

But clearly the judge has acted mercifully. Now the judge had no right to hand down the sentence she did. But this does not imply that she has not acted mercifully. It implies that she has acted mercifully *and* unjustly. Because Murphy defines mercy in terms of what one has a right to do, his analysis implies that one act cannot be both merciful and unjust. But the judge case indicates that it is possible for one act to be merciful and unjust. Therefore, Murphy's analysis of mercy is flawed.

Finally, neither Murphy nor Hampton considers the distinction between the evaluation of agents and the evaluation of actions. One can act mercifully without being a merciful person. Suppose that you decided to forgive my \$3,000 debt only because you wished to impress the boss. This would be a case of merciful action by a person who is not merciful. For a person to be merciful, one's merciful actions must be motivated by compassion. Hampton's analysis is superior to Murphy's in this respect. While she does not consider the agent/action distinction, she does notice that there is a connection between mercy and compassion. Murphy misses this connection.

In spite of these criticisms, this is, as I said at the outset, an impressive book. Anyone who is interested in the topic ought to read it.

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Olen, Jeffrey. *Moral Freedom*.

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Olen declares at the outset that any plausible moral theory must incorporate the following apparently inconsistent "truisms" (as he calls them): that moral rules are society's rules; that morality is a matter of individual choice; and that some things are wrong no matter what any society or individual says. He then seeks to construct a consistent theory that incorporates these claims.

The book, as its title suggests, revolves around the second "truism." There are, we are told, two moral points of view: the impersonal, which has to do with moral rules and the duties they impose, and the personal, which has to do with one's personal values and one's conception of the good life. Olen claims that the former does not override the latter, either rationally or morally, and thus that one can be rationally and morally justified in performing an act which, from the impersonal point of view, is morally wrong. Furthermore, since the first "truism" concerns moral rules, and hence the impersonal point of view, it does not clash with the second "truism." The moral rules which apply to an individual are just the rules that have been worked out by that individual's society to settle conflicts of interest and to advance shared conceptions of the good. Nor does the third "truism," which also concerns the impersonal point of view, clash with the first, for Olen distinguishes between rules that are valid and those that are not. Valid rules are rules to which individuals who are willing to adopt the impersonal point of view freely agree. Some acts (Olen's example is of a photographer who poisons his lover and then films her death throes) are such that it is unimaginable that they would be permitted by valid rules, and hence they may be said to be wrong no matter what anyone says.

One wonders to whom this book is addressed. It is a very short book, written in an engaging, exceedingly personal style, full of heartfelt proclamations and sprightly aphorisms. Some may find this refreshing, but it is likely to prove baffling to many. It is not an introductory text, for familiarity with the writings of several philosophers is presupposed. Nor is it likely to impress seasoned philosophers, for Olen deliberately avoids the sort of detail that such readers seek. His criticism of the ideas of others is always extremely quick and sketchy, and his own ideas are never fully worked out. In particular, his key claims are, at best, poorly defended, as I shall now indicate.

It is a trite observation that people have personal values—that what matters (deeply) to one person may not matter (at all) to another. It is quite another thing to claim that these values morally trump impersonal values. Even if personal values are accorded disproportionate moral weight, it is surely plausible to try to accommodate them alongside impersonal values by invoking agent-centered restrictions and prerogatives. Olen's rationale for denying this appears very early on (p. 7). "Someone has a reason for acting only if a proposed reason fits into her network of desires, goals, and personal projects—only, that is, if it is capable of motivating her. If a moral rule does not advance her desires, goals, or personal projects, it does not provide any reasons for *her* to act. . . . A moral rule morally binds someone only if it provides her with a reason for acting." This is unconvincing. We may grant that, in some sense of "have a reason," one has a reason for acting only if it fits into one's motivation set; and we may grant that, in some sense of "have a reason," one is morally bound to perform an act only if one has a reason to do so. But what is not at all obvious is that these are the same senses of "have a reason"; after all, what follows from assuming that they are is Olen's truly radical doctrine of moral freedom—a freedom which constitutes not autonomy but anarchy.

Olen overlooks the fact that there is reason to believe that one can do wrong in failing to pursue certain personal values—consider undue self-effacement. Moreover, just as duty would seem sometimes to concern personal values, impersonal values would seem sometimes to impose, not duties but supererogatory goals—another fact that Olen overlooks. Olen also fails to distinguish the evaluation of acts from the evaluation of agents. While it seems implausible to say that heinous acts can be morally justified, it seems not so implausible to say that some people are sometimes not to be blamed for performing heinous acts. To say the latter is not to commit oneself to the sort of moral anarchy that Olen espouses in his second "truism."

Olen, of course, regards the first "truism" as true, but he offers no defense of it. Similarly, he offers no defense of the sort of societal relativism presupposed by his way of accommodating the third "truism." This very short book is very short on argument; indeed, it is very short even on the articulation and elaboration of its central ideas. As such, while it may whet the philosophical appetite, it hardly begins to satisfy it.

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