertaining to action”, not in the “thick” sense given this expression by Miss Anscombe.

suspended [...] and give place to the stronger motives of necessity and self-preservation [...] without regard to former limitations of property [...] where the society is ready to perish from extreme necessity, no greater evil can be dreaded from violence and injustice; and every man may now provide for himself by all the means [...].¹⁵

In other words, we go a-looting and do not care any more about our liabilities. Nor do we put much hope any more in our advantages, claims, entitlements. *Jeder ist sich selbst der Nächste*, as the German says: everyone is his own neighbour (in the Gospel sense of this word). Is that a state in which no norms are true, except in the very weak sense of having once been in vigour? Not necessarily. The passage from Hume, quoted above, goes on thus:

[...] every man may now provide for himself by all the means which prudence can dictate, or humanity permit.

So, there are still norms of prudence and of humanity that set (deontic) limits to human action. As distinct from those discarded ones – such as the obligation of wearing masks – they are no longer man-made (at least not in the same way as the former), but they are no less practical – in the sense that if one does not act in accordance with them, one is likely to get into trouble.

It is prudence that takes care of avoiding harm to your property or body, so let us put prudence aside and focus on humanity. The question is: are there (types of) acts which a human being *must never do*, no matter what the given circumstances are, or else she will destroy or seriously compromise her “humanity”, her being human? If there were such (types of) acts, we *could* say that the norm *you must not do this type of acts* is true in the sense that its non-observance is a sufficient condition of the destruction and obliteration (in the moral sense) of that *you* to which it is directed, just as the non-observance of the rule *you must absorb protein and water every 24 hours or so* is a sufficient condition of disappearing of that very same *you* – in the physical sense.

But what is it: to be human?

This is the hardest part, obviously. Philosophers since Confucius have striven to define “human nature” (性, *xìng* in Classical Chinese) and so did the great Hume, too, and they typically used their findings as a foundation for a variety of normative statements, such as Hume’s “reason is, and ought only to be the slave of the passions”,¹⁶ or the beginning of the American Declaration of Independence: “We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness”; is it really self-evidently true that all human beings have certain inalienable rights? I.e., is it true that I may this or that and cannot renounce on this *may* nor can anyone take it away from me? Or the Universal Declaration of Human Rights: All human beings “are endowed with reason and conscience and [for this reason?] should act towards one another in a spirit of brotherhood”. Should we really, or needn’t we? Is the pursuit of happiness really permitted (by whom?) and is it, perhaps, the case that we must never ever, and under no pretences, nor even for the very best reasons available, hinder anyone from pursuing his or her happiness; and... what is happiness, anyway?¹⁷

15 D. Hume, *An Enquiry into the Principles of Morals*, section 3.8. (Hume, 1751/1975, SBN pp. 186f).

16 D. Hume, *A Treatise of Human Nature*, 2.3.3.5. (Hume, 1739-40/1978, SBN p. 415).

17 In any sense of this word, whether Founding Fathers’ or Aristotle’s (incessantly performing virtuous acts – *Nicomachean Ethics*, I, 7. – plus a modicum of wealth, general prosperity, pleasure, etc.) or Thomas Aquinas’ (unity with God – in knowing and loving him without impediments and restrictions; see *Summa Theologiae*, I-II, qq. 1-5;

However, the nature of my investigation commits me to starting not up high, amongst such high-flown ideals as Happiness or the Brotherhood of Man, because not achieving either, not even coming any close, does not (have to) destroy you as a human being – but quite low down. That is: Imagine that there are types of acts whose, as I said above, peculiar feature is that when you perform any such act, you sort of destroy yourself as a human being, become inhuman(e), in certain aspects only, to be sure (you do not necessarily transform yourself in a werewolf) and only – at the beginning – for a limited period of time, but... if you repeat your acts on a regular basis you will (*consuetudo est quasi altera natura*) earn yourself the name of a “beast”, an “*Unmensch*”, as the German says.¹⁸

I submit that such acts, if anything, are, or would be, if they existed, deserving to be unconditionally prohibited.

The idea that cruelty destroys the cruel person’s “soul [...] life [...] conscience” is to be found already in Augustine (see Baraz, 1998). One Kimberly A. Szacik BA in Psychology in Psychology [*sic*] answers, on *Quora*, the question “Why shouldn’t I shoplift?”¹⁹ with the statement “You know what you are doing is wrong, it will eat away at your soul”. But perhaps, *pace* Szacik BA, shoplifting, though doubtlessly reprehensible, is not really outright psychophagic. So, let us consider any type of a truly heinous, hideous, terrifying act, e.g., anthropophagy; Ó Gráda illustrates the self-destructive, dehumanising character of anthropophagy with such quotations as “the act of cannibalism symbolizes how far human beings are willing to let themselves fall” or “there was also of course a great deal of psychic decomposition, even right down to some cases of cannibalism” (Ó Gráda, 2020, p. 11). The problem is that most heinous and hideous acts which humans can do to other humans may, under highly unusual circumstances, be pardonable and even commendable, or, at the very least, they may deserve clemency. In the famous case *R v Dudley and Stephens* (1884, see Hutchinson, 2010, pp. 13-40), in which the defendants, accused of cannibalism, were first sentenced to death, the judges arguing that in certain cases, to preserve one’s moral integrity (one’s being human in the moral sense) one must sacrifice one’s (biological) life for others,²⁰ but eventually served only six months in prison, due to the public consensus and Queen Victoria being in their favour. Torturing might seem to be another good candidate to the title of a type of act you must never do (see Association for the Prevention of Torture, 2007), but then there are the known “ticking bombs” arguments (see, e.g., Blattberg, 2018; Hill, 2007). Many arguments have been put forward to disarm the ticking-bomb arguments, for instance, that they may lead to justifying torturing babies in particularly extreme situations; I do not know if this is true and won’t go into it, but to *err on the safe side* I shall remain agnostic and *not* assume that torturing, not even of babies, is something you must never ever do. Instead, I shall propose the following “formula”:²¹

Super Sent., lib. 4 d. 49 q. 2; *Summa Contra Gentiles*, lib. 3 cap. 25-63). See also Tatarkiewicz, 1976.

18 As did, e.g., one Irma I. I. Grese (1923-1945), known as the Beautiful/Blonde Beast of Belsen, formerly the Hyena of Auschwitz. She was a member of SS Female Helpers and an overseer and then warden in the German concentration camps in Ravensbrück, Auschwitz-Birkenau and Bergen-Belsen.

