Symposion

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RESEARCH ARTICLES

Family Autonomy and Class Fate[1]

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Abstract: The family poses problems for liberal understandings of social justice, because of the ways in which it bestows unearned privileges. This is particularly stark when we consider inter-generational inequality, or 'class fate' – the ways in which inequality is transmitted from one generation to the next, with the family unit ostensibly a key conduit. There is a recognized tension between the assumption that families should as far as possible be autonomous spheres of decision-making, and the assumption that we should as far as possible equalize the life chances of all children, regardless of background. In this article I address this tension by way of recent liberal egalitarian literature, and consideration of the different dimensions of class fate. I argue, firstly, that the tension may not be of the *a priori* nature which liberals have tended to identify – and secondly, that as well as distributive and recognition-based aspects, the notion of contributive justice provides a particularly illuminating way of analyzing what is wrong about class fate, and the role of the family in promoting it.

Keywords: family autonomy, contributive justice, inter-generational inequality, families, life chances

Introduction

Anyone studying sociology arrives early at the family: its make-up and roles, its relation to other social institutions, the pivotal part it plays in socialization. The details of all this – how the family matters, and how much – will of course be in dispute. But *that* it matters is not. It remains a standard prism through which to explore the shifting relations between individual and society, public and domestic, education and work. Meanwhile, students of political philosophy will wait much longer for the family to feature. It might not come up much at all. But when it does, it is often packaged as a niche interest, or a subsidiary one: something on the drop-down menu marked Gender, or Children. Key texts in the booming industry of theories of social justice since Rawls have found it easy not to dwell on the family, and even to bypass it altogether. Many still do. This is despite the prominence and sheer force of accumulated feminist analysis showing that even where the family is neglected in the analysis, it is still – as Susan Okin puts it – "*assumed* by theorists of justice" (Okin 1989, 9). Not mentioning the family does not somehow evaporate the pivotal work it will anyway do in the formation of those already-matured, fully-formed, independent

beings who have long filled the brief as the subjects of typical discussions of what a fair or just society would be like.

If neglecting the family is to overlook crucial aspects of the dynamics of gender inequality, the same can be said of class. The delineation and reinforcement of class divisions play out crucially through the family unit. Specifically at stake in this article is the relationship between 'class fate' and the everyday workings of the family – and the normative implications of that relationship. 'Class fate' is a shorthand term used by the sociologists Robert Erikson and John Goldthorpe to refer to the processes by which individuals end up in this or that class position. For them, as perhaps the pre-eminent contemporary analysts of social mobility and its impediments, "the family is *the* unit of class 'fate'" (Erikson and Goldthorpe 1993, 233; emphasis added). If one wanted to design an ideally efficient vehicle for the transmission of inequality from one generation to the next, the modern nuclear family would be an intimidatingly strong contender. Partly, this is due to the social functions of the family, and the privileged sphere of influence that it represents. Yet at the same time, it is down to the family's normative significance – the special status of the value placed on family life, and the kinds of social influence that this unit is accepted as being *entitled* to wield.

For particularly in the western democracies, family autonomy has something of a sacred status. An appeal to the special value of choices made within families, about families, by family members (mostly by parents)[2] underpins aspects of public policy from taxation to crime to education – both in the detail of the policy itself, and the rhetoric surrounding it. The assumption that a family unit should be governed by itself, without interference by outside authorities unless there is a compelling reason[3] is widely taken to be key to what the family is, what makes family life valuable, the framing of the obligations of family members, and the family's wider social roles and functions. This status endures despite major sociological shifts and changes in the relationship between family and state.[4] Yet meanwhile, despite all this, there are long-acknowledged tensions between the autonomy of the family and equality of opportunity and life chances. These tensions are captured by the plain banality of the fact that "life chances of individuals are closely related to the socio-economic characteristics of their families" (Johnson and Kossykh 2008, iii). That

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[2] Either 'family autonomy' or 'parental autonomy' would be a viable term, given the issues broached in this discussion. For its purposes I follow Fishkin's preference for the former phrase, mainly because it is Fishkin's characterization of the issues at stake from which the discussion departs.

[3] The phrasing here is adapted from the definition of family autonomy given by Judith G. McMullen (McMullen 1993, 570).

[4] Perhaps most prominently, in recent decades: the decline of the modern nuclear family and changes in the relationship between nuclear and extended families; the decline of (different-sex) marriage as a 'default' contractual basis for the family unit; changes in the status and rights of children; changes in the possible circumstances of reproduction.

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this will come as a shock to nobody makes the dissonance between the values of family and equality all the starker.

Typically those tensions are framed synchronically: that is, between the generations within or originating from a household, at a given point in time. Ensuring that children have equal life chances is in conflict with the protection of parents' rights substantively to influence the development of those children. Thus Rawls famously concedes that even when fair equality of opportunity as he defines it is satisfied, "the family will lead to unequal chances between individuals" (Rawls 1999, 448). The operations of the family form one key reason why it will seem "impossible in practice to secure equal chances of achievement and culture for those similarly endowed" (Rawls 1999, 64). The picture given here is of children of in-principle similar potential born (as they will be) into unequal family circumstances, and finding their development inexorably shaped by those unearned circumstances in ways which then have material effects on what those children go on to achieve. A snapshot of the social positions occupied by any generation of adults will show the traces of these effects, in (again) quite unsurprising ways.

But viewed diachronically – across longer-term passages of time, and further generations – this pattern is compounded, and the effects multiplied. The children and grandchildren of the least advantaged will tend to inherit the disadvantages characterizing the lives of their parents and grandparents. Ostensibly, this in large part *because* of family autonomy. This captures much of why class fate – or inter-generational inequality – seems both troubling and complex from the point of view of social justice. On the other hand, the large timescales involved allow plenty of room for political inattention to these details. As one commentator puts it, because the lack of social mobility between generations is "a phenomenon that plays out over entire generations, it can only ever be observed deep in the rear-view mirror" (Clark 2014, 159). Our view is liable to be dimmed further by the fact that the circumstances of one generation within a family will be visited upon its successors in ways that need not involve any deliberate attempt to harm the chances of others. Apparently, family autonomy can do much of the job by itself, via more-or-less indirect effects and not-necessarily-intended consequences. Crucial to the maintenance and reinforcement of inter-generational inequality are the everyday, often informal processes through which each family 'looks out for its own,' and the choices and actions issuing from those processes. Parents are *expected* to do the best by their children, at least as far as the rules allow, and regard this as an obligation. When the rules intrude on this – for example, with taxation of inheritance – this will often be regarded, even by those with little to bequeath, as an unwarranted thwarting of parental partiality, and of a natural tendency to privilege our own.

These tensions bite hard for liberal egalitarians, for whom family autonomy may seem a necessary corollary of the freedom of individuals to pursue their own conceptions of the good. Making choices about what goes on

domestically, and the raising of children, will be core to many such conceptions. Yet the challenges posed apply far beyond internal debates within the liberal mainstream staking out the balance between freedom and equality. They confront any position – and this will include most of the political spectrum, albeit in different ways and to different degrees – for which equality of opportunity matters, but which also wants to make at least some space for family autonomy.[5] We find various ways of negotiating them, among treatments of the family and social justice – see for example Archard (2010); Brighouse and Swift (2014); Fishkin (1983); Vallentyne and Lipson (1989).[6] While they differ in the details of their responses to it, these strategies hold in common a level of acceptance of the basic tensions at stake. Rather than resolving them, they offer alternative ways of living with them.

The aim of this article is not to add to the list of such strategies, nor to probe them individually – except for Fishkin's, some aspects of which are dwelt on in the next section. Rather, I intend to discuss a particular way of framing the tension itself, by putting stress on the diachronic aspect, and to argue that it has important implications neglected in those other accounts. I will do this by invoking the notion of contributive justice, as set out by Paul Gomberg (Gomberg 2007; Gomberg 2010). While we might readily appreciate the impact of inter-generational inequality in distributive terms (for example, in terms of earning power) and in terms of recognition-related factors (such as respect and social status) it can also be viewed in terms of uneven access to opportunities to contribute, particularly via work. As the work of sociologists such as Annette Lareau (Lareau 2011) shows, class disadvantage is handed down within families as much in terms of what successive generations can *do*, e.g. in their working lives, as what they *get*, or how they are viewed by others. I will argue that taking due account of contributive injustice – that is, inequalities of access to meaningful work – reframes the tension between family autonomy and equality of opportunity, with knock-on effects for putative strategies for living with it.

The discussion proceeds in three main stages. First, I set out how the tension between family autonomy and the promotion of equal life chances emerges in a prominent treatment within the literature on the family and social justice – James Fishkin's *Justice, Equal Opportunity and the Family* (1983) – and show how this rests upon tacit assumptions about the wider context of distributive inequalities, as well as family influence. In section 2, I address the nature of inter-generational inequality, to confirm its various impacts and consider the family's role in their transmission – arguing here that these can be considered in terms of distributive, recognition-based and contributive aspects

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[5] We return to the relationship between equality of opportunity and equality of life chances below.

[6] Of these, Brighouse and Swift offer the most sustained and deepest analysis of the proper limits of parental partiality in relation to other considerations of social justice. See Calder (2015) for an extended commentary.

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of injustice. Section 3 makes a case for taking contributive injustice as a distinct and substantive dimension of the links between family autonomy and inter-generational inequality. I then conclude with some suggestions as to the implications of this for our understanding both of the tensions themselves, and of wider questions connected with these issues.

1. Family influence and equal life chances

In *Justice, Equal Opportunity and the Family*, James Fishkin presents the tension between equality of opportunity and family autonomy under the heading of 'the problem of assignment': the issue of to whom opportunities for valuable positions ought to be distributed. This problem, he argues, is "intractable within the framework of common liberal assumptions" (Fishkin 1983, 11) once we take the role of the family systematically into account. The reason for this is that three principles crucial to liberals cannot be fully realised in conjunction. They can be summarized like this (Fishkin 1983, 19-43):

> *The Principle of Merit*: positions should be awarded via impartial evaluation of qualifications.

> *Equality of Life Chances:* the prospects for eventual positions in society of children with equivalent capacities should not vary according to their 'arbitrary native characteristics' (race, sex, ethnic origin, family background).

> *Autonomy of the Family:* "consensual relations within a given family concerning the development of its children should not be coercively interfered with except to ensure for the children the essential prerequisites for adult participation in the society" (Fishkin 1983, 35-6).

Fishkin's case is that whenever any two of these principles are satisfied, the third cannot be. This case rests on an empirical assumption, spelled out independently by Vallentyne and Lipson (Vallentyne and Lipson 1989, 30):

> *Familial Influence (Familial Influence on the Development of Skills): If* consensual relations within a given family governing the development of its children are not coercively interfered with, except to ensure for children the essential prerequisites for adult participation in society, *then* in general children with equivalent capacities will not have the same prospects for qualifications.

