

# 1 Suffering, Communities, and Interconnections

This chapter will not only review some previous work but will also try to clarify and further develop some of these concepts. These concepts will serve as a grounding for what I hope to develop in this book: the notion that all sentient beings are inescapably connected through a series of shared interests, that these shared interests provide grounds for discourse and that this inevitably entails at least some easily agreed upon mutual obligations. In prior works I grappled with the question of obligation: are our obligations minimalist and confined to not harming each other or are our obligations richer and include obligations we would term "beneficent": that is, obligations which concern themselves, in some sense, not only with not harming but with actively helping others. Obligations not only play themselves out in a community but are unthinkable outside of one: what, after all, can "obligations" be if there are not others to whom we owe and by whom we are owed obligations? Therefore, the structure of community and its relationship to its members, the relationship of the members to the community, and the relationship of communities to each other needs to be conceptualized and understood. Relationships, in turn, are at least in part defined by the obligations such relationships entail.<sup>1</sup>

But before we can grapple with the specific idea of obligation, we must be clear as to what can be owed obligations or, in other words, we need to concern ourselves with the question of "moral standing" or "moral worth" and how it is assigned and perhaps prioritized: how do we decide that an object or creature is of moral significance and that, therefore, our acting so as to affect it becomes a moral concern. What, putting it differently and ethically speaking, makes rocks, college students, and puppies different: what is it about rocks, college students, and puppies which makes hitting one morally significant and hitting the other under most circumstances

of little moral concern? And beyond this, why should we assign ethical standing to houses, cars, or ideas? Perhaps most importantly: are there preconditions which, by virtue of being preconditions, themselves have moral standing? These questions, questions with whose ramifications I continue to grapple, are fundamental and in one way or another must be answered (or the answer assumed) in order to do ethics in any meaningful sense.

With Kant I seek the property which allows us to call an entity one for which we should have moral concern. Differing from Kant I suggest that the capacity to suffer (rather than the capacity to set oneself autonomous law) is at least one of the critically relevant facts. Entities which have that capacity have moral standing: how we act to affect them matters. Kant's conception that it is an entity's capacity to set its own autonomous law which is the ethically relevant fact necessitating our moral concern is, in my view, far too narrow: it leaves out a large number of beings who at the very least we feel not to be ethically irrelevant: puppies, the senile, the severely retarded and, in some respects, even the severe ideologues or fundamentalists who are incapable of setting their own rules. (Some of us would even argue, though perhaps tongue in cheek, that it might leave out persons who consider themselves to be orthodox Kantians: persons who follow all rules unquestioningly and implicitly and whose source of moral understanding is, therefore, heteronomous, precisely what Kant eschews!) In the past, I have claimed that what unites all of these beings and makes of them entities with moral standing, is their capacity to suffer.<sup>2</sup>

Being of primary worth is, I have said, always positive: no one is or can be dangerous or loathsome enough to forfeit it. Hitler, a serial murderer or a Bengal tiger ravaging a village still has positive primary worth: as a creature which can suffer, Hitler, a serial murderer, or a Bengal tiger about to ravage a village is deserving of consideration and respect. Under some circumstances, it might be ethically acceptable to harm or even to kill any of these so as to protect the vital interests of others; but it would not be acceptable to capture and then torture them or, for that matter, to affect them negatively in any way greater than that necessary to prevent them from doing harm. Unless it can be shown that even behind bars Hitler, a serial killer, or a Bengal tiger would continue their actions, doing more than using sufficient force to prevent them from being a danger is morally unacceptable. Revenge as a motif may have emotional appeal but revenge for the sake of revenge has little moral standing.

But what does it mean to have moral standing or to be of moral worth? Surely the capacity to suffer does not give an entity a complete right to be left alone, does not, under any and all circumstances, prevent us from acting on it against its will or, even under some circumstances, to cause it to suffer. And surely, all things which in themselves cannot suffer cannot therefore be acted upon wantonly. My automobile, Notre Dame Cathedral, a person's ideas or faith, or the community itself are not ethically trivial: and yet, automobiles, cathedrals, or ideas cannot, in themselves, suffer. These then are two questions which must be answered: the first concerns what having moral standing means; the second asks whether and how objects which cannot suffer have or acquire moral standing.

In the past I have argued that having moral standing gives an entity *prima facie* protection against being acted upon contrary to that entities interest or desire (in the case of primary worth) and, in the case of secondary or prior worth, against the interests of those who would be affected by acting upon such things. Such protection is, of course, *prima facie*: that is, it can be overridden by morally weighty considerations. Having "primary moral worth" (having the capacity to suffer) gives one one's day in court but having primary moral worth does not preordain the judgment one will receive. Primary moral worth, furthermore, while always positive (an entity which can suffer always has standing) is variable: it can be lesser or greater. Although being of primary moral worth is always positive and although being of primary moral worth can never be disregarded, all entities of primary moral worth are not coequal. Being of primary moral worth can, for sufficient moral cause, be set aside.