19 See: <https://www.quora.com/Why-shouldnt-I-shoplift/answer/Kimberly-A-Szacik>. A perhaps more incisive example might be that of a Polish rescuer in the Russian-Ukrainian war (as of 6. February 2023 still ongoing) who has observed that while any war brings out the worst in any human being, the ongoing one has not yet killed off all humanity in him: he goes on rescuing wounded soldiers of *both* parties (Kozłowski, 2023).

20 Except that those others must not become the instigators and performers of their sacrifice; this the noble judges seem not to have noticed in their verdict; for details see the previous note.

21 Mock-quotes: the formulation is still tentative and provisional.

Intentionally making a sentient being suffer just for the suffering's sake *or/and* for deriving pleasure from it and for no other purpose – is something one must not do, never and under no circumstances; be they ever so untypical.

By “sentient beings” I mean all beings that can suffer, perceive pain, in any sense of this word. Here, there is a lacuna to be filled, for how many sorts of suffering and pain are there, within the categories of the physical and the mental, or whatever other categories of suffering there may be? Also, I take “sentient” to cover cases in which the being in question has lost temporarily or even permanently the ability to suffer in any widest sense of this word,²² which it, however, originally possessed and which typical representatives of its species possess, too. Making someone suffer for the purpose of making someone suffer *and nothing else*: Is anything like that possible at all? Is it actually done? Is it thinkable? An act like that may well seem absurd because we tend to assume that every act is done *sub ratione boni*,²³ and suffering *per se* is, I assume, not *aliquid bonum* nor can it be conceptualised as anything good.²⁴ Unless, of course, there are further purposes in your inflicting suffering, for instance, taking revenge, punishing, training your victim to bear suffering and not break down, or the like. To block such possibilities, I have built into my “formula” the expression “...and for no other purpose”. So maybe the possibility of inflicting suffering for its own sake is not really a possibility and what remains is just “inflicting pain for the pleasure of it”. Again, to *err on the safe side*, I have built it into my “formula”.

Real-life examples are, naturally, rather drastic, which is why I shall not quote any.²⁵ Suffice it to say that in one case known to me the “vocal reactions”, to put it so, of the victim of the torture administered to her were tape-recorded by one of the tormentors and, confiscated afterwards by the police, classified (meaning: made not accessible to the public). However, FBI agents are made to listen to them during their training, the purpose being desensitising them to what they are likely to be exposed to while doing their duty. Acts of this sort I shall call (acts of) *pure sadism or sadist acts*. Finally, I have to explain that by *torture* above I meant not all acts of pure sadism but inflicting pain for the sake of extorting such information from the victim as he is unwilling to provide.

Other than being rather drastic, acts of the sort I mean here present yet another problem: many of them involve rape, usually committed for sexual pleasure and not for the pleasure of inflicting pain. As a result, a drastic example of the sort I mean here is not an act of pure sadism: it is done for the sake of still *something else*. Are they, then, acts of pure sadism? Despite the fact that the word “sadism”, is derived from the name of Marquis de Sade, who described cruelty perpetrated primarily for sexual pleasure, I would answer this question with a “no”. The reason is that *sexual* pleasure can be derived from an act of raping even if it is achieved without the specific pleasure of causing pain, i.e., when the rapist

22 Covered are, therefore, beings which are currently non-sentient due to, e.g., I have the honour and pleasure to thank Ms. Alba Lojo from Universitat Pompeu Fabra (Catalonia, Spain) for drawing my attention to this aspect of the problem.

23 See, e.g., Thomas Aquinas, *Summa contra Gentiles*, lib. 3, cap. 3, n. 7 (<https://www.corpusthomicum.org/scg3001.html>).

24 Suffering can, of course, be something good *secundum quid*, e.g., suffering for a Good Cause or the like. It can happen that suffering inflicted by A to B is entirely pointless (except the concomitant pleasure, perhaps) from A's point of view but not pointless for B. My “formula” does not leave any place for this distinction. Perhaps it should, but there is no space nor time for taking it into consideration.

25 It would be disingenuous, however, to pretend I haven't heard of the Tortured Child from *The Brothers Karamazov* by Dostoevsky. Or *The Mysterious Stranger* by Mark Twain. The film “Funny Games” by Michael Haneke can be mentioned in this context, too. For real-life examples Goldhagen's *Hitler's Willing Executioners* may be a good source.

simply does not at all care if his victim feels one way or another; he is treating his victim purely instrumentally, which may be another face of pure evil, on a par with my “acts of pure sadism” and not reducible to it. Rapes where sexual satisfaction is, by contrast, an unintended side-effect and the rapist’s *only* objective is to cause his victim pain or other suffering *are* acts of pure sadism.

This does not mean, as I shall explain later, that such acts are allowed under some circumstances. I am not claiming that acts of pure sadism (in my sense) are the only class of acts that must unconditionally be prohibited; there are others, beyond the scope of this paper. However, there *are* examples of unspeakable cruelty done to sentient beings, even human beings with no sexual motivation, just for the pleasure expected by the tormentors from the tormenting *alone*. They *are* very drastic, so I won’t give you any hints as to how to find them. But there are less drastic ones, too. Ones that are done every day, most everywhere, ones that most of us do commit every now and again, often without taking notice.

Here is a passage from Joyce’s novel *Portrait of the Artist as a Young Man* (Joyce, 1916). “The young man”, then still a boy, Stephen Dedalus, is often “teased” by his fellow-pupils at an Irish boarding school. For example, another boy, called Wells, approached him once with a question:

– Tell us, Dedalus, do you kiss your mother before you go to bed?

Stephen answered:

– I do.

Wells turned to the other fellows and said:

– O, I say, here’s a fellow says he kisses his mother every night before he goes to bed.

The other fellows stopped their game and turned round, laughing. Stephen blushed under their eyes and said:

– I do not.

Wells said:

– O, I say, here’s a fellow says he doesn’t kiss his mother before he goes to bed. They all laughed again. Stephen [...] felt his whole body hot and confused in a moment.

Then he remembered a recent act of physical violence Wells had done on him. It was a “revenge”, of sorts, however, not wanton violence. But *this* act of psychological tormenting was wanton: I take it for granted that Wells’ behaviour was not inspired by any further purpose, such as punishing Dedalus for some nasty behaviour of his in the past or making him feel that he is not so clever as he thinks he is, or perhaps indulging in a kind of rough camaraderie. Or else, the boys might have been instructed by the authorities of the school to tease Dedalus every now and again, not just to torment him and enjoy it, but to make him more “humble”, “to put him in his place” (Lewis, 1955, p. 105), if the authorities considered him not humble enough and thought that in his very best interest he’d better be. In Elias Canetti’s autobiographical novel *Die gerettete Zunge* there is a somewhat similar episode.