So: if Autonomy of the Family is satisfied, then children with the same capacities will not have the same chances to develop qualifications. And if positions are allocated on the basis of qualifications, then children of equivalent capacities will not have the same chances of being assigned this or that position (Fishkin 1983, ch. 3; Vallentyne and Lipson 1989, 31).

Fishkin's first two principles reflect a familiar distinction between formal and substantive opportunities. This distinction is inherent in Rawls's definition of fair equality of opportunity. Thus "positions are to be not only open in a formal sense, but ... all should have a fair chance to attain them," so that

> assuming there is a distribution of natural assets, those who are at the same level of talent and ability, and have the same willingness to use them, should have the same prospects of success regardless of their initial place in the social system. In all sectors of society there should be roughly equal prospects of culture and achievement for everyone similarly motivated and endowed. The expectations of those with the same abilities and aspirations should not be affected by their social class. (Rawls 1999, 63)

For our purposes, we will concentrate on the relationship between equal life chances (substantive equality of opportunity) and autonomy of the family. Let us assume as a given that the principle of merit applies. For egalitarians, the question then becomes: to what extent can we ensure that equivalently endowed and motivated children from different initial places in the social system might have the same real chance to convert their potential capacities into valuable positions? For Fishkin, where the principle of merit applies, we must choose between equal life chances and autonomy of the family: the three principles are not jointly satisfiable.

It is striking in these characterisations of the terrain that family autonomy sits in an ambiguous relationship to social class, causally speaking. One might argue that while family autonomy is sufficient to disrupt equal life chances, it is in the relationship between family autonomy and the stratifying effects of class and income inequality that the particularly pressing trouble lies. Or to put it another way: each of these by itself can do some disrupting, but in conjunction, their effects are multiplied. This sense emerges from typical invokings of the empirical assumption of family influence. Harry Brighouse writes:

> As long as children are raised in families, we know that their prospects will be profoundly affected by their family circumstances and conditions – that is by factors which do not flow from their level of talent or willingness to exert effort. (Brighouse 2002, 6)

The varying of prospects will in key ways, and to some extent, be put down to 'consensual relations within a given family:' they might stem from active decisions made, or commitments to this or that goal, or levels of aspiration – all of which will vary with such relations. In cashing out this point, though, Brighouse continues like this:

> One of the pertinent family circumstances is family wealth: wealthier parents can provide better healthcare and better educational opportunities, other things being equal, and these will impact on their children's life prospects. If *the competitive benefits to children that flow from being raised in a family with superior wealth* cannot be compensated for by redistributing other goods, then inequality of income and wealth is highly suspect, given the value of equality of opportunity. So one thing that fair equality of opportunity is likely to cast doubt upon is the idea that children should grow up in families with significantly unequal wealth. (Brighouse 2002, 6; my italics)

The 'flow' referred to in the italicized passage might have various dimensions. *Prima facie*, though, it indicates the assumption of a more or less firm

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determinate relation between (a) wealth and (b) decisions, commitments, and aspirations. Indeed, what we might infer from Brighouse's depiction is that it is the effects of wealth itself that are rupturing equal life chances, whatever fine-grained contrasts may obtain between the choices of richer and poorer families. Just being richer, all things being equal and regardless of the internal qualities of 'consensual family relations,' is enough to confer unfair advantage.

This matters because of the pattern of causes and effects at work in the tension between family autonomy and equal life chances. For Fishkin, what we find here is a tension between two (out of three) liberal values. Yet the tension itself is not driven solely by the values themselves, and their relationship *as values*. It depends also on the empirical fact of family influence. But to the extent that this itself is stratified along class lines, so that family influence works better for the better off than the worse off, family autonomy is not the sole (or perhaps even the main) source of family influence. In unequal societies offering minimal scope for family autonomy – where, for example, state fostering of children from birth was the norm, or decisions about education and career paths were made by a centralized committee – it would be plausible to expect better-off children still to have better prospects. And the uneven distribution of life chances would remain a concern, even with the conflict with family autonomy thereby diluted or removed. To put this another way, the reason that children in better-off families have better prospects is not (only) because their parents use family autonomy as a vehicle to promote those prospects. It is also a symptom of the ways in which other goods are distributed – such as income and wealth – and indeed of wider aspects of social structure. Thus there is a danger of a problematic kind of methodological individualism in the framing of Fishkin's dilemma, and in Vallentyne and Lipson's unpacking of it. The danger is that the tension is framed exclusively around individuals' aims, intensions, plans and choices, and their effects on family units (themselves conceived in more or less atomized terms). So the assumption is that tensions between liberal values arise from different things which reasonable people find valuable, or different principles to which reasonable people might be expected to commit, rather than relations between individuals, principles and the structural conditions in which they do their reflecting, valuing and acting. If the intentions of individuals were the only factor at work, then family influence itself would be sufficient to ensure that family autonomy serves to exacerbate inequality of life chances. But it is not sufficient by itself. Background conditions of structural economic inequality must also apply.

We might argue, then, that the assumption of Family Influence as depicted by Vallentyne and Lipson needs some tweaking. For it is not only family influence that we are talking about. To the extent that the effects of family influence vary on class lines, the latter form an inextricable element of the disruption by family influence of equal life chances. The original might then be rephrased like this:

> *If* consensual relations within a given family governing the development of its children are not coercively interfered with except to ensure for children the essential prerequisites for adult participation in society, and *if* background conditions of unequal distribution apply, *then* in general children with equivalent capacities will not have the same prospects for qualifications.

Consider one prominent focal point of family influence (other examples will surface later): the development of children's cognitive capacities. Research has repeatedly shown that these develop more slowly in children from low social classes than in their counterparts in higher social classes. As one prominent British study has it: by 120 months, the brightest of low class children at 22 months are overtaken by the weakest of high social class children at 22 months (Feinstein 2003). Such influence is not the simple result of family autonomy – of deliberate decisions made by parents to enhance the capacities of their children. It may, for sure, be *fuelled* by family autonomy, insofar as the incubation of young children within family units helps protect the circumstances in which the benefits of class advantage can take hold. And certainly, some extra-pushy parents will make it their business to 'hothouse' their kids into as much early cognitive advance as they can possibly achieve. Family autonomy is a willing and very capable accomplice in the process. But taking a wider picture of the seesawing of life chances among children, where those from privileged backgrounds rise as those from poorer backgrounds fall, it seems sociologically naïve to say that family autonomy is the sole or indeed the chief causal factor in play. Recent work by the Joseph Rowntree Foundation in the UK, surveying studies exploring the link between income and educational performance, has found strong evidence that "children in lower-income families have worse cognitive, social-behavioural and health outcomes in part *because they are poorer*, not just because low income is correlated with other household and parental characteristics" (Cooper and Stewart 2013, 1; my emphasis). What is at work here is something not traceable simply to the conscious choices of family members to promote the interests of their own: these must be indexed to the wider differential distribution of life chance-promoting goods and resources.

Might it then be that family autonomy is at odds with equal life chances *only* in so far as economic distributions make family autonomy a vehicle for the protection of class inequalities? This seems an overstatement: family autonomy does a lot of direct work, all by itself, to interrupt the possibility of equal life chances. But it is not clear that there is a *necessary* tension between family autonomy and equal life chances, unless other forces are already at work. The tension may not be inherent in the values themselves, *a priori* – or if it is inherent, the tension may not be of the vicious proportions of Fishkin's trilemma. Rather, the scale of its viciousness depends on the backdrop against which those values operate. In other words: family autonomy is in problematic tension with equality of life chances wherever the wider distribution of goods is such that non-interference with consensual relations within a given family governing the

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development of its children, except to ensure for children the essential prerequisites for adult participation in society, will mean that in general children with equivalent capacities will not have the same prospects for qualifications.

2. Inter-generational inequalities and modes of injustice

Points made in the previous section might be summed up like this. There is indeed a tension between the principles labelled by Fishkin as merit, equal life chances and family autonomy. This tension does indeed depend on what Vallentyne and Lipson call the assumption of family influence. Yet this assumption needs rephrasing to include the assumption of enduring structural inequalities – in shorthand, class inequalities. In this section, we turn to inter-generational inequalities. The aim is partly to reinforce the point that the family works as a key conduit in the reproduction of inequalities across generations, and that this applies especially starkly to inequalities of life chances. Again: the family is *the* unit of class fate. Looked at diachronically, Fishkin's trilemma takes on a distinct aspect: its lines become sharper. For if merit, equal life chances and family autonomy are not jointly satisfiable at any one time, or within a generation, the same applies *a fortiori* when we take a diachronic view.

This section's other aim is to highlight that class fate, in turn, unfolds in different dimensions. To illuminate this, it is worth distinguishing between injustices of distribution, recognition and contribution. The distinction between the first two is familiar from the work of Nancy Fraser (see Fraser 1997 for the *locus classicus*, though it has been revised and supplemented since). The third is elaborated most fully by Paul Gomberg (Gomberg 2007; Gomberg 2010). The customary means to distinguish between maldistribution and misrecognition is to invoke a contrast between economic and cultural forms of injustice. For our purposes here, this version of the contrast is not quite conducive, because contribution (or malcontribution) carries both an economic and a cultural dimension. In any case there is rather a minefield to step into, in drawing lines of distinction which for some must remain intrinsically unstable. But in the name of finding a simple basis for comparison: here goes. Distributive elements of social justice are those for which the chief focus is money, and the differences in opportunities and quality of life to which any distribution of income and wealth in society will give rise. Recognition-based elements of social justice are those for which the chief focus is identity and difference, and the ways in which perceptions of and discourses about these can reinforce patterns of social inclusion and exclusion. Contributive elements of social justice are those focused not so much on what we receive (economically or culturally, from institutions or others) but on what we do – and the extent to which people are able to exercise and extend their faculties via meaningful work.[7]

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[7] Presenting the contrast in this way is not to commit to any order of priority between the three aspects of social justice, nor to assume that there is such an order of priority. Such

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Instances and patterns of class fate can be identified under each of these three headings. Evidence of the stark resilience of inequalities between families across generations indicates how the roles families play in preserving patterns of inequality tends (especially in countries of low social mobility, such as the UK) to be amplified with the passing of time. To the extent that family autonomy is implicated in this process, given the assumption of family influence, inter-generational family autonomy is a key operative factor in the undermining of inter-generational equality of life chances. On the one hand, as Vallentyne and Lipson point out, liberals have not always seen very clearly that "the right to an equal opportunity to pursue one's conception of the good is a right to which children will lay claim when they become adults" (Vallentyne and Lipson 1989, 44). Thus choices made under the auspices of family autonomy threaten the protection of that right as children grow up within families. On reaching adulthood, some will find it realised far more fully than others. On the other hand, such choices extend into the future, and become sedimented, against a background of class inequality. These processes have indirect implications for future generations born within those same family lines. Inherited disadvantages highlight how the values at stake do not adequately 'track' the social forces operating to provide the social landscape in which life chances emerge and play out. To use our earlier phrasing, equality of opportunity may have to be addressed diachronically rather than synchronically, in order to map adequately onto the contours of that landscape.