I want to be quite clear: using the capacity to suffer as the grounding (or at least as one of the groundings) for having moral standing does not mean that our only obligation concerns itself with suffering. The capacity to suffer is, so to speak, an index condition: one which identifies or at least helps identify persons and things with and on which we cannot act wantonly. Refraining from causing suffering, ameliorating suffering, or preventing suffering is not the only issue that concerns me here. As yet the question is not "what shall we not do to others" but rather what is it which makes these others, others which should be of moral concern. At times the argument has been made that such a grounding would allow us to kill persons as long as they had no foreknowledge and as long as death was instantaneous and did not entail suffering. Such objections evade the basic arguments: the capacity to suffer provides an entity with moral standing and once a thing has moral

standing any action which affects it or its interests and, therefore, anything that we do or fail to do is ethically relevant. I want to be quite clear here: my using suffering as an index capacity for moral standing does not reduce our concern for such entities to a concern for suffering.

Other things than entities which can suffer themselves matter in an ethically relevant sense: cars, books, ideas, symbols. I have called such entities entities of "secondary moral worth": they have, as it were, moral standing by reflection. How we deal with such entities matters because how we deal with them (whether positively or negatively) affects another or others who has or who have primary moral worth. Secondary moral worth can be material (akin to, but not identical with, Kant's "Marktpreis") or symbolic (similar, but not quite the same as what Kant terms "Affektionspreis"):

In the realm of ends everything has either a price or a dignity. Whatever has a price can be replaced by something else as its equivalent; on the other hand, whatever is above all price, and therefore admits of no equivalent, has a dignity.

That which is related to general human inclinations and needs has a market price. That which without presupposing any need, accords with a certain taste . . . has an affective price. But that which constitutes the condition under which alone something can be an end in itself does not have mere relative worth, i.e., a price, but an intrinsic worth, i.e., a dignity.<sup>3</sup>

Furthermore, and most importantly, secondary worth (as distinct from primary worth which is always positive) can be positive or negative: whether it is positive or negative depends upon the valuing done by another whose moral worth is primary. For most, Notre Dame cathedral has a great deal of positive secondary worth; a grenade about to go off a great deal of negative worth. My ideas and symbols are of great value to me but, depending what they are, may be loathsome to others.

Being and community itself have a different kind of standing: they are, what I call, of "prior worth": their existence, their prosperity, and their continuity are the necessary conditions of all experiencing and valuing. Without being and without being in some sort of community having primary or secondary standing makes no sense.<sup>4</sup> Being (unless one wishes to flee into mysticism) is the necessary condition of experience and community, is the necessary condition of being and of valuing. Since without them our personal

being is impossible and our community is impoverished, our environment, the ecology, and nature itself become critically important in such an ethic.

A brief but pertinent example may help: a person who after a severe automobile accident, is unconscious but has a chance of regaining consciousness has primary moral standing or worth. The physician's obligation is primarily to that patient and, barring a previously expressed wish to the contrary by the patient him/herself, the family's wishes, the fact that this very possibly uninsured patient is costing the hospital great expense or the fact that his organs might be of use to another is not important: he/she is of primary moral worth and, therefore and unless overriding moral reasons to the contrary can be shown, is the centerpiece of ethical concern. Once the patient is brain dead, permanently vegetative or comatose, however, matters change: primary moral worth is lost and secondary moral worth now becomes the centerpiece of consideration. He/she is now of secondary moral worth: positive material worth as a potential organ donor, negative material worth as a consumer of resources, and of symbolic worth to family and community. So that such a scenario can be played out, moreover, a community of persons who acknowledge having obligations, who set the framework of moral action and who are willing to act morally, is a necessary condition and, in that sense, being and community form the background and the context of all such considerations.

If one accepts such a theory, our treatment of nonhuman animals must be a matter of concern. If, on the other hand, we consider only creatures which can rationally set their own rules to be of moral concern to us, disregard for animals, except as acting on them affects humans, would result. Kant, not surprisingly, feels that we have obligations to animals only indirectly: if acting in certain ways against animals affects humans, acting on animals becomes of moral concern.

But so far as animals are concerned, we have no direct duties. Animals are not self-conscious and are there merely as a means to an end. That end is man. We can ask: "Why do animals exist?" But to ask "Why does man exist?" is a meaningless question. Our duties towards animals are merely indirect duties towards humanity. Animal nature has analogies to human nature, and by doing our duties to animals in respect of manifestations which correspond to manifestations of human nature, we indirectly do our duty to humanity.<sup>5</sup>

As humans we have come to accept the premise that the way we deal with animals is not morally irrelevant. Our laws against cruelty to animals attest to this. But to Kant it is morally relevant only as such acting impinges on humans. That is because to Kant being morally relevant is a function of rationality, a function of having the capacity to reason and, therefore, to determine one's own moral laws. Those entities or things which do not have that capacity are morally relevant only insofar as they affect those who have that capacity. According to Kant "animals are not self-conscious" and, therefore, not rational. Kant does not argue this proposition—he states it as an acknowledged "fact": it seems unlikely that Kant ever owned a dog or a cat! In the language I have used here, Kant would consider all nonhuman animals to be merely of secondary moral worth.