Another example. An American anthropologist, Cora Du Bois, studied the people living on the Indonesian (Dutch East Indies by then) island Alor in 1935; the resulting book, *The People of Alor* (Du Bois, 1944), portrayed a micro-civilisation which seemed intentionally constructed so as to render its people most unhappy possible. Specifically, it is “a society where men are involved in a complicated financial system of exchanges [...] which has [...] little practical but enormous prestige implications. The actual providers are the women entirely absorbed in garden work, and entirely void of status. The disruptive forces of this system manifest themselves in a very high divorce rate and countless financial quarrels. A loveless childhood, a youth full of frustrations are the inescapable consequences of this system [...]. [I]llness often forces financiers into paying debts in order to placate supernaturals [...] ‘possessed’ (mentally

diseased, probably also delirious) people are killed or even buried alive because they are regarded as dead” (see Ackerknecht, 1944).

In addition to corporal punishment [administered by anyone, not just parents], teasing, ridicule, and deception are widely used, not only in disciplining children but also as favourite forms of amusement, especially among young men. I have seen youths in their late teens and early twenties send boys on fool’s errands and deceive them with false promises of rewards for services, and then guffaw with laughter when the crestfallen child returned. Fantan the Interpreter one day called to an eight-year-old girl whom we passed on the trail, saying he had just left some honey at her house and she had better hurry home for it. Actually, we had taken some ripe breadfruit to her house but it had been eaten up before we left. On another occasion, a man of about twenty-eight sent a twelve-year-old boy to fetch a bunch of bananas he said he had left at the foot of the village. In return he promised the boy six of them. The boy raced gleefully to the indicated spot but returned saying he had not found them. He was sent off again, and when he returned the second time he realized that he had been deceived. A group of six or seven grown men were sitting about watching the procedure and laughing heartily, to the boy’s evident shame and anger (Du Bois, 1944, p. 65).

Such things must not be done, full stop. It is immaterial whether they are or are not formal delicts of a criminal code (although, with growing moral awareness of the mankind they tend to enter criminal as well as civil codes under the heading of “hazing”, “bullying” or “harassment”, even if they are part of an apparently legitimate code of behaviour). I suppose the above could be brought in line with Miss Anscombe’s difficult – but still sparking large (four digit) literature and even YouTube films²⁶ – concept of *practical truth* (see Anscombe, 1999; Elliott, 2016; Campbell, 2022). Very roughly, practical truth in her sense is a truth about a rational agent’s action which the agent *brings about* not by making her judgment conform to a passive, contemplative, onlooker’s, description of what she (thinks she) is doing, but by acting in agreement with a scheme of action,²⁷ known, assented to, and *bona fide* (i.e., not as a pretext or excuse, still less a piece of self-deception or downright lie) made by the agent the main motive and efficient cause of the action. This alone means, in Anscombe’s concepts, that the agent is acting *intentionally*, whatever nonsense or maliciousness her intention might contain. To create practical truth, the agent must, in addition, believe that his action is “the thing to do” by the agent’s own principles,²⁸ something that goes into her conception of “doing well” (εὐπραξία²⁹) by the agent’s own lights – and it indeed is a way of

²⁶ See, e.g., <https://www.youtube.com/watch?v=a3HbMAGcOvY>.

²⁷ Thinking certain thoughts, saying certain words, moving one’s body in a certain way. An action is not, however, just a set of such items. It has a unifying structure, mirrored in thought and speech of anyone who understands it as a “description”, e.g., “rescuing a drowning child” and “extending in time a child’s suffering” (if the child’s life is miserable). For a famous example see Anscombe’s *Intention* (1957), § 23.

²⁸ Anscombe insists that neither the idea of “the thing to do” nor that of “doing-well”, “living well” or the like need to reflect mature and sophisticated moral components. A licentious man whose licentiousness is not a matter of the weakness of his will may well think well, seducing one’s neighbours’ wives is, if I am to be, once in my lifetime, honest to myself, part of “my idea of good work (εὐπραξία [sic]) [...] the kind of life I want [...] and a fig for moral virtue [...]”. It is not that the licentious man thinks licentiousness is moral virtue [...] rather that this is a good way to carry on. “One should pursue the present pleasure”, δεῖ τὸ παρὸν ἥδου διώκειν, doesn’t mean it’s virtuous, or morally obligatory, to do that – but: that’s the thing to do!” (Anscombe, 2013, p. 148).

²⁹ Anscombe fathers her concept of practical truth on Aristotle, hence this Greek word: *Nicomachean Ethics*, 1039a; other expressions used by Anscombe’s commentators are, chiefly, εὖ πράττειν, εὖ ζῆν, εὐδαιμονεῖν, *Nicomachean Ethics*, 1095a. On possible distinctions between these concepts see Fröhlich, 2012.

“doing well”. E.g., someone who, seeing a drowning child, decides to save it and does her best to accomplish it, realises the practical truth of “NN has saved a child from drowning”, given that saving drowning children, should they be within one’s reach, is a way of “doing well”. I suggest, in the present context, that norms can be classified as true or false – in the “contemplative” sense – if, *inter alia*, they prescribe behaviour which results in creating practical truth in Anscombe’s sense. Such true norms say such things as “You must never make anyone suffer if your only motive is the thrill of watching how its suffering”, and since such behaviour in no way fits into a type of human development called “doing well” – whatever “doing well” could else be – conforming to a norm like that will keep you from “doing ill” and destroying piecewise your humanity.

This would be a rather unexpected kind of deducing Is from Ought.³⁰ The Ought is my “formula”, the Is – an action manifesting the practical truth of, e.g., not causing pain to a sentient being for no purpose except that it is fun, as part of “doing well” and the subsequent “doing-well” of the agent. Unfortunately, however, the practical transition from the Ought to that kind of Is needs a link, and this link is the decision (*προαίρεσις*), which the agent can well fail to take. If so, he typically won’t ruin his “doing-well” at once and forever and he won’t turn to an *Unmensch*. But... you know full well you are not supposed to pull off flies’ wings and legs or nail bats on the door of your barn just because it gives you kicks, yet, it heck *does* give you kicks, you give in to this temptation and forego the chance of enhancing your doing-well and ultimately your living-well by resisting a dehumanising – and a silly, at that³¹ – temptation. This Is is not your growth, even if it is a “growth” by your own criteria, as long as they are well-pondered and have been conscientiously conformed to, but your piecemeal destruction as a human being, your transformation in an Irma Grese (s. footnote 18), a beast or a hyena, like her.³²

However: how shall I argue for my “formula”? Shall I claim it is “intuitive”?