The 'big picture' of inter-generational inequality is often best conveyed in graphic form to highlight the gaps which emerge between those with more and less. There are a great many options from which to choose: such data has mushroomed as gaps between rich and poor have grown, as they have in the UK since the late 1970s. Distributive factors feature prominently, as we might expect. Here, I pick out some representative samples. An especially stark depiction is provided by the Great Gatsby curve, which as Tom Clark points out, is really more of a straight line. It shows how from generation to generation, as he puts it, "unequal parents breed kids with unequal chances" – or that "in countries where income is more unequally spread, the next generation enjoys less mobility" (Clark 2014, 158-159).

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bigger, ontological questions are sidestepped for present purposes: the contrast is simply offered as an analytical rubric. Of course, even if not crucial here, those bigger questions do matter. For Gomberg (Gomberg 2007), contributive justice is prior to distributive justice. For critics of Fraser such as Iris Young, the very distinction between redistribution and recognition is too shaky a construction (see inter alia Young 1997). Other critics (e.g. Barry 2000; Rorty 1998) come at Fraser from the reverse direction, and argue that the very stress on recognition is a distraction from the core, redistributive work of social justice.

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FIGURE 1
The Great Gatsby Curve
More inequality is associated with less mobility across the generations

Source: Miles Corak, "Inequality from Generation to Generation: The United States in Comparison." In Robert Rycroft, ed. The Economics of Inequality, Poverty, and Discrimination in the 21st Century (Santa Barbara, California: ABC-CLIO, 2013).
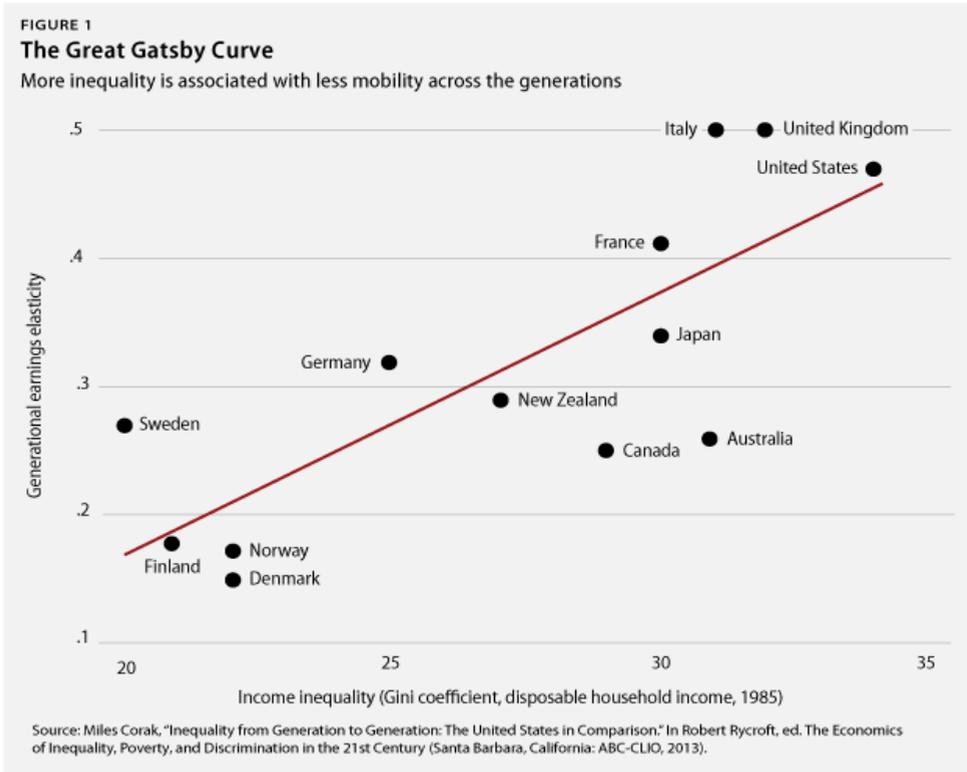
(Corak 2012)

Moving horizontally from left to right represents a movement from low inequality to high inequality, as the Gini coefficient rises. Moving vertically from bottom to top (where 'elasticity' refers to the strength of the link between what a parent earns and what their child goes on to earn) represents a movement from more mobility in economic status across generations to less economic mobility (Corak 2012). It is a graph which, like so many of those deployed in Wilkinson and Pickett's *The Spirit Level* (Wilkinson and Pickett 2010), shows the ripple effects of inequality of outcome. It provides, straightforwardly, and on an international scale, a picture of the knock-on effects of large inequalities in the distribution of income. Such graphs seem to speak of maldistribution in one generation begetting maldistribution in the next, without reference to what Cooper and Stewart call 'other household and parental characteristics.' Of course, this is a brief and simplistic reading of the data, and risks occluding the range of other possible contributing factors feeding into those figures. Even so, the data does suggest that remedies to the lack of mobility among follow-on generations, and thus movement towards greater equality of life chances, will be centred on

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levers of distribution – and specifically, aiming at a smaller income gap between higher and lower earners.

Other inter-generational inequalities hinge not so much on what members of subsequent generations earn, but on their eventual social status. This graph features in a UK government strategy document on improving social mobility:

Professional occupations are dominated by the privately educated

Vice Chancellors	MPs	Top medics	Top journalists	FTSE 100 CEOs	Top barristers	High court judges
24%	32%	51%	54%	54%	68%	70%

7% of the population attend independent schools
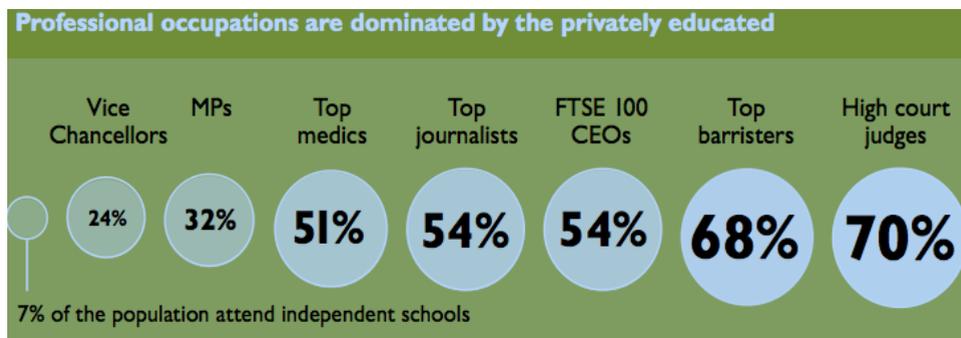
(HM Government 2011, 9)

Here the implied concern is not about earnings, as such. It is also about access to positions carrying with them the promise of respect and esteem – and the extent to which in the UK, the restriction of such access within higher social strata has proved remarkably resilient (these figures are, in general, not noticeably improving). To the extent that the barriers here are recognition-centred, so prospective remedies too will focus on attitudinal factors – for example, encouraging academically well-equipped children from poorer backgrounds to see themselves as plausible future high court judges, stoking the career confidence of those who have not traditionally occupied such positions. (Of course, there would be other possible steps, like restricting the influence of private schools or abolishing them. But in large part these steps too would be geared towards changing perceptions of class differences and their implications for the life chances of children and young people.) Here it seems that 'other household and parental characteristics' – in part, the realm of family autonomy – is fundamental both to the way the impacts happen, and their effects.

A third example. Much has been made by UK politicians of evidence showing that the educational performance of less academically gifted children from privileged backgrounds will tend to overtake that of brighter children from lower class backgrounds by about the age of 7 (the latter having been performing on a par with their privileged counterparts at age 2). Here is another diagram taken from the same UK government strategy document:

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Bright children from poorer families tend to fall back relative to more advantaged peers who have not performed as well
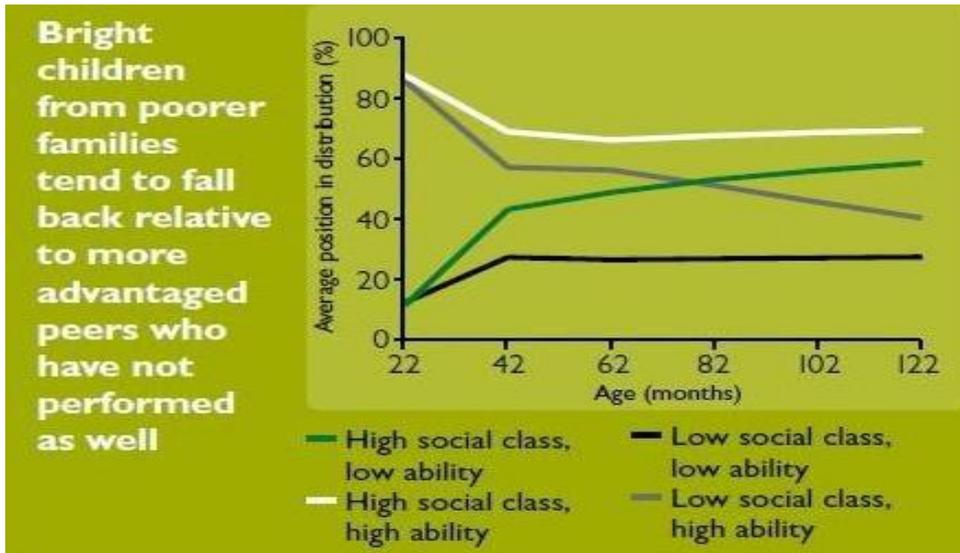
(HM Government 2011, 9)

While the previous diagrams would also resonate with questions of contributive justice, this one hooks up with them directly – particularly viewed in parallel with the previous one. It shows a tendency for class background to trump native ability in determining children's educational performance, which will then carry forward into the contributions those children are in a position to make, once adults. Countervailing measures in this case would centre on both education and labour market, and on lessening the grip of class privilege in 'streaming' children from better-off backgrounds into better jobs – perhaps by, as recommended by both Gomberg (Gomberg 2007) and Sayer (Sayer 2009), freeing up the division of labour to remove the effective ringfencing around more fulfilling occupational roles.