Even those who wear fur, eat flesh, and have no concerns about animal experimentation would be troubled if we were to torture animals to death for our amusement. And we would be troubled by this even if it could be shown that such an act did not "brutalize" humans. The ability of nonhuman animals to suffer is implied by any notion of "cruelty to animals," a notion few of us would deny. Bentham was perhaps the first to give voice to this when he held that what was morally relevant was not a creature's capacity to reason but its capacity to suffer.<sup>6</sup> Except allegorically, we do not speak of cruelty to rocks, houses, or trees. This notion of suffering as at least one of the considerations grounding moral concern is one implicitly understood by all.

If one is to use "suffering" as giving moral standing and if by moral standing we mean at least "prima facie" protection from being acted upon, then ways of telling greater from lesser worth must be developed. Choices between harming one or another person or thing which has moral standing must be made. If such a way of looking at ethics is to be useful, we must be able to deal with conflicting interests among human persons, animals, the environment, and objects. Not all entities of primary worth have equal worth; not all entities of primary worth trump those of secondary worth (albeit that having prior worth as the condition for all else may generally be thought to take precedence): think of a mouse ruining an art object or of a human trying to blow up Notre Dame cathedral; think of a law which might favor a small group but which threatened to destroy the community.

What of killing animals? Do cows, chickens, fish, shrimp, or mussels have primary moral worth? And if so, since having primary

moral worth only gives standing but certainly does not give absolute protection, how much protection is their due? I have argued that creatures endowed with the neurological substrate necessary to allow suffering and exhibiting behavior we generally associate with suffering do have such standing. That would include mammals, birds, and perhaps fish but, in the current state of our knowledge, leave out shrimp or mussels which lack the substrate conceded as necessary for suffering to occur.<sup>7</sup> Two things must be stressed: (1) suffering is a complex matter: it cannot be reduced to pain and has important psychic and social ramifications. While suffering cannot be reduced to the neurological substrate, suffering without the neurological substrate which allows it is unthinkable; after all, while function cannot be reduced to its material substrate, function without the material substrate which subtends such function cannot occur. The thing is greater than its parts and transcends them; but without the parts, the thing does not exist. (2) The discovery that an entity heretofore thought incapable of suffering can suffer (or, conversely, that one thought to suffer really does not) does not change the theory itself: such a discovery would merely increase or decrease the range of creatures covered by it. (3) Just because a creature can suffer and just because it has moral standing does not give it complete protection. Less developed creatures with a lesser capacity to have hopes, feelings, and aspirations may well have a lesser moral standing, but always still are due some, protection.

I have previously suggested that when it comes to making choices between creatures which are of primary worth the depth and capacity of their development to be subjects of their life may matter greatly. Creatures which have or which potentially have (socially deprived persons, for example, certainly have the same potential) a greater capacity for developing life plans, hopes, and expectations may perhaps take precedence over those with a lesser capacity or potential. Such a philosophy has certain undoubted dangers: it would tend to support dealing with the mentally deficient, the demented or, for that matter, with young infants in what we would generally consider to be socially and morally inadmissible ways. Depending on the extent of deficiency, the mentally deficient, the demented, or very young infants certainly would appear to have a lesser knowing stake in their life (to be the subjects of their life to a lesser extent) than do "normal" humans or, for that matter, intelligent apes or dogs. Such a view could easily lead to what civilized persons would consider to be atrocities, atrocities which—in view of history—are hardly beyond serious consideration.

The events of this century and specifically the treatment of disabled persons by the Nazis more than justifies these fears. And these are, therefore, fears which must be faced. Mentally deficient, demented, or very young infants are, however, socially members of the community in a way in which apes, elephants, or dogs are not. Although the primary worth of mentally deficient or demented persons or the primary worth of infants could arguably be considered to be less, such helpless beings are members of the human community and, therefore, have immense social importance and significant symbolic worth. They cannot be dealt with except on their own terms: above all their own interest and not merely the interest of the state are what matters. The thesis, which I shall develop in what is to follow in the next few chapters, is one which sees "rights" (or which sees what justifies claims) not as absolutes—as "out there" somewhere—but which sees rights as something which is socially constructed by and in communities along lines determined by reason and compassion. In forging such rights (or in determining the justification of claims) communities must be mindful of the lessons taught by history. When it comes to making communal choices, it may well be that human animals will be protected for that reason: that they would be what Professor Engelhardt calls "persons in a social sense."<sup>8</sup>

Communities, even when their members are well educated, concerned, and interactive, are certainly not an ideal way of dealing with such problems: the voice of God or some brilliant and totally rational convincing insight into how to go about this would be much superior. But God (if there is such a thing) chooses not to speak or if he or she does, does so to but a few unable to convince others and to date brilliant rational insights convincing for all or even for most are lacking. Under these conditions, democratic communal action (wrong-headed though it may at times be) continues to be the best of a bad lot. The argument that such choices can, at times, be very badly made or that allowing such a method is dangerous is unconvincing: bad laws do not speak against the necessity of making laws and dangerous ways of doing things cannot prevent our acting. Such arguments counsel caution when we act or choose but they cannot serve to prevent all acting or choosing.