In Anglo-American philosophy it is often expected that all premises and conclusions of a piece of philosophical analysis should be “intuitive”, whatever that means (I am not sure I know what that means³³). As regards my “formula”: *it is under no circumstances allowed to inflict*

30 I am not very much of an erudite, but it seems to me that deriving Is from Ought has so far enjoyed far less interest of philosophers than that of Ought from Is. Why should it be so? Because it is philosophically trivial? If Jack Sprat ought to do something or other, then either he does not know that he ought to do that thing, or he does but does not care, or he cares, and then he either conforms or he defies, both being possible for a large class of reasons. See Conte, 2021; De Monticelli, 2021.

31 When I was five or six, my mother warned me, without a special occasion, not to pull off flies’ wings or legs. I was flummoxed: first, it was difficult, nearly impossible, to catch a fly alive, second (I wondered) what use could such an absurd and pointless occupation be. After a time, I actually caught a fly (she lazily walked around on the back of my hand) and, out of curiosity, pulled off her legs and wings. The idea that the insect was sensing excruciating pain was somewhere on the back of my mind, but it wasn’t very disturbing, as I found it scarcely believable (why?). I was interested, rather, in my own reaction to what I have been doing, and also in what the mutilated insect would behave like. Well, it didn’t shriek, moan or squeak, and in general it didn’t seem to have taken note of what had just happened, and it tried to walk as if it still had legs. As regards my reaction, I felt a certain unease (see the last-but-one sentence), and the foreseeable impression that doing this kind of thing was useless, pointless and stupid. No thrill or kicks. I killed off the fly and never repeated the experiment.

32 Ms. Grese was tried, sentenced to death for war-crimes, and executed by the British authorities in December 1945. Obviously, her idea of a “good life” was not well-pondered (it consisted chiefly in sadist acts in my sense and it cannot be denied that she pursued this idea of life very conscientiously). No less obviously, you cannot “carry on” with this idea of a good life for long.

33 ChatGPT (<https://chat.openai.com>) has suggested to me the following definition: “Based on concepts or ideas that are widely accepted or easily understood by ordinary language users”. This does not seem – or so I hope – to have much to do with intuitiveness in philosophy; “...although what exactly constitutes ‘intuitive’ can be a matter of debate”. It is obviously not quite intuitive what being intuitive really is.

suffering on sentient beings just for the sake of (drawing pleasure from) doing so, I must admit that I do not perceive it as particularly “intuitive”, i.e., in the sense of the word “intuitive” which I am evoking here, my “formula” does not present itself to me as an insight I reach upon turning it in over my mind for not too long a stretch of time³⁴ and which I finally find self-evident:

“Yes, this is so, now I see it clearly”. Intuitive in this sense are, e.g., the well-known theorem ascribed to Euclid to the effect that there is no largest prime number or the theorem that the sum of the three angles of a triangle is 180 degrees, or perhaps even the Pythagorean theorem. Intuitive insights can, however, be mistaken. It is intuitively true, e.g., that if a bat and a ball cost 1 euros and 10 cents and the bat costs one euro more than the ball, the latter costs 10 cents, is it not? No, it is not. Or, at least, it shouldn’t be.

But my “formula” is not like that at all. Assenting to it does not take turning it over in one’s mind. Rather, it forces oneself on one’s mind so irresistibly as to provoke the judgment that if the words “it is not allowed”, “it is prohibited”, or the like should be applicable to anything at all, they must be applicable, first and foremost, to inflicting wanton suffering for its own (pleasure’s) sake. In other words, if inflicting pointless suffering were not something that is *not* allowed, then we are hard put to imagine what else could. Certainly, one may decide not to attach any meaning (extension) to the deontic predicate “...it is not allowed”, or treat it as a purely emotive pseudo-predicate, without extension or just with the pseudo-extension of the set of things which at any given time in any given person provoke certain feelings expressible as “...it is not allowed”, “You must not...”, “...one can only condemn this” or the like. But if one insists that that predicate should or could have an extension, one feels that, *if anything*, my acts of pure sadism are an excellent candidate for what to start building this extension from³⁵. Such acts are prohibited *if any acts are*. In this sense, the “formula” in question looks rather like a Kant-style “transcendental condition of possibility of any being prohibited”, as does the basic norm in Kelsen with respect to all kinds or (legal) validity³⁶, or perhaps like *modus ponens*, which, if treated as a truth of logic among others, viz. as “((p→q) & p) → q”, makes all reasoning impossible in that it starts an infinite regress wherever one attempts to apply it, and which has to be accepted as a rule of reasoning *before* any reasoning has been performed (see Carroll, 1995).

If anything, my “formula” can appear “over-intuitive”, like “1+1=2”³⁷, of ordinary Peano arithmetic. That 1+1 makes 2 is nothing to be found out after hard thinking and to be incorporated into our body of intuitive arithmetic truths. It is, rather, a very basic arithmetical truth which we must have already known in order to grasp the meaning of the symbols contained in its linguistic expression: “1”, “+”, “2”, and “=”.³⁸

34 Why “not too long a stretch of time”? For this author the equivalence of the axiom of choice and the Zermelo theorem, although he took great care in studying its proof and (thinks he) has understood and accepted every single step thereof, has not (yet?) become “obviously” true and graspable by his mind “in one go” the way the non-existence of the greatest prime number is. The axiom of choice *is*, to this writer, obviously true, but the Zermelo theorem is not, and still less is the equivalence of these two. Perhaps after another ten or so years of hard work it will become so to this author, but claiming *then* that he finds the equivalence intuitive would be, intuitively, a case of ridiculously, if not grotesquely overdone *sprezzatura*.

35 In philosophy, this *if anything is* [something or other] as an ultimate argument is sometimes employed, if not frequently. E.g., Cassam in *Williamson on Knowledge*, remarks somewhat exasperatedly: “*bachelor* and *unmarried man* are identical [concepts] *if any concepts are*” (2009, p. 15).

36 “Insofar as only the presupposition of the basic norm makes it possible to interpret the [...] constitution-creating act (and of the acts established according to the constitution) as [the enacting of] objectively valid legal norms, the basic norm as represented by the science of law may be characterized as the transcendental-logical condition of this interpretation, if it is permissible to use by analogy a concept of Kant’s epistemology” (Kelsen, 1967, p. 202).