Across the second and third issues, the concern is not primarily with what the children of poorer parents have, but with what and how they are doing – and with how this is shaped by their lives' early bearings: "the home they're born into, the neighborhood they grow up in or the jobs their parents do" as the UK's then Deputy Prime Minister Nick Clegg puts it in the preface to that strategy document (failing noticeably to add: their parents' level of income – HM Government 2011, 3). It risks crassness to pick out different exemplars of inter-generational inequality and point each in isolation towards separate modes of injustice. Each is not paired exclusively with each, as if concerns about access to prestigious positions somehow had everything to do with recognition and nothing to do with money, or again as if concerns about class impacts on educational performance were not implicated with concerns about what those

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students go on to earn. There is a high degree of overlap between the three modes of injustice, and between different aspects of inter-generational inequality. But notwithstanding all that, the point here has simply been to draw out dimensions of the ways in which inter-generational inequality hooks up with questions of justice. Some will seek to translate all of this into a single rubric – and file all such questions under the primary heading either of distribution or recognition. In the following section, I hope to show why, whether or not one shares that ambition, questions of contributive justice are important to address in their own right.

3. Families and contributive injustice

So inter-generational inequality directly undermines equality of life chances, even in conditions where the principle of merit applies. This is for reasons familiar at least since Bernard Williams, in "The Idea of Equality," pointed out that equality of opportunity is rather more demanding than its less radically minded adherents might hope. As he says there, "one is not really offering equality of opportunity to Smith and Jones if one contents oneself with applying the same criteria to Smith and Jones at, say, the age of eleven; what one is doing there is to apply the same criteria to Smith as affected by favourable conditions and to Jones as affected by unfavourable but curable conditions" (Williams 2006, 111). To give both Smith and Jones equality of opportunity requires abstracting them from their conditions, where these are curable, and equalizing those conditions. Jones's environment is unfavourable but curable. Jones's prospects will remain less favourable than Smith's unless the imbalance in their respective environments is addressed.

In the previous section we saw three ways in which such unfavourability might be couched: in terms, respectively, of distribution, recognition and contribution. Much of the ground we have covered so far, in considering the relationship between family autonomy, equality of life chances and inter-generational factors, has shown the complexity of the relation between those three factors. In effect, in addressing such complexity, we are addressing the intricate textures of the effects of class on people's lives, and of the normative issues to which these give rise.[8] Looking at things across generations, we find such textures reproduced in complex ways – some to do with what people have, some with how they are seen by others and themselves, and some with to do with their opportunities to make a fulfilling contribution to society. This casts important light on Fishkin's trilemma.

Recall that Fishkin casts that trilemma as a 'problem of assignment,' concerned with how opportunities for valuable positions ought to be rationed. Two presumptions inherent in this characterization of the problem are worth stressing. One is that it is explicitly a distributive matter. It is about the benefits

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[8] For an authoritative treatment of these intricacies, see Sayer (Sayer 2005).

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people receive – with the distribuenda including life chances. The individuals concerned are positioned as entitled recipients, getting or not getting their due. From this angle, matters which seem *prima facie* as if they are to do with recognition or contribution must be rendered in distributive currency. The other presumption is that opportunities for valuable positions will necessarily be rationed. Equality of opportunity is thus understood as equality of competitive opportunity – a model for which, in Gomberg's phrasing, "there are limited positions of advantage, [and] each should have an opportunity to attain those positions without being disadvantaged by anything irrelevant to one's suitability for the position" (Gomberg 2007, 18). So on these terms, the problem with family autonomy in relation to equality of life chances, where the principle of merit obtains, is the unlevelling effect that family autonomy has on the playing field. Liberal neutralist resistance to subscribing to commendation of this or that notion of the good makes this a natural couching of the issues at stake. Extended inter-generationally, Fishkin's trilemma is simply inflated, *pro rata*, so that the unlevel playing field is writ large. Successive generations of family members from certain backgrounds are denied equality of life chances due to the side-effects of family autonomy.

I have argued already that to cash out the trilemma, we need to say more about the assumptions on which it is based – namely, about family influence and the wider terrain of inequality. We can now see too that the particular bind which Fishkin places us in depends on the assumption of competitive opportunity. Thus a crucial reason that protecting family autonomy sits in such tension with promoting equality of life chances is not just that there are class inequalities in society, but that valuable opportunities are limited in a particular way. Viewed this way, inter-generational inequalities seem to provide an extra reason for liberal egalitarians not to treat family autonomy as sacrosanct.[9] This reason is that inherited patterns of inequality make harder to dislodge the class inequalities upon which the tension between merit, equal life chances and family autonomy supervenes.

Yet arguably, this leaves out of account the factors identified above as primarily matters of recognition or contribution, rather than distribution. From the point of view of equality of life chances, what is troubling about inter-generational inequality is not simply that it sustains a distribution of scarce opportunities that favours the already advantaged. It is the extent to which it defines in advance the contributions which those from less advantaged backgrounds are able to make – what they are able to *do*. This is one reason why class-based differentials in children's school performance are so dismal from the point of view of social justice. The workings of this are borne out in longitudinal ethnographic studies such as those compiled in Annette Lareau's *Unequal*

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[9] Vallentyne and Lipson respond to Fishkin"s trilemma by arguing that of the three principles, it's family autonomy which, for liberals, has to go.

Childhoods (2011). Lareau's study of the experiences of children from twelve different families of varying class backgrounds in the same contemporary US city, finds clear class divides in the ways in which children are brought up and oriented towards the world. "For working-class and poor families," she writes, "the cultural logic of child-rearing at home is out of synch with the standards of institutions" (Lareau 2011, 3).

Middle-class children, parented via strategies described by Lareau as 'concerted cultivation,' gain a sense of entitlement and confidence vis-à-vis the world beyond home and school, afforded by parental stress on reasoning, self-development, and induction into adult modes of discourse and interaction. Meanwhile working-class and poor parents tend to pursue what Lareau calls 'the accomplishment of natural growth' – where the parent-child relationship features less dialogue, less micro-organization of children's lives towards developmental activities, and more freedom for children to determine how their own leisure time is spent. Both versions of childhood may be happy; both afford opportunities to develop, albeit in different ways. But by adulthood, the possibility of higher education, and entry into the job market, there is only one set of winners. Middle-class children have been equipped in advance with the kind of 'cultural repertoire,' which enables them to slip far easier into the dynamics of the worlds of business and work. They have a confidence to contribute, and thus to achieve higher-status positions affording meaningful, fulfilling work and the realization of potentials which, as we have seen, would have been evenly distributed among children of all class backgrounds at the outset. Of course, these processes are not completely rigid or uniform. As Lareau says, "Some working-class and poor youth, often with the assistance of an influential teacher, become first-generation college students. Armed with college degrees, they are able to defy the odds and become upwardly mobile" (Lareau 2011, 311). But these are variations. "Middle-class families' cultural practices, including their approach to child-rearing, are closely aligned with the standards and expectations – the rules of the game – of key institutions in society" (Lareau 2011, 311).

Why does all this matter for our present discussion? It matters because it helps encapsulate how the different modes of injustice hook up with class-based inequalities of life chances. What we find in studies such as Lareau's are analyses of the architecture on which such inequalities rest. Part of the story is to do with those with lower incomes bringing up children who themselves go on to occupy a similar economic position. But much of what we find concerns the significance and effects of recognition – how children from different class backgrounds are viewed by others, institutions and themselves, and how such patterns tend to be transmitted to subsequent generations within respective sections of society. And much of it is to do, distinctly, with contributive injustice. For as Sayer puts it, children's experience of middle-class modes of parenting and upbringing "prefigure lives of working in occupations where they are allowed to use these

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reasoning powers and take decisions, and where they can deal with gatekeepers as equals" (Sayer 2009, 12). Thus, "through its influence on the distribution of abilities and skills, the unequal social division of labour [and here, we might add, the notion of equality of competitive opportunity] produces effects which appear to legitimize it." (Sayer 2009, 12) These factors are not directly on the radar of Fishkin's model. They loom larger than its framing allows.

Conclusion

There are indeed tensions between family autonomy and the promotion of equal life chances, and these are accentuated when we take an inter-generational view. Yet the viciousness of such tensions is not intrinsic to two principles themselves, or their relation. Their degree of 'bite' depends on circumstantial factors, including family influence and certain kinds of structural inequality. Thus to address the tensions need not entail a simple trade-off between family autonomy and the promotion of equal life chances. In particular, the elements of contributive injustice involved in how these different factors play out may be addressed via changes to the impacts of relevant social institutions and structures. Much of their bite would be lessened by changes to the way the labour market works (as recommended by Gomberg and Sayer) or by educational reform. These would be ways of avoiding the situation where class inequality has such a weighty and conclusive impact on the relative opportunities for children from more and less privileged backgrounds to achieve their potential across the lifespan. It is important that none of this serves to deny the value of family autonomy. It leaves intact the claim that this is a basic right, reflecting fundamental interests, and a vehicle by which distinctly valuable goods are achieved. What we do not have is any right that the operations of family autonomy might work systematically to erode the life chances of others.

There is a wider, methodological point here about the relationship between normative debates about social justice and relevant aspects of sociology and social theory. The former kind of work, often (and sometimes especially) at its most meticulous, goes on at a clear distance from the latter. As I have written elsewhere (see e.g. Calder 2008), this brings with it various potential drawbacks. One is simply that discussions of social justice are often curiously abstracted from many of the most significant contours of the landscape to which they purport to apply. Debates in political philosophy often reflect the sociological 'common sense' of the time at which seminal, towering texts were written. At times, this gives them the kind of anachronistic, dislocated feel of a contemporary manual of football coaching with examples taken from the great European Cup finals of the 1960s – where the referent seems out of sync. But the point carries more than just a chronological aspect. It runs deeper: political philosophers do not, typically, feel that they 'need' much sociology. Another drawback is that at the 'purely' conceptual level, the notion that normative discussions swing free of, or can be conducted without reference to, contested

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aspects of social facticity and ontology is itself far more difficult to sustain than is suggested by the presuppositions underlying much of the most technically expert work in normative argument. Normative discussions of equality which do not factor in the best contemporary understandings – theoretical and empirically based – of the workings of social class might be as elegant and point-missing as a beautifully executed coaching manual written as if the game were still played as it was in 1963. Spending time with the complexities of class inequality makes demands on normative theories. As we find when navigating the relationship between family autonomy, class fate and wider considerations of social justice, those demands are vital.

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Reparations for Recent Historical Injustices.
The Case of Romanian Communism[*]

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Abstract: The debate concerning the legitimacy of awarding reparations for historical injustices focuses on the issue of finding a proper moral justification for granting reparations to the descendants of the victims of injustices which took place in the remote past. Regarding the case of Romanian communism as a more recent injustice, and analyzing the moral problems entailed by this historical lapse, within this paper I argue that overcoming such a legacy cannot be carried out, as in the case of historical injustices situated more remotely in time, through the means of selective reparations, such as restitutions or compensations. For, even though they are justified from the perspective of rectificatory justice, selective reparations do not fulfill the requirements of social justice. Rather, I argue that the fall of the Romanian communist regime should have been followed by an equal distribution of all properties illegitimately seized by the state, to all adult Romanian citizens at that time, in order to attain the imperative of equal distribution of property among all citizens. The equal distribution thesis is the only way through which the Romanian society could have complied, at that moment of political and social renewal, with the requirements of justice. I also aim at explaining why other principles of justice, which either have or could have been implemented, cannot be properly justified. Finally, I analyze two main objections which could be invoked against my thesis, namely the economic efficiency objection and the legal realist objection.