Strict adherence to a strictly Kantian ethic arguably will not serve as a hedge against the sort of atrocity which would run roughshod over the interest of severely mentally deficient or severely demented persons or over the interests of very young infants. Such persons are certainly not autonomous in the sense Kant uses the

term, certainly can only be protected in an extended and, therefore, tenuous sense. The Kantian condition for respect (the capacity to set one's own autonomous law), however, could here be invoked so that those with that capacity may have higher standing. A cow, a pig, a dog, or a mouse in such a tentative hierarchy would have standing: less standing than a human person but more than a fish. And the severely retarded, the badly demented, or very young infants would be protected by a properly functioning community which accepts (and even welcomes) such helpless beings as members of the human community and, therefore, acknowledges that they have immense social importance and significant symbolic worth.

In this scheme, higher animals have "primary" standing: acting on them against their will or interests must be defended and even then acting on them against their will or interests can be done only sufficiently to attain a goal deemed ethically appropriate under the circumstances. Just like torturing Hitler would not be permissible under such a scheme, killing animals for food or sport would seem to be ethically problematic: eating meat may please our palate (just as torturing Hitler may please our sense of revenge) but eating meat is not necessary to maintain our lives or to accomplish other morally legitimate functions. We may have to kill or otherwise incapacitate Hitler to protect millions but to reach the goal of making him incapable of injuring innocent others torture is not needed. We do not need meat to live and live very well and we do not (under ordinary circumstances at least) need to hunt or fish to accomplish an ethically appropriate objective. Under severe restrictions (and with great discomfort on my part at least), however, we might be able to defend certain forms of animal experimentation if these are vital for gaining information which could lead to curing disease or ameliorating suffering. The curing of disease or the amelioration of suffering has quite a different moral standing than does pleasing one's palate or enjoying the chase. But again: while this view might find animal experimentation ethically justifiable, it would not condone animal experimentation when other courses of action are available nor allow such experimentation to serve other than vital ends.

It is not possible to set canonical hierarchies: nor is it necessary. My thesis is that such hierarchies can only be crafted, enunciated, and ultimately vouchsafed by a community democratically acting together. Furthermore, such hierarchies or criteria cannot be set for all time. Not only will they differ depending upon the particulars of the situation extant at the time but, like all else including ethics, they are subject to learning and growth. As new information devel-

ops and as we as persons, communities and species grow in moral maturity they too will be adapted and changed.

But what causes us to have moral concerns in the first place? Why should humans worry about how their actions affect anyone but themselves? Indeed, as we shall see, there are those who think that our only obligations are to refrain from interfering with the freedom of action of others and that only because we ourselves would not want others to interfere with our own freedom of action. Ethics, in other words, is understood as primarily motivated by and serving our own interests: we concern ourselves with morality so as to better get on with our own lives. Such an asocial ethic has the individual not only as the centerpiece but also as the sole concern of ethical consideration. In what is to follow, I shall assume that our concern about ethics is motivated not merely by how our actions would affect us but how our actions affect not only other individuals but the community at large.

What, then, motivates our ethical concern, concerns which involve not only us but all others whom our acting or refraining from acting affects? What Rousseau has called "a primitive sense of pity" or "compassion" (Rousseau either refers to "pitié" or to "l'impulsion intérieure de la compassion" when he speaks of this sense) gives animals (not only human animals) a natural repugnance ("la répugnance naturelle") to see the suffering of others.<sup>9</sup> Rousseau speaks of this as a "natural" trait, one (normal) human and some nonhuman animals are born with. As a natural trait, this compassion for those who are suffering or weaker must play a natural role: if it had negative survival value, if acting on that trait would ultimately be a disservice to the individual or to the species, it would be attenuated or eliminated. This natural sense of pity (which, according to Rousseau can be overpowered by the instinct for self-preservation ["la conservation de soi-même"]) can, however, serve survival: a point which Darwin himself emphatically makes.<sup>10</sup> This sense of compassion, which leads individuals to help each other and in turn to come to expect such help, is a key element in social solidarity and, therefore, in fostering a species or a group's survival.