37 As Pascal puts it: “[T]rop de vérité nous étonne [...]. Les premiers principes ont trop d’évidence pour nous” (B. Pascal, *Pensées et opuscules*, 1909, section 84, p. 353).

38 In Peano (1889, p. 2), it is a definition of “2”. See Russell, 1919, p. 5.

In fact, this arithmetical comparison is a suggestion offered by Hume himself. He sometimes compares mathematical reasoning with moral “deliberation”, and he finds an interesting contrast between the two:

The former is sufficient (if correct) for establishing a mathematical truth, while the latter is at best a necessary condition of establishing a moral truth (if there is any such, that is). Is it, e.g., true that $2+3=10/2$? The mathematician – Hume thinks – reasons thus: “if ten be divided into two parts, of which one has as many units as the other; and if any of these parts be compared to two added to three, it will contain as many units as that”. The mathematician does not need to know *everything* about natural numbers, their addition, division and whatnot, it is enough that he should know the *relevant* ones. “Thence [a mathematician] infers some unknown relation, which is dependent on the former”.³⁹ By contrast, someone interested in a question pertaining to the moral aspect of things, e.g., the question if he should assist his brother, or, rather, his benefactor, or if a certain killing was or was not an act of self-defence, would have to know *all* the facts and relations between the acts he is “deliberating” about. But “after every circumstance, every relation is known, the understanding has no farther room to operate, nor any object on which it could employ itself. The approbation or blame, which then ensues, [is] [the] work [...] of the heart; and is not a speculative proposition [...] but a [...] sentiment. In [arithmetic, e.g.] from known circumstances and relations, we infer some new and unknown. In moral decisions, all the circumstances and relations must be previously known; and the mind, from the contemplation of the whole, feels some new impression of affection or disgust, esteem or contempt, approbation or blame”.⁴⁰

However, the proposition “ $2+3=10/2$ ” is a poor example, I think, for any numerate person would immediately “see” (have an intuition of) its truth.⁴¹ But it can be rigorously deductively inferred, or “proved” in the mathematician’s sense of this word, and the proof would have to start from certain basic premises, called “axioms”, e.g., the Peano axioms of arithmetic. Mathematics being a purely extensional science, it matters little *which* particular set of propositions would be taken as that of axioms as long as it is equivalent with any other, i.e., as long as the same propositions can be inferred from each of them; however, for those branches of mathematics which have a certain standard, default, “natural model”,⁴² such as arithmetic as we learn it in elementary school, and use for everyday dealings, mathematicians usually try to find, and establish as axioms, such propositions which express certain obvious, “over-intuitive”, constitutive and essential properties of the objects populating that standard model – in the case of arithmetic, the natural numbers as “standardly”, i.e., naïvely, conceived. Now, a striking property of the natural numbers as all of us know them, is that they are positioned one after the other, in an “Indian file” *and* there is one and only one natural number that is not followed by any other. This is coded in Peano arithmetic as axiom 8. and axiom 9. (Peano, 1889, p. 2). The axioms describe – not accidentally, but by their very “gist” – to the best of our knowledge, the natural numbers as we know them,⁴³ and at the same

39 D. Hume, *An Enquiry into the Principles of Morals*, Appendix 1 (Hume, 1751/1975, SBN pp. 289-290).

40 D. Hume, *An Enquiry into the Principles of Morals*, Appendix 1 (Hume, 1751/1975, SBN p. 290).

41 This creates the impression, somewhat unfairly supporting Hume’s point, that problems of mathematics are *easier* than those in morals, so that a mathematician will not have the temptation of stopping his reasonings and resign himself to *sui generis* feelings. Think of Fermat’s last theorem, or Goldbach’s conjecture instead.

42 A *model* of a mathematical theory is a set of mathematical entities and relations between them the theory can be taken to be talking about and be true of. See, e.g., Hodges, 2022.

43 Russell and many others held, in fact, that the Peano axioms capture the intuitive concept of a natural number quite well; see: https://en.wikipedia.org/wiki/Peano_axioms for references. This doesn’t mean that they don’t describe anything else just as well; there are so called non-standard models of arithmetic, fairly non-intuitive; see https://en.wikipedia.org/wiki/Non-standard_model_of_arithmetic.

time they define them in the sense of the Carnapian “explication” (Carnap, 2008, p. 7.), i.e., they make our intuitions clearer and more precise, apt to function as premises in rigorous deductive derivations. It would be rather pursuing a will-o’-the-wisp to look for something else that does that job “in” or “around” or “about” the things that the axioms describe. It would be, too, rather like asking “Which inherent properties, relations or states of affairs make the set of all points equidistant from a given point – a circle?” None – nothing *makes* these points a circle, and there is no place or need for any *making*, either, because being the set of all points equidistant from a given point is what we agreed a circle *to be*, in the precise language of Cartesian geometry, not arbitrarily, however, but taking our deepest and firmest “over-intuitions” about the circle as a guide. Similarly, for the number 1’s being the successor of no natural number (the only difference being that it takes, in Peano’s arithmetic, another two axioms to explain the notion of a successor).

The truth of “ $2+3=10/2$ ” doesn’t reside in any inherent property, or any components thereof, nor in any fact other than itself, for it is a (mathematical) fact that $2+3=10/2$. As for relations “[w]hence [a mathematician] infers some unknown relation”,⁴⁴ viz., $2+3=10/2$, they are those which are sufficient for deriving (the truth of) this proposition from (the truth of) the axioms.⁴⁵ After the mathematician has derived (inferred, proved) from (some selection of) the axioms, and going through whatever intermediary stages might be necessary, the proposition in question, his mind, like the mind of a moral deliberator, will find “No farther room to operate, nor any object on which it could employ itself” and the mathematician will typically be overwhelmed by a mixture of pleasant sentiments, such as the sentiment of victory over the challenge of establishing whether $2+3=10/2$, the sentiment of happiness over finding another truth and the like. Unless an anankastic neurotic, the mathematician won’t go on asking “Well, I *have*, indeed, proved that $2+3=10/2$ in Peano arithmetic and with its methods exclusively, and my proof doesn’t appear flawed, but does it *really* mean that $2+3=10/2$ is true, I mean, true in any model of and preferably the standard model of PA? Shouldn’t I be rather looking, in $2+3$, for an inherent property that makes it equal $10/2$, or perhaps the other way around? But however I anatomize both $2+3$ and $10/2$ I can’t find any such property...” Still less will the mathematician raise questions like “OK, the deduction was all right but are the things that the axioms describe *really* the natural numbers? Each of these thingumajigs has a direct successor, that one that stands directly after it and the one called ‘1’ is no successor and no two different of them have the same successor, this looks very much in common with the natural numbers as we have known them from times immemorial, but... shouldn’t I rather be looking for a more direct witness, an inherent property of what those axioms talk about, a natural-numberhood purely and simply?”