Keywords: Romanian communism, reparations, historical injustices, rights, rectificatory justice, distributive justice, equal distribution thesis

Looking back on the Romanian post-communist policies regarding restitution and compensation for the wrongs perpetuated by the communist regime, we can adopt two viewpoints. The first leans upon the conclusion that these policies were not successfully implemented, meaning that the requirements of the series of laws and regulations regarding restitution and compensation issued after 1989 were not fully carried out by the powers of the state. An evidence of the shortcomings occurred along the process of implementing these series of policies consists in the fact that the restitution and compensation attempts are still debated and contested up to today (Government Ordinance no. 66/2015).

This conclusion usually results from comparing the similarities and differences among reparatory policies carried out in the neighboring countries from Central and Eastern Europe (Kuti 2009) which share a similar communist legacy, or, more ambitiously, from setting beside various reparatory policies designed at diverse moments along human history (Elster 2004, Meyer 2004).

The second viewpoint concerns the deeper issue of the moral legitimacy of the reparatory laws and regulations, irrespective of their proper or improper application. As the first perspective implicitly encompasses a certain justification for the described policies, the second viewpoint is only formally separated from the first one. From this second viewpoint, the main question to be asked is whether the policies which were issued can really be considered as the most appropriate to be enacted after a radical change of political regime. In other words, the question to be asked is: which are the proper requirements of justice regarding reparations and compensations for the injustices perpetrated by an unjust political regime and how could they be best transposed into laws? In what follows, I focus on the issue of moral legitimacy of the reparatory laws and regulations, trying to answer these questions in the light of the injustices perpetrated during Romanian communism.

Historical injustices are defined as "major cases of past wrongs, in which all the original wrongdoers, and all the original victims, have passed away." (Perez 2011, 153) This definition, which is accepted in the contemporary debate regarding reparations for historical injustices, highlights three essential aspects in order to consider certain historical events as historical injustices: firstly, the events are significant wrongdoings about which there is enough information, secondly, the victims of the injustices and the perpetrators are no longer alive and, thirdly, they regard persons who were not directly related to those wrongdoings, as are, for example, the descendants of the victims of the injustices as well as the descendants of the perpetrators of the injustices. This way of defining historical injustices makes the contemporary debate controversial, for it gets to deal only with aloof descendants of both the victims and perpetrators who should, today, be compensated or held accountable for wrongs which were neither suffered, nor committed directly by themselves.

If, in the case of older historical injustices, the necessity of any reparatory effort is debatable from a moral point of view, the recent historical injustices entailed, for example, by totalitarianisms in Eastern Europe, challenge more stringent moral issues, for part of the victims are still alive, as are, also, part of the perpetrators. Therefore, the immediacy of the need for reparatory efforts is somehow similar to the cases of criminal and/or civil justice. Yet, in the case of recent injustices, such as those generated by totalitarian regimes, the arguments for and against reparations are different from the arguments used in the case of older historical injustices (Crișan 2014). Among this different type of arguments, the most prominent one is the one regarding the way reparations should be granted.

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Still, the contemporary moral debate does not *yet* define Romanian communism as a historical injustice. The ambiguity of its character is given by its borderline position: neither is it properly a contemporary injustice that requires punishment and reparations obtained by the means of the judicial system, nor is it, yet, a historical injustice. At any rate, as an injustice soon to become fully historical – for those who were either victims or perpetrators of the injustices committed during the Romanian communist regime will not live forever – it constitutes a moral problem which needs to be taken into consideration. Romanian communism will be regarded as a historical injustice only when the society will comprise only descendants of the victims and the perpetrators. The fact that, at the present moment, the survivors and the descendants of the injustices co-exist with the perpetrators and with their descendants is not the only problem which occurs in questioning the issue of reparations. What is also of great importance concerning justice is the fact that all members of society, including those who have not been directly inflicted upon, or have participated, or are the descendants of the ones who carried out the acts of repression, have requirements of justice. Thus, a related problem – that of overlapping generations, which all have different demands of (social) justice within the same society – requires proper debate in the case of the communist injustices.

In addition, because Romanian communism represents a case of a *recent* injustice, which stands on the verge of transforming itself into a *historical* injustice, the main objections to the awarding of reparations for the injustices perpetrated in the cases of more remote historical injustices can barely be invoked, for they are not entirely applicable and, therefore, they are easier to be overcome in the case of the reparations for the injustices committed during this political regime.

In spite of this distinction between recent injustices, defined by the fact that at least some of the victims and perpetrators are still alive, and remote and/or historical injustices, defined by the fact that all the victims and perpetrators are no longer alive, the requirements for reparations in both cases should be similar, based on the argument that in both cases (similar) harms were committed either against persons or against groups of people, irrespective of the specificities of the reasons which led to the respective harm doing. When I affirm that similar harms were committed in both cases of injustices, I do not take into account the issue of retributive justice, i.e. of the imperative of finding and punishing the perpetrators of the injustices, which should be treated as an independent process in the aftermath of recent injustices. Rather, herein, I strictly refer to rectificatory justice, i.e. to the imperative of restituting the properties or compensating for their loss or for the suffering of the victims of the injustices, aiming at finding the strongest moral justification for the solution to be enacted in the aftermath of recent injustices. In finding the strongest moral justification I seek for a thesis which is compatible with most of distributive justice theories and has the least valid objections. More specifically, in what

follows, I treat Romanian communism as a case of recent injustice and I critically analyze the way in which rectificatory justice was implemented along the transition from communism to democracy, starting from the questions which should have been discussed and answered when awarding reparations has been, without a thorough examination, assumed as necessary, for it was viewed as a symbolic means of starting to respect the rule of law and property rights. The question to which I try to give an answer is whether reparations were the proper means of overcoming the communist regime and starting the transition towards democracy. In other words, I examine whether other solutions to the rectificatory problem had not better fitted the Romanian post-communist society.

One such solution could have been that of choosing not to award any special restitution or reparation to those who lost their properties or suffered other harms during the Romanian communist regime, yet choosing, instead, to equally distribute to all Romanian adult citizens all properties belonging to the state. For, in the case of communist regimes, the wrongdoings disseminated to so many levels and overpassed the limit of mere property seizure to such an extent, that the injustices of the communist regime could not be properly repaired or overcome simply by restituting or compensating only the citizens whose properties were confiscated and only by granting other type of victims a different kind of reparations for the sufferings they endured under the communist regime. Several arguments in support of this idea will be further approached.

Even if communism had the intention of designing an egalitarian society, history has taught us that communist regimes could not achieve, in a long enough time lapse of fifty years, real equality among citizens. Even worse, they created a type of social inequality based upon political affiliation or collaboration with the regime. Equality of opportunity, economic equality, as well as equality of resources were all strongly affected by the political participation of citizens. Even if we admit that from all these types of equality, the achievement of an equality of opportunities represents the most symbolic step on the path from communist regimes to democracy, in the post-communist circumstances, equality of opportunity had no chance of being reached without a preliminary equality of resources. The post-communist Romanian state had neither the political and economic means, nor the will to ensure equality of opportunity for all its citizens. Yet, it had a certain amount of resources, i.e. state-owned properties which, if properly, fairly distributed to all citizens, could have ensured a minimal basis for creating a proper framework for a further implementation of the equality of opportunity.

For that time lapse, by a just distribution of state-owned properties I understand that the state should have distributed its properties in such a manner as all adult Romanian citizens to own equal properties, based upon a previous evaluation of each citizen's wealth. It is obvious that a perfect equality of resources is highly improbable to achieve (Dworkin 1981). I believe that the

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equal distribution of state properties would have led to similar opportunities for all citizens, even though their capacities and talents were, of course, as in any other society, unequally distributed. This thesis of the equal distribution of state properties would have symbolized a moral amnesty not only in the relation between the, up to then, harmful state and its citizens, but also among the citizens themselves, as all (victims and perpetrators) had been, yet, to different degrees, affected by the communist regime. This symbolic amnesty could have entailed a graceful moment of absolution of some of the bitterest wrongs of the past. By this equal distribution, a form of compensation would have been granted also to those who unjustly lost relatives, members of their families, for example in communist prisons or because of other political crimes and who, therefore, had lost the chance of being compensated themselves.

From a purely theoretical point of view, this moment of initial equality seems to be compatible with most theories of distributive justice.

Firstly, it conforms to an egalitarian principle, which applied to the post-communist context, entails the smallest amount of problems associated with it.

Secondly, it overlaps with a prioritarian principle, for it takes into account the ones who, because they were more affected by inequalities, be they inequalities of opportunities or of resources which persisted during the communist regime, were at the time of political change, worse-off compared to others. Herein, I refer to the fact that party members had more resources and opportunities than the 'average' citizens and the high ranked party members owned more resources than common party members.

Thirdly, compared to a sufficientist principle, which asserts that state property should be distributed with the result that each citizen gets to own a sufficient share of it, the equal distribution thesis is favored by that it does not need to answer the question concerning the reason why some of the citizens end up by owning larger properties while, others, smaller ones. In the case of applying a sufficientist principle, it would be hard to find the criteria which could justify the differences in wealth, following the distribution of state property.

These theoretical compatibilities to theories of distributive justice such as egalitarianism and prioritarianism, along with its prominence to the sufficientist theory, represent only the rooftop of the formal reasons which sustain the thesis of equal distribution of properties as the only principle of justice related to the problem of reparations for the injustices perpetrated during the communist regime which can be justified after the fall of communism. The body of this theoretical structure consists in the arguments which demonstrate that all the other competing theses have major issues regarding their justification and should, therefore, not be preferred.

With respect to the requirements of justice, there are two competing theses which can be formulated regarding post-communist reparations for communist wrongdoings.

The first thesis asserts that no reparations should have been awarded. This implies that neither an equal, nor an unequal distribution of properties should have been carried out. Against this passive option concerning reparations, few arguments can easily be brought about. The communist ideal of the equality of property among all citizen strongly differed from other contemporary egalitarian ideals, for it was based upon a society-wide leveling down of all well-off citizens. Thus, during communism, the 'equal' distribution of properties was based upon an initial unjust seizure of private property by the state. The citizens who, up to the instauration of communist regime, were well-off were the ones who were targeted as first victims of the regime policies regarding the confiscation of properties. Even small property owning ended up by being viewed as 'too much' of owning. Upon this idea, the agrarian reform together with the collectivization process, through which those who had more land and were better-off were brought to the same level with the others, were legitimized. Private property of citizens was limited by the communist state. Therefore, no citizen was permitted to own companies, equity or productive land, and common citizens were limited to own only one residence and few goods of personal use (1965 Constitution of the Socialist Republic of Romania, article 36).