The misunderstanding, often one suspects the deliberate misunderstanding, of what Darwin has said, has, in my view, led to a bizarre and wrong-headed interpretation of "social Darwinism." I have written at greater length about social Darwinism in a prior work.<sup>11</sup> I have argued that, at the very least, Social Darwinists err in: (1) exalting physical strength above intellectual ability: the human species ability to survive is hardly its physical strength; physically

weak and, indeed, physically disabled persons have made major contributions to society and, therefore, have helped it to survive; (2) believing that those who lose in our society (the weak, the chronically unemployed) are likely to be genetically inferior rather than that they are the product of the social structure of our society; (3) overlooking the role that a sense of compassion plays in fostering communal solidarity, cohesion and hence the ability to survive and prosper. The disabled in our midst (whether they are socially, physically, or intellectually disabled) are not only members of our community but our regard for them may well be an important asset which would ultimately allow societies to survive and prosper. The very fact that persons realize that even if they run into hard times and even if they or their children become disabled the community will continue to cherish and support them produces solidarity; realizing, on the other hand, that the community will cast off those who run into hard times or those who become disabled shatters it. Societies (one could point at the Scandinavian nations, for example) which have taken on responsibility for the poor, the disabled, and the weak, have attempted to remedy their lot or, when that fails, have supported and nurtured them have shown no signs of losing their strength. On the other hand, societies which have only grudgingly extended their hand to those in need have been saddled with ever increasing social problems and have, consequently, lost much of their strength.

Just like the trait of being able to see, the trait of being able to hear or the trait of having a sex drive, a natural trait such as the "natural sense of compassion" is ethically neutral. It can, however, serve as the necessary condition for actions which then are hardly ethically neutral. The sex drive is the necessary condition for sexual activity which, in turn, can eventuate in rape, incest, or an expression of closeness and human warmth. Lacking such a natural trait changes the range of actions a person is likely to have. A congenitally blind painter or a congenitally deaf composer (Beethoven's and Smetana's deafness were acquired, not inborn) is hard to imagine just as is a truly ethical individual entirely lacking compassion. A congenitally blind painter or a congenitally blind composer could go about their task in a mathematical sense: they could learn music or art theory but their works, even if one could imagine them, would perforce lack the emotional content we associate with art or music. Likewise, a person may, convinced by cold logic, adopt certain ethical precepts; but such a person would have a most difficult time having the necessary sensitivity to recognize or the internal motivation to deal with ethical problems.

Compassion, as Schopenhauer already pointed out, is the driving force (or "Triebfeder," i.e., the driving spring) of ethics.<sup>12</sup> On the other hand, the capacity to see or hear if it is to eventuate in truly great works of art, must be modified and controlled by art or music theory: it must, in other words, be disciplined by reason. The capacity to see and hear by themselves cannot (no matter how talented a person may be) suffice to produce truly great works of art: even those artists said to be "untrained" of necessity acquired such training in the course of their work. This interplay between emotion and reason (see the sections on what I have called "compassionate rationality" or and not the same thing "rational compassion") will be discussed at length in subsequent chapters in which I argue that emotion not modified by reason can lead to as many problems as can reason unleavened by emotion.

Persons have argued that this natural sense of pity is not a natural trait: they have pointed at well known individuals as well as national examples of such a lack. Individuals or nations which play their part in sending persons to their death in Auschwitz or back to starvation and persecution in Haiti do not persuade one of the power of such a trait. But, like all other things, nature can serve only as the necessary condition so that nurture can develop, attenuate or even extinguish the trait. An unjust social nexus or wrong-headed education can transform the impulse of self-preservation ("conservation de soi-même") into abject self-love (a wrong-headed form of "amour-propre") and overcome compassion.<sup>13</sup> Some individuals, furthermore, may well lack such an inborn trait: examples of such persons who from early childhood on seem to lack it, while not frequent, are imaginable and probably exist. But some individuals are born blind or deaf: a fact which does not argue against sight or hearing as a natural trait.

I spend some time on this sense of pity (spent a great deal in previous works and shall have cause to develop it further) because I believe it to be fundamental for understanding what is to come. I have held that this natural drive is essential to allow us to recognize and ultimately deal with ethical problems. It is not a purely individual trait, one which like sight an individual either has or lacks. Rather, much more than is sight or hearing (which also can, but to a much lesser extent, be influenced by social forces) compassion is developed, nurtured, and modified in the embrace of community and, in turn, compassion in the members of the community serves to strengthen or weaken its communal expression. Although Rousseau does not seem to connect compassion with the "general will"

(which, as Rousseau sees it, causes individuals to subordinate their personal interests to that of the community and about which I shall have much more to say in later chapters), such a sense of communal compassion for its members may well be a variant of it.

The role of human collectives in all of this cannot be overrated. Humans as most animals to a greater or lesser extent are social creatures. Whether in families, tribes, nations, churches, or clubs, humans can fulfill their destinies only with and through others. Even an hermit has a relation, albeit it may be a negative one, with human association and could not exist without having had more than a merely superficial one. Humans as freestanding persons, as entities whose connection with others is not a necessary part of existence cannot be imagined—it is what Jonathan Moreno so aptly calls “the myth of the asocial individual.”<sup>14</sup> Kant fully acknowledges this necessary connection: throughout his *Critique of Judgement* (as well as in his essay on Eternal Peace) Kant stresses the need of social communication, the need for the exchange of ideas as world citizens and as scholars.<sup>15</sup> We cannot, as it were, think without community.