Such scruples would be like those about the circle: “Is it really true that the set of all points equidistant from a given point is a circle, given that no mention is made of an inherent circlehood of that set?” – and equally silly (or neurotic).

Similarly, I would like to submit, my “formula” is a deontic axiom, describing and defining the very essence of what it is to deserve unconditional prohibition. Hume is possibly right in claiming that however you “anatomize” ingratitude, you won’t find an inherent property of being a “crime” in it. However, the very word “ingratitude” has rather strong deontic and evaluative connotations: it would sound weird to say “He’s 1.8 meters tall, knows

44 D. Hume, *An Enquiry into the Principles of Morals*, Appendix 1 (Hume, 1751/1975, SBN pp. 289-290).

45 Actually, this is not true: Gödel’s first incompleteness theorem implies, *inter alia*, that Peano arithmetic, if consistent (which it has so far seemed to be), allows to formulate propositions which, although provably true, in the standard model, i.e., the good ole’ natural numbers as we know and love them, are *not* provably true (or false) *within* it and by its means alone. However, propositions like “ $2+3=10/2$ ” are not among them.

French, is rather ungrateful and a bit swarthy”. Hume might have been wrong in looking for “crimehood” inside of ingratitude, while it is the latter that is “inside” the former, as one of its variants.

Truth in arithmetic can be established by means of logical deduction from the axioms.⁴⁶ From the deontic axioms, such as my “formula” – and there would be much more of them than there are mathematical axioms in any branch of mathematics – various propositions will be derivable logically. However, more importantly, given that deontics, unlike mathematics, is an empirical branch of study, it is to be wished (and I hope, rather to be expected) that it should be possible to establish the truth or falsity of certain norms appealing to the fact that they are related to my acts of pure sadism causally, motivationally or in another empirical fashion, not (just) logically. More simply: It is in relation to – among other things – their empirical: causal, motivational or what have you connections to acts of pure sadism that certain (types of) acts can, or perhaps should, be considered rightly prohibited, or deserving being prohibited – although not always, and probably not even most of the time, i.e., unconditionally. Acts of pure sadism in my sense seldom give rise to other acts deserving being forbidden independently of *any* circumstances, and a pure sadist may become an inexorably effective, ruthless, no-quarter soldier or mercenary, but under the circumstances of war, being so will be anything but undesirable and forbidden – quite to the contrary!

Other examples may be: Doing one’s duty as an executioner or a prison guard or a policeman with a certain “zeal” similar to that which a good pianist, say, displays while performing? Vandalism (this author’s favourite)? Watching/making/distributing certain kinds of films, such as (violent) pornography,⁴⁷ horror, “snuff” or “crush”? Engaging in kinds of competition which produce, perhaps solely as a side-effect, a desire to triumph over the outcompeted for the only (and wanton) purpose of enjoying the triumph? Or simple indifference to evil acts: “These girls are setting a hedgehog ablaze? Let’em, why should I care, me of all people? Besides, it’s better they take out their frustration on animals than on humans, innit?”

To close with an (intuitive, as I hope) example: as Heine put it, those who burn books will end up burning people.⁴⁸ Now, burning people may not be pure sadism in my sense, because some (top-rank) burners may sincerely (though for wrong reasons) believe their activity beneficial to the humankind or a part of it, as doubtlessly did the legendary elderly lady who, reportedly, contributed a faggot to the stake on which John Hus was about to be burnt, and earned, not Hus’ curse, but his compliment (sort of): “Oh, holy ingenuousness!” (*sancta simplicitas!*). But for most onlookers – if the execution takes place in public, e.g., in Smithfield, Place de Grève or the meadow Brühl *extra muros* of Constance⁴⁹ – it is just great fun to watch someone die this horrible death, especially if they had been told by the “relevant authority” that the person was a “heretic”, the details of which they neither know nor are interested in. I suppose this kind of entertainment can, in some individuals (probably not very few, though this would have to be borne out by relevant empirical research) generate a gusto for watching such grisly spectacles and even for staging them themselves – first on books, then on animals, still just for fun⁵⁰ and,

46 This is not exact, see the previous footnote, but the nature of the present paper does not admit of more precision.

47 If it is not true (as I suspect it is) that *all* pornography is violent by definition.

48 “*Dort wo man Bücher verbrennt, verbrennt man auch am Ende Menschen*” (Heine, 1823, p. 148). The not-too-literal translation above is widely spread in the anglophone literature.

49 Today: Alten Graben 5, 78462 Constance, Germany.

50 See: *Cat burning* (n.d.). These orgies of antifeline cruelty are usually believed to have taken place “during the Middle Ages [and] prior to the 1800s.”. However, at least for the Middle Ages “prior to the 1800, they might be something of an “urban legend”, cf. *List of common misconceptions about the Middle Ages* (n.d.); Hengerer, 2011.

for even more fun – no weird pretexts such as Wycliffe & realism vs. Gerson & nominalism required – finally on human beings.

The practical conclusion to be drawn appears to be, at first, to declare burning books as such, no matter what their contents may be, in all kinds of ways reprehensible, good candidate for the title of crime and/or to require from any would-be organisers of a book-burning event official permission from the relevant authority. However, it is rather difficult to imagine David Hume as one of those sinister individuals who start by burning books and end up burning human beings; and yet, he did explicitly encourage burning books,⁵¹ not all of them, to be sure. No doubt, there are books which – from the universalist-humanist point of view – deserve being “consigned to the flames”, or at least being made inaccessible to general public, no less, if not more, than those which Hume detested: *Malleus Maleficarum*, *Mein Kampf*, *Dialectical and Historical Materialism* and, perhaps, most novels from the literary school known as *nouveau roman français*. So, even if Heine is right and burning books can “lead to”⁵² burning people, prohibiting the former does not need to be unconditional.