This no-reparation and no-redistribution thesis is grounded on an argument which specifically concerns recent historical injustices, and is directed against all forms of rectificatory justice in post-communist Eastern European countries. Jon Elster argues that retribution as well as restitution and compensation should not be carried out for at least the simple reason that it is impossible to do it at full extent (Elster 1992, 15). In other words, unless all suffering endured by the former members of communist societies in Eastern Europe can be compensated for, nobody should be compensated. His argument asserts the moral inappropriateness of reparations based upon a factual impossibility to carry out an exhaustive process of reparation. Moreover, the impossibility to carry out the entire range of reparations required determines Elster to assume that all forms of rectificatory justice, regardless of their character of retribution, restitution or compensation, could be treated as undifferentiated and, on the basis of the argument of the factual 'impossibility' to exhaustively reparate, thereby rejected.

In the perspective of Elster's argument, the fact that the Romanian post-communist state has decided to carry out restitution or, in the cases in which restitution proved to be impossible, to award different forms of compensations lacked any moral grounding. Over and above, the way in which restitution and compensation were eventually carried out in Romania, after their stipulation through various legal provisions issued starting with 1991, as well as the fact that most of all these reparatory acts have woken much debate, would constitute, in the logic of Elster's argument, yet other two more reasons to reject the kind of reparations for (historical) injustices awarded in post-communist Romania.

Forasmuch as it is impossible to identify, at full extent, the persons who suffered, as well as to prove that certain kinds of injustices were more blameworthy than others, it seems to become almost acceptable to reject the need to award reparations. This could be an easier way to avoid any further injustices which could occur by granting reparations only to certain citizens who do not have full historical entitlement to the properties they claim. At any rate, I admit that the way in which reparations were granted along Romanian post-communist time lapse was at least a risky endeavor, if not an unfair one. In the view of the historical truth that, during the communist regime, all citizens suffered, to a certain degree, different types of injustices, Elster concludes that it becomes impossible to compensate everybody.

Nevertheless, given that other solutions, better attuned to the requirements of justice, such as the equal distribution of state properties, could have become fully available in the aftermath of the fall of the communist regime, through a weakening and/or dissemination/transfer of state power to the people, one can no longer legitimize the no-reparation and no-redistribution thesis and eschew the necessity of awarding reparations.

The second thesis which can be formulated regarding post-communist reparations for communist wrongdoings affirms that reparations should have been granted under the form of special restitutions or compensations, and awarded only to those who could prove their loss, or could prove the confiscation of their property under the communist regime.

According to this thesis the right to reparations is morally grounded in the harm or the wrongdoing suffered by the initial victims of the injustices. This initial harm, understood as a violation of fundamental rights, in the case of libertarianism freedom and property, entails the right to reparation as the only requirement of justice. Therefore, the reparations awarded should not depend upon the contemporary situation of the surviving victims or of their descendants. Even if the harm or the wrongdoing brought by past injustices had not caused present negative consequences, such as a worse life for the victims or their descendants, reparations should still be awarded. Hence, in order to be able to determine what type of reparations should have been awarded in the aftermath of the fall of the Romanian communist regime, as well as to offer a possible solution to today's inherited injustices, one must appeal to what happened in the past. Libertarian theories are 'historical' in the sense that they take into consideration only the past and not a desired future end-state or end-result (Nozick 2001, 150-155). Therefore, being a backward-looking theory, it is a theory which conceives reparations only under the form of a right to reparations, which can be understood as restitutions of properties or compensations for the loss of properties or of individual freedom.

Even if, during communism, private property still existed in a limited form, each citizen being allowed to possess only a very limited number of residences, or a limited surface of land, the procedures through which the communist state

confiscated private property from its citizens were declared illegal by the post-communist reparatory laws. As a consequence, these reparatory laws established full restitution, by affirming that private property illegally confiscated by the communist regime should be given back, but *only* to those to whom it belonged before the communist regime came to power or to their descendants if the former did not survive.

This idea hides three libertarian assumptions. The first one argues that citizens have ideal moral rights to rectification through restitution and compensation, even in the case in which they cannot factually be determined. But this assumption, upon which the legal provisions regarding reparation for the injustices perpetrated by the communist regime were grounded and, then, carried out in post-communist Romania, should be questioned, because recent history has proved that their implementation led to other injustices.

The second one holds that property rights count among fundamental rights, such as the right to life or the right to liberty. This assumption has been already criticized by Thomas Nagel (Nagel 1995). From Nagel's critique could, as well, rise another question regarding post-communist reparations: is the right to property of greatest importance in the process of granting reparations? Even though Nagel argues that the right to property does not enjoy the same moral status as the other two above mentioned rights, the protection of this right is essential in any democratic society. Consequently, in the shift from a communist type of society, which grounded itself precisely on radically restricting the right to private property, any gesture such as that of awarding reparations for the seizure of properties becomes symbolic for the promise of protecting the right to property and for the success of setting up a renewed, democratic political order.

Above that, the same libertarian idea requires a third assumption, namely that of setting up an injustice-free cut-off date, from which to start awarding reparations for rights violations. In the Romanian legal provisions issued after 1989, the cut-off date varied. If, initially, the cut-off date for the restitution of properties was established as the 6th of March 1945 (Law No. 112/1995), a subsequent provision changed the cut-off date with the year 1940 (Law No. 10/2001). The Romanian post-communist reparatory laws, for example, ended up following exactly the framework of this type of assumption. Long after the fall of the Romanian communist regime and without a rich and consistent public debate, the reparatory laws starting from 2005 (Law no. 247/2005) and ending in 2013 (Law no. 165/2013) stipulated that restitution of the properties illegally taken by the former communist regime should be carried out in kind based on the rightful owners' previous legal right to property (Kuti 2009, 179; Stan 2013). According to these laws, the right to the restitution of private property, which was contained within the right to private property itself, became also inheritable from one's ascendants, following the civil legal regulations of heritage.

To this libertarian assumption which seems to support the full restitution of property or goods to their former owners, one possible reply is by asserting

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that it is highly uncertain that at the moment at which communists took power in Romania, after the Second World War, all property rights were morally and even legally justified. *Retrospectively* analyzing the status of property rights, it becomes quite possible to learn that the communist regime was not the first to violate these rights. Consequently, in this matter, the cut-off date is always chosen in an arbitrary manner. By establishing it, allegedly, no injustices existed before that particular moment.

This arbitrariness could, as well, be a relevant sign that historical theories of justice prove to be unable to morally ground restitution. If it were to apply this idea to the post-communist Romanian reparative laws, it becomes quite obvious that the fact that they leaned on a prescription of pre-communist injustices led to an incorrect reparatory scheme. In any case, historical justice theories require a regress in time, in order to establish the validity of the entitlement to the goods and/or properties in question. While applying the paradigm of historical justice theories to the case of Romanian reparations after communism, a mere regress in time to the period before the communist regime came to power would show that, in most cases, the validity of the entitlement for the properties of the claimants cannot be, as easily, declared as certain.

Howbeit, both the year 1945 and the year 1940 represent mere arbitrary cut-off dates, groundless moments of initial acquisition of property. Moreover, it is impossible to legitimately establish such an initial moment in time, which does not present an arbitrary, therefore unjust trait. Besides that, arbitrarily choosing a cut-off date entails an epistemological difficulty: with regard to past injustices, no one can be totally sure that they have not been preceded by former injustices and that a just starting point can be established. Yet, finding and establishing such an initial just moment represents a requirement in the libertarian theory of justice. Even if I agree that a libertarian theory of distributive justice such as that formulated by Robert Nozick could, at least at a first glance, endorse a right to reparations for the citizens who had their property rights violated by a regime such as the communist one, I consider that its requirement to establish an initial point clear of any injustices would block any attempt to apply these libertarian claims in the case of the Romanian process of overcoming communism.

Taking into consideration only the infringement of property rights by the communist regime, thus neglecting the current status of the initial victims or of their descendants, the above discussed reparation thesis supports the necessity of restituting to the owners or to their descendants exactly the same properties, in the exact amount due; this backward-looking scheme simply searches for the legal reenactment of rights that cannot, ultimately, be morally grounded. Beyond this critique regarding the moral legitimation of the mere legal enactment of reparatory policies, another relevant argument can be brought about: legal actions usually demand various types of resources, such as time or money. In the case of post-communist reparatory legal provisions, the ones who owned properties before the communist regime took power and were entitled to

property rights needed to employ, after the 1989 regime shift, lots of their resources, in order recuperate their confiscated properties. There were many cases in which they preferred to sell, at low prices, their litigious rights to speculators who considered them an investment. This situation creates yet another inequality. Hereby, victims or successors of victims who had their property rights violated by the communist regime became, among themselves and also before the law, unequal.

Besides competing with the other two theses regarding what should have been done at the beginning of post-communism, i.e. the no-reparation thesis and the special reparation thesis, the equal distribution thesis is exposed to two major objections. The first one is based on the economic unfeasibility of implementing such a distributive principle and the second consists in a legal type of objection, based on a realist conception of the law and of its grounding.

The economic objection is based on the difficulty of correctly implementing such a distribution and on its lack of efficiency. This objection to the equal distribution thesis stands upon the premise that economic efficiency and economic growth are values supereminent in regard to the moral value of justice. Consequently, this objection sets the two values, which pertain to different domains in opposition. This objection subtly assumes that an equal distribution of resources would in itself cause economic downturn. However, not all economic theories consider that an initial moment of equality of properties is an obstacle to economic growth. On the contrary, this initial, graceful, moment of equality of properties may be considered as a condition of economic growth (Stiglitz 2015).

Against this objection, we could argue that the equal distribution of state properties would have enabled citizens to seize economic opportunities to a much larger extent than any of the other two competing principles could have allowed. There is a strong economic reason to prefer the equal distribution thesis to the other available thesis, even though not all citizens used those opportunities, or were able to become entrepreneurs. Against this objection, which states that an equal distribution would necessarily lead to an inefficient and, thus, bad economic outcome, following Stieglitz's argumentation, one could assert that the equal distribution thesis numbers among the theories which, if properly applied, could entwine the moral grounding of reparations for historical injustices with the onset of an economic growth.