Persons are not asocial beings. They need each other and contact with each other for a variety of activities. Fulfilling our ends or goals—even having ends and goals—implies a community of others with which we are somehow connected. Ethics without others with whom we are necessarily related and whose actions impinge on us as do ours on them would, in fact, hardly be a viable topic of discourse. Beyond this, Kant in stressing the need for a “realm” or “kingdom” of ends in which we all must—if we are to lead moral lives—participate and share acknowledges community and its ethical dimension. The myth of the “asocial individual” has other and prior ramifications. Thinking itself, ultimately is a social task. Without our being able to develop, share, and hone our thoughts in the company of others our ability to think would be sorely limited. This is not only quite obviously developmentally true (children very obviously need the company and stimulation of others to develop this skill), it is likewise true in adult life. If individuals were asocial, or if societies were asocial, they could not easily develop: as Kant has pointed out we need others if we are to think, others with whom we can share and correct our thoughts (Kant speaks of “orienting” our thoughts). Thinking, to Kant, is social and public and this is one of the reasons why the inhibition of free intercourse among all persons is essential to peace and understanding.

As Hanna Arendt put it so very well: “In the center of Kant’s moral philosophy stands the individual; in the center of his philoso-

phy of history (or, rather, his philosophy of nature) stands the perpetual progress of the human race, or mankind."<sup>16</sup> And that perpetual progress, that evolution, learning, and growth (so central, incidentally, to Dewey's philosophy as well as to an explication of what I have to say) necessitates human associations. Ethics, in the view I suggest here, is ultimately a social construct, is motivated and initiated by our sense of compassion and is developed (within a framework of bio-psycho-social conditions, interests and possibilities) by our ability to reflect and reason. Moreover, crafting an ethic is, I shall argue, an ongoing process and not one which can be seen as more than tentative. Our "solutions" serve to get on with our task today as well as serving as a springboard for learning and improvement tomorrow.

As social beings, individuals must interact not only with other individuals but also with a variety of collectives of various sizes and of various importance for the satisfaction of their individuals' interests. I shall shortly sketch a schema of different models of collectives but whatever the nature of the collectives, members must interrelate with the collectives of which they are a part. Moreover, collectives must interact with other collectives. Collectives can be seen as corporate individuals and the relationship among collectives can be analogized to the relationship among individuals. Ultimately, these collectives together form smaller or larger societies or communities until they ultimately must join in a world community whose prosperity underwrites the fate of all. Such relationships can give rise to a variety of problems: on the one hand, individuals (whether persons or corporate individuals) wish to pursue their own interests unhampered by others; on the other hand, part of being a member of a collective can be defined by the obligations one has towards the collective as well as by the expectations one has of it. So as to meet their obligations towards their members, collectives must expect certain things from their members: a commercial company expects its employees to spend time they would otherwise spend on other activities working for it; in return, the company pays its employees a wage. A state expects its citizens to pay a certain amount of taxes the citizens would undoubtedly rather spend on other things; in return the state provides certain services and benefits to its members.

Such relationships have often been painted as dialectic: the interests of the individual (whether personal or corporate) for meeting its goals are opposed to the interests of the community, the state or the collective to meet goals of its own. The tension between these two conflicting interests results in a synthesis: a *modus vivendi*

which continues, however, to be an armed truth in which both the individual and the collective continue to try to compete and to change the balance in their favor.<sup>17</sup> This has been the classical way of looking at this problem: individual interests (also termed interests of autonomy, freedom or, put differently "human rights") are necessarily seen as being in conflict with the interests of the community which in trying to meet its beneficent obligations to its various members feels that it must inhibit individual freedom to a greater or lesser extent. Neither swamps the other albeit that one or the other may, at any given time, predominate. Thus certain societies may value freedom at the expense of the community's ability to exercise beneficent obligations: such communities, exemplified by predominantly capitalist states like the United States, may protect what they consider to be individual rights at the expense of basic human needs. Other nations, exemplified by the former Soviet societies, may do the opposite: individual rights are given short shrift compared to the perceived needs of the community. The ethos of a particular community is said to emerge from the tension of this dialectic. It is at best an uneasy truth in which each party continues to pursue its narrowly conceived interests. Readjustments occur but they are a manifestation of power rather than one of learning and growth.

In past works, I have suggested that such a dialectic way of viewing the matter is flawed. The demands of freedom are realizable only within the embrace of the conditions the community provides. Seeing the striving for freedom as in conflict with the beneficent obligations of community or seeing the interests of the community as somehow separate from the interests of its members does not give an accurate picture: without having basic needs for food, shelter, clothing, education, and health care met, individual freedom means little. Only those who need not worry about these basic necessities can afford to be cavalier about them. On the other hand, having merely one's basic needs satisfied without a due respect for individual freedom and the satisfaction of individual goals, remains empty. Ultimately, I shall argue, either situation leads to the same thing: a society in which large numbers of unsatisfied, unfulfilled individuals lead impoverished lives and in which such individuals are, therefore, unable to help the community prosper and progress.