In arithmetic, and in every branch of mathematics based on an axiomatic system, some truths (typically, a majority) are also conditional, in the sense that they hold under certain conditions (e.g., if a and b are both odd, $a+b$ is even) and ultimately under the conditions articulated in the axioms (postulates), these being assumed true, either because they jointly express the “essence” of what we (think we) know about the corresponding mathematical beings, e.g., our good ole’ friends natural numbers or because they are (seem to be) consistent. In the latter case, mathematicians can, if the axioms do not seem to express the essence of anything known and familiar since times immemorial, themselves construct something whose essence the axioms can be taken to capture, and that from the constants of the theory itself! We philosophers do not have such freedom; acts and omissions to be praised, condemned or neutral are there for us to face and evaluate correctly. Mathematicians have the privilege of being allowed also to ask what happens if an axiom is left out from a theory.⁵³ In deontics, this may have a heuristic sense at best.

In deontics, a more important question would pertain to what has to be *added* to the sorts of acts covered by my “formula” so as to obtain an as-exhaustive-as-can-be axiomatics of “things we must never do”. The answer to this question will depend not on logic alone, but on many empirical, probabilistic and stochastic considerations⁵⁴ – which is why it is so difficult to be a deontic cognitivist. Does watching public executions always awake a bloodthirsty beast within (some of) us? After all, they public executions were introduced not as a type of pastime (unlike the Roman *ludi circenses*) but as a means of, among other things, discouraging acts like those considered done by the poor sucker who’s got to ascend the scaffold or the validity of law in the mind of the watchers, the “*positive Generalprävention*” of the Germans, and how shall we legislate if the former effect (entertaining) turns out to have more weight and to be richer in consequences than the latter two? Should we ban them regardless, just because in some tender souls, no matter how few, they might generate or reinforce the inclination to acts of pure sadism? If we should, maybe we should abolish death penalty in general, or indeed

51 D. Hume, *Enquiry Concerning Human Understanding*, part III, section 12.34 (Hume, 1748/1975, SBN p. 165).

52 For a conspicuous example of empirical considerations to the effect that something *should* be penalised on the grounds that even if the activity in question (“grooming”) seems to be in itself harmless, it may “lead to” minor sexual abuse, see Sorell, 2017.

53 Famous examples: the fifth axiom of Euclid and the two non-Euclidean geometries resulting, Bolyai-Lobachevsky and Riemann; the induction axiom in arithmetic and the resulting Q arithmetic by Raphael M. Robinson.

54 Purely philosophical ones obviously too, e.g., if this or that system of metaethics should be adopted, e.g., a utilitarianism, a normativism, a personalism etc.

any punishment whatsoever, because individuals administering punishment may develop a tendency to draw satisfaction from whatever suffering they may be asked to visit on their “customers”, no matter if these have been convincingly proven deserving the punishment. Other professions may not be safe, either: the cremation of human remains doesn’t need, and presumably seldom does, to correspond to, or breed, any sadist inclinations in those who do the job; but see the famous novel *Spalovač mrtvol* by Ladislav Fuks and the corresponding film by Juraj Herz, *The Cremator*. In the Roman Catholic Church incineration is even the preferred disposal method of liturgical objects no longer usable. Here again, we should be suspicious of individuals who seem to fill the function with a certain overzealous meticulousness.⁵⁵ Maybe there should, or maybe there even are, in some countries, laws against employing certain individuals for such functions.

Moreover, the sorts of acts falling under my “formula” almost certainly are not the only kind of acts which make people *ἀδικοὶ καὶ ὄλως κακοὶ*, unjust and generally vicious. But what are the others? Perhaps: manipulative approach to human beings? Instrumentalising them? Intentional non-recognition of their dignity as subjects or persons? Refusing to help them when help is indispensable? Indifference to, or even contempt for, the suffering, the unfortunate, the weak? At the very least, good ole’ plain egoism, i.e., not giving a d*m if someone has not received their fair share of some scarce good, as long as “I” have?

There are so many ways of becoming and being *ὄλως κακός*, generally vicious; the question arises, which of them are reducible to which, a question analogous to that which pertains to the axioms of any system of mathematics. In this paper, I have been busying myself with just one of these ways, conceivably the most conspicuous one. And perhaps, too, the most mysterious⁵⁶ – the mystery here being that of evil.

REFERENCES

- Ackerknecht, E. H. (1944). Reviewed Work: *The People of Alor. A social-psychological study of an East Indian island* by C. Dubois. *Bulletin of the History of Medicine*, 16(5), 519-520. Retrieved from <http://www.jstor.org/stable/44443256>, accessed 9. 5. 2023;
- Anscombe, G. E. M. (1957). *Intention*. Cambridge: Harvard University Press;
- Anscombe, G. E. M. (1999). Practical truth. *Logos: A Journal of Catholic Thought and Culture*, 2(3), 68-75;
- Anscombe, G. E. M. (2013). Thought and action in Aristotle in: R. Bambrough, *New Essays on Plato and Aristotle* (pp. 143-158). London/New York: Routledge;
- Anscombe, G. E. M., & Geach, P. T. (1961). Frege: Three philosophers. *The Journal of Symbolic Logic*, 33(1), 140-141. <https://doi.org/10.2307/2270117>;
- Association for the Prevention of Torture. (2007). *Defusing the ticking bomb scenario. Why we must say no to torture, always*. Retrieved from <https://www.apt.ch/sites/default/files/publications/tickingbombscenario.pdf>;
- Aristotle. (1924). *Metaphysics*. Oxford: Clarendon Press;
- Aristotle. (1980). *The Nichomachean ethics*. Dordrecht: Reidel;

⁵⁵ In Ivo Andrić’s novel *The Bridge on The Drina* there is a very plastic episode illustrating this.

⁵⁶ We still don’t know what exactly makes for suffering done to others for no reason so pleasant (sometimes and to some). However, a Benedictine, Dom Jean François, in his dissertation on “l’ancien usage des feux de la Saint-Jean, et d’y brûler les chats à Metz” (1758) arrived, after a lengthy discussion of several sophisticated and learned theories of the origin of that *ancient usage*: “le plaisir, ridicule à la vérité, mais pourtant réel, que prend le peuple aux miaulements, aux sauts et diverses agitations que ces pauvres bêtes font pour s’échapper. L’on en rit: voilà un motif suffisant pour le faire.” It is fun because it is a lot of laughs, and it is a lot of laughs because it is fun. Quoted after: Hengerer, 2011, p. 137.