The second objection to the equal distribution thesis pertains to the paradigm of legal realism. It refers to the impossibility to ground the equal distribution thesis in the Romanian post-communist legally setting. Forasmuch as, at any point after the 1989 political shift, neither the Romanian Constitution, nor the other issued laws were compatible with such an equal distribution of state property to all its adult citizens. This springs from the fact that neither the legal provisions of the 1965 socialist Constitution, which one had expected to contain the idea of equality of wealth among citizens, nor the 1991 first

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democratic Constitution supported or even mentioned the implementation of this type of egalitarian perspective. Even further, because of the fact that Romanian laws used to be, and still are in a great amount, strictly grounded in legal and/or political considerations, thus putting aside any deeper, moral justifications, the moral requirements of justice, claimed by the equal distribution thesis, may have seemed to be incompatible with any legal requirements which were enacted within the Romanian society, be it the communist or post-communist. This might be the reason why such a thesis could not have been implemented at the dawn of Romanian democratic state and why it was replaced by various other reparatory laws which resulted in incomplete, sometimes even unjust, compensatory policies and process. The reparatory idea, according to which compensations were directed towards those who had their properties confiscated by the communist regime and, moreover, could prove that their entitlement to property rights had existed prior to the communist regime, seems to be most fitted for the Romanian legal system. Yet, from a purely legal point of view, the fairness of the reparatory laws issued in post-communist Romanian setting was not properly questioned and remained, therefore, unimproved and unreformed. Within the Romanian legal framework, it is considered that laws have to be respected and obeyed, irrespective of their being grounded upon a proper moral justification. Explained differently, in the Romanian legal framework, moral principles, such as the requirements of justice, could be taken into account, yet they are only peripheral in the process of grounding the legal principles. What was, and still is considered critical in grounding the legal principles in the Romanian legal system, are the values which are not external to the social and political realm.

Oddly enough, the idea that especially the laws issued after the fall of the Romanian communist regime have to respect, if not even to promote social values which are considered important for democracy, also serves, to a significant extent, for supporting the thesis of equal distribution, for it entails a pragmatic implication. Namely, in the implementation of the thesis of equal distribution, a greater social cohesion is embedded.

In short, the equal distribution thesis does not only fulfill the requirements of justice, but also supports values which are independent from moral considerations and are essential to democracy in post-communist times. Therefore, the equal distribution thesis is fully compatible with democratic values such as social cohesion and political stability. History has proved that in the absence of a moral amnesty which could have been accomplished if the equal distribution of all state properties had been carried out, both social cohesion and political stability have been powerfully affected in the aftermath of the fall of Romanian communist regime.

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Freedoms and Rights in a Levinasian Society of Neighbors

Marlon Jesspher B. De Vera

Abstract: This paper attempts to argue that a radically different notion of freedoms and rights that originates from the other, that is founded on the infinite responsibility for the other, and that demands an encounter with the other as pure alterity, could be a plausible starting point towards the conception and possible realization of a Levinasian society of neighbors. First, an explication is made on why a radical change in the area of freedoms and rights could be the starting point towards a social, political, and moral philosophical framework based on the radical philosophy of Levinas as elaborated in his *Otherwise than Being or Beyond Essence*. Then, a discussion on conventional conceptions of freedoms and rights, particularly those based on liberalism, libertarianism, and utilitarianism, is presented as groundwork for a comparative analysis between these conventional conceptions and a radical notion that would be entailed by a conception of a Levinasian society of neighbors. Lastly, an attempt is made to characterize a radically different conception of freedoms and rights based on the philosophy of Levinas and to argue how it could be the starting point towards the conception and possible realization of a Levinasian society of neighbors.

Keywords: Levinas, society of neighbors, the other, *Otherwise than Being or Beyond Essence*, freedoms, rights

Initial Arguments

In this paper, I attempt to argue that an alternative conception of freedoms and rights that originates from the other rather than from the self, and that sufficiently accounts for the encounter with the other as pure alterity, could be a plausible starting point towards a conceptual sketch of a Levinasian society of neighbors. The motivation behind this attempt is based on three initial supporting arguments which I now proceed to explain briefly.

First, I think it is fair to assert that Levinas' philosophy, as articulated in his *Otherwise than Being or Beyond Essence*, is a radical philosophy in the sense that it challenges the conventional philosophical concerns within the realm of being and ontology and proposes an alternative view of ethics as first philosophy through a search for the otherwise than being. A conception of a Levinasian society of neighbors would of course be based on this radical philosophy of Levinas and so intuitively, the starting point of an attempt towards such a conception should also have a similarly radical character. What follows from this intuition is that the starting point should involve a radical change in a central element in the important philosophical discourses concerning human social

affairs, particularly within the areas of social, political, or moral philosophy. In line with this, I think that the predominant conception of freedoms and rights in a certain society is central to almost all important social, political, and moral discourses within the society concerned. A significant part of the laws within a society is concerned with the parameters of the freedoms and rights of its members. The dynamics of major social institutions such as educational institutions, religious institutions, and the mass media depend on the predominant conception of freedoms and rights within the society. Moreover, the prevailing orientation of people's social, political, and moral behaviors in their ordinary everyday lives is heavily influenced by their conceptions of freedoms and rights. A person's conception of freedoms and rights also impacts significantly how he or she relates with other human beings, in various contexts of human relationships within a society. Other examples could be provided, but the point I am trying to drive is that a certain conception of freedoms and rights is a central element of the most important discourses concerning human affairs in a society, and thus, conceivably, a radical change in the predominant theoretical framework of freedoms and rights in a society could be a plausible starting point towards a conceptualization and possible realization of the radical vision of a Levinasian society of neighbors.

Second, a central concern in Levinas's search for the otherwise than being is the recognition of one's infinite responsibility for the other which resists the assimilation of the other into the self or into the realm of being. Thus, I think it follows from this that the starting point of the philosophical task of attempting to conceive a Levinasian society of neighbors should also involve a shift in focus from being or from the self towards a focus on the other, and should also involve a resistance against the re-assimilation of the other into the self. I posit that major conventional conceptions of freedoms and rights, especially liberal, libertarian, and utilitarian conceptions, are based on the self, are founded within the realm of being, and thus ultimately assimilate the other into the self and into being. This will be discussed more elaborately in the next section. Thus, apart from being a central element in the most important discourses in human social affairs, the predominant conception of freedoms and rights within a society could also be the area wherein the radical shift in focus from the self to the other could be made. Conceivably, a conception of freedoms and rights that is radically different in the sense that it originates from a human being's infinite responsibility for the other, instead of originating from the self or from the realm of being, could be a plausible starting point towards a conception of a Levinasian society of neighbors.

Third, another central concern in Levinasian philosophy, which I think is also important to consider with regards to the task of attempting to conceive of a Levinasian society of neighbors, is the concern on encountering the other as pure alterity. I assert that although conventional conceptions of freedoms and rights include concerns of equality, fairness, and justice as central considerations in

their theoretical frameworks, they do not sufficiently account for the pure alterity or difference of the other against the self. This will also be discussed with more elaboration in the next section. Thus, I think that it is also in the area of the conception of freedoms and rights in a society wherein a sufficient concern for the encounter with the other as pure alterity could be included, towards a radically different conception that could be a plausible starting point of an attempt to conceive of a Levinasian society of neighbors.

As mentioned above, there are certain assertions made in the brief discussions of the second and third initial supporting arguments above which I think need further elaboration. This will be addressed in the next section. Afterwards, a rough conceptual sketch of an alternative conception of freedoms and rights that originates from the other and sufficiently considers the encounter with the other as pure alterity shall be attempted and it shall be argued that this could be a plausible starting point of an attempt to conceive of a Levinasian society of neighbors.

Conventional Conceptions of Freedoms and Rights[1]

In the discussions above on the three initial supporting arguments, two things were asserted regarding conventional conceptions of freedoms and rights, especially liberal, libertarian and utilitarian conceptions. First, it was asserted that conventional conceptions of freedoms and rights are founded within the realm of being and thus ultimately assimilate the other into the self and into being. Second, it was asserted that conventional conceptions of freedoms and rights do not sufficiently account for the encounter with the other as pure alterity. The discussions in this section shall focus on liberal, libertarian, and utilitarian theories of freedoms and rights because these schools of thought are usually considered to represent the two major types of conceptions of freedoms and rights. On one side are deontological conceptions, represented by liberal and libertarian theories of rights, which regard freedoms and rights to have intrinsic value regardless of consequences. On the other side are teleological conceptions, represented by utilitarianism, which exclusively attribute the value of freedoms and rights to a particular consequentialist goal such as utility.[2]

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[1] For the discussions in this section on liberal, libertarian, and utilitarian conceptions of freedoms and rights, I draw from a modest reservoir of ideas from my readings on the subject of freedoms and rights, especially from Rawls, John. 1993. *Political Liberalism*. New York: Columbia University Press; Sen, Amartya. 1999. *Development as Freedom*. New York: Alfred A. Knopf, Inc.; Sen, Amartya. 2002. *Rationality and Freedom.* Cambridge: Belknap Press.; Nozick, Robert. 1974. *Anarchy, State, and Utopia*. Oxford: Blackwell; and Waldron, Jeremy ed. 1984. *Theories of Rights*. Oxford: Oxford University Press.

[2] For this distinction between deontological and teleological conceptions of freedoms and rights, I draw from the discussions in Dr. Armando Ochangco's Philosophy 298 class at the University of the Philippines – Diliman, with the course title *Human Rights: Problems, Issues, Perspectives*, which I took during the first semester, AY 2013-2014.

Liberal conceptions of freedoms and rights, for instance those attributed to John Rawls, as well as libertarian conceptions of freedoms and rights, for instance those attributed to Robert Nozick, regard freedoms and rights to have value in themselves, regardless of consequences, with very minimal limitations. For Rawls, the rights of an individual can only be justifiably limited when the practice of such rights already violates the rights of other individuals (Rawls 1993). In Nozick's libertarian conception, individual rights can only be justifiably limited by a minimal state that would arise naturally from an initial scenario of anarchy (Nozick 1974). Ronald Dworkin, another liberal, also asserts that rights are like trumps that should prevail over utilitarian considerations (Dworkin 1984). Thus, liberal and libertarian conceptions of freedoms and rights assert that the normative force of individual rights has an almost unconditional priority over other evaluative considerations. Some theorists, such as J.L. Mackie in particular, propose that the whole theoretical framework of human morality can be derived from a deontological conception of freedoms and rights (Mackie 1984). From these general characterizations, I think it is not difficult to see how liberal and libertarian conceptions of freedoms and rights can tend to become individualistic and self-centered, based on the entitlements, choices, and interests of the self. Freedoms and rights are stipulated as fundamental and unconditional entitlements of the individual self. Responsibility is only a derivative of these entitlements in the sense that others are responsible for not interfering with the rights of the individual. It can also be said that deontological theories of rights are founded within the realm of being since they are usually based on a justificatory notion of human nature, rationality, or justice. Thus, an individual's entitlement to his or her rights is justified by such justificatory notions. In liberal and libertarian conceptions of freedoms and rights, the other is primarily seen as another individual with the same set of rights and who has the responsibility to respect my rights. In this sense, the other is assimilated to the same. Moreover, although concerns about the collective of individuals within a society, such as concerns on equality, fairness, and justice, are central considerations in liberal and libertarian theories, the encounter with the other as pure alterity or pure difference is still not sufficiently accounted for. In a liberal or libertarian society, an individual's relationship with the other who is radically different is often reduced to an attitude of negative respect or tolerance for the preferences of the other person. Such an attitude of negative respect or tolerance does not actively advance an encounter with the other as pure alterity, but instead could lead to an undermining of this encounter with the other. Suzanne Holland recognizes the limitations of the conventional discourse of respecting and tolerating rights in terms of sufficiently accounting for the encounter with the other as pure alterity. Such a discourse of tolerance has the tendency to define the relationship of the self with the other as mere indifference, especially if the other is radically different from the self. Thus, the alterity of the other is respected and tolerated only as long as the other does not 'impose' its alterity on

the self, as long as the self is not compelled to encounter the other as pure other (Holland 2003).