The question is sometimes posed as one of ontological priority: did communities precede individuals or did freestanding individuals precede collectives which ultimately were formed by free individuals

voluntarily associating? Such a question is a basic question of how such groupings came about, one of what has been called "social contract": did such collectives come about because freestanding individuals chose voluntarily to associate (were individuals ontologically prior) or was the collective itself the more natural state of being and did the individuals within it only later come into their own? Most writers who have worked with the notion of social contract have explicitly or tacitly assumed the priority of individuals. In such a view, collectives must be defined as voluntary associations of free standing individuals. Hobbes, Rousseau, Locke, or Rawls, as different as their visions of such a contract may be, all share this point of view.

In this chapter, I will only briefly sketch some theories of social contract and introduce an alternative way of looking at the genesis of communal association. I will leave considerable further discussion and elaboration of these view to later chapters.

Hobbes saw the original condition as one in which lives were necessarily "solitary, brutish, nasty and short": persons in the original condition were wont to assault one another and thus would be constantly hampered in pursuing their own lives. This inability to lead their own lives was the impetus to their associating with each other: their association was impelled by terror and their promise to each other was merely a promise of non-harm. Beneficence or helping one another was no part of this contract. Such a world-view (which Hobbes felt necessitated an absolute sovereign to enforce such a contract) is one which, of course, underwrites much of libertarian and crass individualistic capitalism today.<sup>18</sup>

But even Rousseau saw individuals as preceding their association. Indeed, these individuals were differently conceived: they were amoral creatures not out to do each other violence but already, as we have seen, endowed with compassion. Ethics or morality was a product of their association which came about not merely because they were in terror of each other but because they saw such association as facilitating their individual lives. The repugnance to see the suffering of others was a natural trait and one, which together with the need to facilitate their lives, became part of a social contract. Associations in which power was badly distributed were distortions and the morality of and in such associations would (since morality was a product of the way in which associations were constituted) necessarily be perverted.<sup>19</sup>

But in reality, it seems unlikely that associations came about in such a deliberate way or that individuals ever were or ever could be

as "freestanding" and sufficient as such theories would have them be. Whether communities preceded and spawned individuals or whether freestanding individuals associated to form collectives is, in my view, a "chicken and egg" question, as unrealistic as it is irrelevant. We do, however, know that much: humans (and perhaps all higher animals) are born not only helpless but without a sense of self as distinct from their environment. The world and they are one and their sense of selfness only develops in the course of the next few months; a fact, which interestingly enough, is not only psychological but also immunological: early on, we cannot dissociate "self" from "non-self." Such beings are critically dependent upon the nurture of others, are anything but "freestanding" (indeed, since they cannot dissociate their selfness from their being one with all else, they can have no conception of what being free is) and are inevitably born into a small community whose beneficence enables their survival. Autonomy and freedom necessarily and inevitably develops in the embrace of beneficence: individuals are social and their individuality without a social nexus can neither emerge nor be maintained.

The relationship of individuals to the collectives of which they are a part (and, ultimately, the relationship of various collectives to each other) can likewise be sketched as other than one of each merely striving for their particular interests. A dialectic tension is not the only or perhaps even the most accurate and fruitful way in which such a relationship can be defined. If we start out with the presumption of stark individualism, of course, no other alternative remains. If, on the other hand, we hold a wider point of view a more cooperative and ultimately satisfying model may emerge. While collectives must, perforce, be constituted of individuals, individuals need a collective to define themselves. Individuals are not entirely freestanding, did not come about and cannot live or be defined that way. Even an hermit had his/her origin in some sort of social association and even an hermit inevitably defines him/herself in terms of a collective.

Defining the relationship between communal and individual strivings can be done by examining the concept of homeostasis. Homeostasis implies an equilibrium or balance tending towards stability. It is a concept which can equally be applied to organisms (and to organisms in both a psychological and physical sense of equilibrium), societies, and ecosystems. Homeostatic relationships consist of a balance between and among disparate forces serving the teleological goal of individual, species, or other systems.<sup>20</sup> Homeostasis denotes a dynamic equilibrium with continual change: as the envi-

ronment impinges on the system (be it a cell, an organism, a species, a tribe, a society, or an ecosystem) adjustments are made for the common goal of survival. Such a steady state is, in truth, a complex series of adjustments between external forces and internal controls. In a homeostatic equilibrium the response is aimed at a balance or equilibrium which oscillates about a preset range of values. When such values are exceeded, corrective forces come into play so that what looks from afar as a steady state can again ensue. When changes are great (when disease develops, when natural enemies die out or move into the area, or when profound environmental changes occur) a new steady state will have to be created and the homeostatic range will have to be adjusted. If it is not, survival will not occur. All such natural systems are "open," prone to a myriad of diverse outside influences and not "closed" as they would be in a balanced aquarium or in a test tube. A homeostatic field results.<sup>21</sup> It is not a closed field, in the sense of being hermetically sealed from the outside world: indeed, many of the adaptive changes of homeostasis are due to these very forces.