- Baraz, D. (1998). Seneca, ethics, and the body: The treatment of cruelty in medieval thought. *Journal of the History of Ideas*, (59)2, 195-215;
- Blattberg, C. (2018). Dirty hands: The one and the many. *The Monist*, 101(2), 150-169;
- Campbell, L. (2022). On Anscombe on practical knowledge and practical truth. In R. Teichmann (Ed.), *The Oxford handbook of Elizabeth Anscombe*. Oxford Handbooks (2022; online ed., Oxford Academic, 18 Aug. 2022), <https://doi.org/10.1093/oxfordhb/9780190887353.013.1>, accessed 12 Apr. 2023;
- Carcattera, G. (1967). *Il problema della fallacia naturalistica: la derivazione del dover essere dall'essere*. Milano: Giuffrè;
- Carnap, R. (2008). *Meaning and necessity: A study in semantics and modal Logic*. Chicago: Chicago University Press;
- Carroll, L. (1995). What the tortoise said to Achilles. *Mind*, 104(416): 691-693. <https://doi.org/10.1093/mind/104.416.691>;
- Cat burning. (n.d.). Wikipedia.org. <https://en.wikipedia.org/wiki/Cat-burning> (Retrieved April 10, 2023);
- Conte, A. G. (2021). How to derive Is from Ought. In P. Di Lucia & E. Fittipaldi (Eds.), *Revisiting Searle on deriving Ought from Is* (pp. 139-156). Cham, Switzerland: Palgrave Macmillan;
- De Monticelli, R. (2021). Existence as a source of normativity. An alternative to Searle's view. In P. Di Lucia & E. Fittipaldi (Eds.), *Revisiting Searle on deriving Ought from Is* (pp. 121-138). Cham, Switzerland: Palgrave Macmillan;
- Di Lucia, P., & Fittipaldi, E. (Eds.). (2021). *Revisiting Searle on deriving Ought from Is*. Cham, Switzerland: Palgrave Macmillan. <https://doi.org/10.1007/978-3-030-54116-3>;
- Du Bois, C. (1944). *The people of Alor*. Minnesota: The University of Minnesota Press. Retrieved from <https://archive.org/details/peopleofalor031909mbp/page/64/mode/2up>;
- Elliott, J. R. (2016). Anscombe on practical truth. *Klesis*, 35, 108-125;
- Fröhlich, G. (2012). Die aristotelische *eudaimonia* und der Doppelsinn vom guten Leben. *Archiv für Begriffsgeschichte*, 54, 21-44;
- Hart, H. L. A. (1983). *Essays in jurisprudence and philosophy*. Oxford: Oxford University Press;
- Heine, H. (1823). *Tragödien: nebst einem Lyrischen Intermezzo*. Berlin: Dümmler. Retrieved from <https://books.google.de/books?id=uMcDAAAAQAAJ>;
- Hengerer, M. (2011). Die verbrannten Katzen der Johannismacht. Ein frühneuzeitlicher Brauch in Metz und Paris zwischen Feuer und Lärm, Konfessionskrieg und kreativer Chronistik. *Kostanzer Online-Publikations-System (KOPS)*, URL: <http://nbn-resolving.de/urn:nbn:de:bsz:352-140715>;
- Hill, D. J. (2007). Ticking bombs, torture, and the analogy with self-defence. *American Philosophical Quarterly*, 44(4), 395-404;
- Hodges, W. (2022). Model theory. In E. N. Zalta (Ed.), *The Stanford Encyclopedia of Philosophy* (Spring 2022 Edition). <https://plato.stanford.edu/archives/spr2022/entries/model-theory/>;
- Hume, D. (1975). *Enquiries concerning human understanding and concerning the principles of morals*. Oxford: Clarendon Press;
- Hume, D. (1978). *A Treatise of human nature*. Oxford: Oxford University Press;
- Hutchinson, A. C. (2010). *Is eating people wrong? Great legal cases and how they shaped the world*. Cambridge: Cambridge University Press;
- Joyce, J. (1916). *Portrait of the artist as a young man*, The Project Gutenberg eBook of A Portrait of the Artist as a Young Man, by James Joyce. Release Date: December 8, 2001 [eBook #4217] [Most recently updated: November 28, 2020]. Retrieved from <https://www.gutenberg.org/files/4217/4217-h/4217-h.htm>.
- Kelsen, H. (1967). *Pure theory of law* (2nd edition, M. Knight, Trans.). Los Angeles, Berkeley: University of California Press;

- Kozłowski, P. (Ed.). (2023, January 18). Polski ratownik: Rosjanie nie pojmują, jak to możliwe, że ich nie dobijamy [Polish rescuer: The Russians do not understand how it is possible that we are not finishing them off]. *Dziennik.pl*. Retrieved from <https://wiadomosci.dziennik.pl/swiat/artykuly/8639604,polski-ratownik-relacja-soledar-wojna-ukraina-rosja.html>;
- Lewis, C. S. (1955). *Surprised by joy. The shape of my early life*. New York: Harcourt, Brace and World;
- List of common misconceptions about the Middle Ages. (n.d.). Wikipedia.org, https://en.wikipedia.org/wiki/List_of_common_misconceptions_about_the_Middle_Ages#Cat_massacres_and_the_subsequent_plague. (Last retrieved April 10, 2023);
- Maxsein, A. (1938). Der Begriff der Geltung bei Lotze. *Philosophisches Jahrbuch*, 51, 457-470;
- Ó Gráda, C. (2020). *Eating people is wrong and other essays on famine, its past and its future*. Oxford: Princeton University Press;
- Pascal, B. (1909). *Pensées et opuscules* (5e édition revue; L. Brunschvicg, Ed.). Paris: Hachette;
- Peano, I. (1889). *Arithmetices principia nova methodo exposita*. Augusta Taurinorum: Fratres Bocca;
- Plato. (1961). *Laws*. Cambridge, MA: Harvard University Press;
- Quassim, C. (2009). Can the concept of knowledge be analysed? In P. Greenough & D. Pritchard (Eds.), *Williamson on knowledge* (pp. 12-30). Oxford: Oxford University Press;
- Russell, B. (1919). *Introduction to mathematical philosophy*. London: George Allen & Unwin. Retrieved from <https://people.umass.edu/klement/imp/imp-ebk.pdf>;
- Sorell, T. (2017). Online grooming and preventive justice. *Criminal Law and Philosophy*, 11(4), 705-724;
- Tatarkiewicz, W. (1976). *Analysis of happiness*. Warszawa: PWN;
- Thomas Aquinas. (n.d.). *Corpus thomisticum S. Thomae de Aquino opera omnia*. Retrieved from: <https://www.corpusthomicum.org/iopera.html>;
- Żelaniec, W. (2021). Searlean Is and Ought revisited. In P. Di Lucia & E. Fittipaldi (Eds.), *Revisiting Searle on deriving Ought from Is* (pp. 55-87). Cham, Switzerland: Palgrave Macmillan.