Evolution (whether it is biological, social, or psychological) requires the maintenance of a relatively steady state over time as well as the ability to adapt to forces by resetting the limits within which homeostatic balance is maintained. Thus, homeostasis does not, as is often claimed, lead to dead uniformity. On the contrary: homeostasis, to be successful, maintains a relatively steady state in which adaptation to new forces can occur. Organisms or societies which can maintain relative stability within a framework of values, while dynamically adjusting as well as reexamining, and organisms or societies which have the capacity to experiment, learn, and adapt, are organisms and societies which are likely to endure.

While homeostasis implies a balancing of forces, it does not (in the same sense as a dialectic) imply constant struggle towards conflicting goals. These forces do not seek to vanquish each other for vanquishing in a well-balanced and dynamic system becomes a pyrrhic victory. Physiological forces or species maintain a balance rather than "vanquish" each other: they do this to meet the common goal of survival and growth. The notion of pursuing a common goal or interest which enables the pursuit of individual goals or interests rather than the notion of combat or struggle between antagonistic and opposed forces is what homeostasis is all about. Dialectic tension (the tension between opposed forces each pursuing its own interests) resolves itself into a temporary synthesis: a tenuous balance best described as an armed truth and one in which a struggle

continues. Homeostatic balance is conceived as the dynamic equilibrium between various forces each of which seeks to maintain the balance and each of which can continue only within the context of the whole.

When viewed in this fashion, the old tension between the interests of individuals (or associations) to follow their own destiny and the requirements of the larger associations of which they are a part persists: but it persists not so that one can predominate over the other but so that the interests and the goals of the association which enable all other interests can be met. Individual interests or rights need a playing field which, so that they can be realized, the community must provide; communal interests, so that they can be realized, in turn require the willing and open contributions of individual talent and interests. Removing the individuals from the playing field as surely as removing the playing field from the individuals stops the game.

In past works, I have tried to differentiate various types of collectives and show their relationship to each other and to their members.<sup>22</sup> My thesis was (and continues to be) that in an ethically relevant sense individuals relate to each other and to their communities in a way similar to the way in which communities relate to each other and, ultimately, to the large world community of which they are a part. To sketch different collectives I have largely relied on the work of Tönnies. Since some of the prototypes have no proper English translation, I have relied on the original German word for particular collectives and have tried to sketch their meaning.<sup>23</sup> So as to make what is to come comprehensible, I will briefly review and at times extend what I said in past works here.

Collectives can come together to pursue a single goal, a few goals or a complex set of goals. When collectives become ever more complex and the range of goals becomes wider, some of these associations begin to formulate and evolve new goals. Simple collectives exist to serve limited ends and serve as means to these ends; the more complex the collective, the more do means and ends intertwine until the collective itself becomes an end in itself. The homeostatic balance within these collectives which tends towards stability while allowing change becomes ever more evident as more complex collectives are examined. As collectives become more and more complex and more and more dynamic and as they underwrite a more complex skein of their members goals they become goals in their own right.

Collectives which enable a single or a narrow range of interests lack more than superficial solidarity. The homeostatic balance in

such a collective is not particularly dynamic nor can such collectives be expected to evolve new and more complex goals. Membership largely depends on personal interest and as personal interests change membership is easily abandoned. Solidarity within such a collective is apt to evaporate quickly. As the collective assumes a more central role in enabling ever more important aspirations of its members, as it became a goal in its own right, loyalty to and solidarity with it becomes ever more solid and firm.

Broadly speaking, one can in ascending order of complexity (not necessarily in ascending order of size) identify three types of collectives: "Verein," "Gesellschaft," and "Gemeinschaft." The first is almost untranslatable but will be described; the latter can loosely be translated as "society" and as "community."

A Verein is the most primitive of these associations. It could be exemplified by a group of persons who come together to play Mozart Quartets or to manufacture shoes. A Verein serves as a means to such ends. Individuals come and go as members of such an association depending upon a particular interest or a narrow range of interests at any particular time. While the association can be seen as essential to the pursuit of such an interest, the interest, as important as it may be for the individual, is not central to his/her existence and the existence of the Verein is, therefore, not generally an end in its own right. In general, a Verein does not evolve more complex goals. When one leaves such an organization, one may leave it with regret but without undue difficulty: other organizations inevitably and with not too much difficulty take its place.

A Gesellschaft (society will do fairly well as a translation) is a far more complex entity. It has many more goals and begins to have a dynamic existence and equilibrium of its own. Not only does it frequently evolve new and more complex goals, the existence of the Gesellschaft becomes more and more necessary for the achievement of a broad range of its member's goals. Loyalty to the Gesellschaft and solidarity with it becomes very much evident. Members may leave the Gesellschaft: they may, as it were, emigrate or join another Gesellschaft but doing so exacts a large price not only in delayed, abandoned, or changed goals and possibilities but ultimately also an increasing emotional price. Emigration, as I know full well, is far more than merely the loss of material goals and possibilities; other associations do not too easily take the place of the old.

A Gemeinschaft (translated adequately as community) is the most complex of these associations. There are two very different ways of conceiving of a Gemeinschaft or community: I shall refer to