Although theories of freedoms and rights grounded on utilitarianism are fundamentally different from liberal and libertarian accounts, the utilitarian view is nonetheless very much founded within the realm of being. One way of looking at utilitarianism is that it seems to undermine the liberty of the individual self in the sense that its central concern is the maximization of the total collective utility, which is usually defined in terms of happiness, pleasure, or mental satisfaction. However, the utilitarian view does not demand a shift in focus from the self to the other, nor does it compel the self to engage in an encounter with the other as pure alterity. Utilitarian theories are almost exclusively preoccupied with the ontology of utility and with the question of how utility can be maximized. Thus, the values of both the self and the other are seen only in terms of their contributions towards the maximization of utility.

Of course, there have been attempts to reconcile liberal, libertarian, and utilitarian views on freedoms and rights, primarily through the integration of both normative and consequentialist considerations into a broadened conception of freedoms and rights, such as in the case of T.M. Scanlon's two-tier or third way view (Scanlon 1984) and of Amartya Sen's alternative conception of development as freedom (Sen 1999). Such attempts primarily point out the narrow and limited characters of both deontological and teleological conceptions of freedoms and rights and thus have advocated a more expansive set of considerations in the discourse of freedoms and rights. For instance, in criticism of moral philosophies that are exclusively based on the normative power of rights (i.e. rights-based moral theories), J. Raz asserts that an account of morality should include a broader or more plural set of humanistic ideals and values which may not be sufficiently accounted for by conceptions of freedoms and rights alone (Raz 1984). Similarly, Sen points out the need to expand the informational bases within which both libertarian and utilitarian accounts of freedoms and rights are founded, towards a more holistic understanding of the actual lives that people live and value and have reasons to value (Sen 1999). However, although Raz and Sen do recognize the insufficiency of conventional conceptions of freedoms and rights in providing an ample account of the comprehensive set of important considerations in human life in relation to freedoms and rights, I think it is fair to say that their attempts to expand and broaden conventional conceptions of freedoms and rights does not amount to the kind of radical shift in focus from the self to the other, as well as to the demand of encountering the other as pure alterity, towards a possible conception and realization of a Levinasian society of neighbors. A possible conception of a Levinasian society of neighbors would entail more than a broadening or informational bases or an expansion towards a pluralistic understanding of human morality. It would entail a total shift from a self-centered account of freedoms and rights towards an other-based conception.

Moreover, it would compel the necessity of the encounter with the other as pure alterity.

Perhaps one idea that could be thought of as somewhat parallel to this radical shift is Sen's assertion on the need to shift the focus of discourses on justice. For Sen, what is important is not to develop a highly sophisticated, ideal, and precise account of the ontology of justice or an ideally just society or ideally just institutions, but rather to discourse about what needs to be done to eliminate identifiable injustices such as famines, the subjugation of women, and the deprivation of freedoms and capabilities (Sen 2009). Sen's position can be thought of as a sort of radical shift in focus from theoretical systematic rigor to practical reasoning and sensible comparative analysis when it comes to discourses about justice. There is an intuitive sense by which it can be said that a similarly radical shift in focus in the conventional conceptions of freedoms and rights could be a plausible starting point towards the conception and possible realization of a Levinasian society of neighbors. As already discussed briefly earlier in this paper, the radical shift is from a conception of freedoms and rights that is based on the self, founded within the realm of being, and ultimately assimilates the other to the same, to an idea of freedoms and rights that originates from the other and sufficiently accounts for the encounter with the other as pure alterity.

A Radically Different Conception of Freedoms and Rights

I now proceed to attempt to characterize this radically different conception of freedoms and rights which could be a plausible starting point towards a conception and possible realization of a Levinasian society of neighbors.[3]

First, I think that a shift from a conception of freedoms and rights that is based on the self to an idea of freedoms and rights that originates from the other would entail a shift from a framework that is based on the entitlements, choices, and interests of the individual self to a notion that is based on the self's responsibility for the other. In this radically different conception, responsibility is not derived from the entitlements of the self, in the sense that others are responsible for not interfering with the rights of the self, but instead, the self's responsibility for the other is the starting point of the self's very conception of freedoms and rights. All valuational concerns within this radically different framework of freedoms and rights are based on responsibility because the Levinasian conception of value ultimately originates from the notion of responsibility. In other words, something has value only in so far as it has value towards recognizing and fulfilling the infinite responsibility for the other. The

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[3] The ideas presented in this section are comprised mostly of my interpretations of Levinasian conceptions from Levinas, Emmanuel translated by Alphonso Lingis. 2008. *Otherwise than Being or Beyond Essence*. Seventh printing. Pittsburgh, Pennsylvania: Duquesne University Press.

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self's relationship with the other in a society is also founded on this sense of responsibility – the community of the self with the other as a brother begins in the self's responsibility for the other. The relationship of the self with the other cannot be characterized by an attitude of negative tolerance or indifference with regards to the other's difference as compared to the self, but rather because of responsibility, the difference between the self and the other is conceived of as non-indifference – not as the self in spite of the other or the other in spite of the self, but instead as the self for the other or the self because of the other. Although this sense of responsibility is not negative tolerance or indifference, it is also not characterized by mere altruism, rather it is a goodness that is beyond or otherwise than altruism. Altruism could be thought of as another kind of thematization of the self's responsibility for the other. The self's responsibility for the other that would be the basis of the radically different conception of freedoms and rights in a Levinasian society of neighbors would be characterized by a sincerity that is not thematizing, a sincerity that is not founded within the realm of being, a sincerity that is articulated in the encounter with the other without condensing into the realm of the said. This responsibility is unlimited and infinite in the sense that the self or the subject originates from an anarchic point before the beginning of convention and proceeds endlessly beyond obligation. This responsibility beyond essence entails the self to push forth even beyond the responsibility for the other, towards the next level of responsibility, which is the responsibility for the other's responsibility (Levinas 2008). Thus, a radically different conception of freedoms and rights that could be the starting point of conceiving of a Levinasian society of neighbors is based on a radically different notion of responsibility, a responsibility that is non-thematizing and infinite, beyond the self and beyond the realm of being.

However, it seems quite difficult to think of a conception of freedoms and rights that is based on the self's infinite and non-thematizing responsibility for the other. How can there be freedoms and rights that are not based on the individual entitlements, choices, and interests of the self? How is it possible to have a notion of freedoms and rights that is based on responsibility? To address this difficulty, it must be pointed out again that a conception of freedom that is based on responsibility is radically different from the conventional notion of freedom that is based on entitlements, choices, and interests. Conventional conceptions of freedom pertain to freedom within the realm of being or essence, wherein responsibilities are only derived from the liberties of the self – an exacting accounting of permissions, prohibitions, obligations, and claims that merely sublimates in the realm of the self and of being without truly breaking free from the confines of essence. A radically different conception of freedom that is based on the self's infinite responsibility for the other is neither the freedom of choice nor the alienation of slavery. This sort of freedom is not a finite conception of freedom wherein human action and thought can be strictly categorized either as a free thought or act as a non-free thought or act, but

instead is found in the impossible logical cognitive realm of the excluded middle between freedom and non-freedom. Because the infinite responsibility for the other is infinite in the sense that it originates from an anarchic point before the beginning of convention and proceeds endlessly beyond obligation, the sense of freedom that emanates from it is similarly an obedience to the call of goodness that is not dependent on voluntary volition, choice, or decision but is also anarchic in the same sense that the infinite responsibility for the other is anarchic and infinite. It is a freedom that is brought about by a traumatic, overwhelming, and unbearable sense of infinite responsibility for the other which leads to a human being's very realization as a self and a subject, and compels the self or subject to become over flowingly inspired and restless in fulfilling its infinite ethical responsibility for the other. Despite the seemingly paradoxical notion of freedom originating from responsibility, as well as the equally seemingly paradoxical Levinasian notion of freedom prior to choice, it is most important to point out that in the Levinasian conception of freedom as responsibility, responsibility is not conceived of in relation to the loss of freedom; instead, the infinite responsibility for the other is itself the true and ultimate freedom because it is only in the self's encounter with the other where the self is able to break free from its alienation within the realm of being and essence and is thus able to become truly free. Freedom in the unlimited responsibility for the other, in the most passive passivity of substitution, is the ultimate freedom wherein …

> … the self liberates itself ethically from every other and from itself. Its responsibility for the other, the proximity of the neighbor, does not signify a submission to the non-ego; it means an openness in which being's essence is surpassed in inspiration (Levinas 2008, 115).

This radically different notion of freedom is based on an ultimate, inevitable, and traumatic accusation of the infinite responsibility for the other, which is on one hand prior to any conventional notion of free choice, but on the other hand is nonetheless what constitutes the true freedom beyond the alienation of being and essence. Thus, the freedom in a Levinasian society of neighbor is most analogous to the freedom of love. Love is absolutely traumatic, a trauma that originates from the self's sense of the other as some sort of infinity, and thus true love cannot originate from the mere freedom of decision or choice. And yet arguably, love is nevertheless the ultimate free act.

This radically different conception of freedoms and rights that is based on the self's infinite responsibility for the other would also demand an encounter with the other as pure alterity. Such an encounter is necessary because it is in the self's encounter with the face of the other where the otherwise than being or beyond essence becomes a possibility. It is the realization of the pure difference between the self and the other that initially brings about the sense of infinity. This difference or alterity is pure and infinite in the sense that is can be located only in the excluded middle between dialectics and equalized difference. The

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encounter enables the self to have a glimpse of the infinite passivity, where sincerity is articulated as pure saying in the other without condensing into the realm of the said. This extreme passivity in pure saying in the encounter with the other is what makes the self as well as the realm of being absolutely vulnerable to the trauma of the infinite responsibility for the other, which is also the opening towards the otherwise than being or beyond essence. However, as it has been implied earlier in this paper, this passivity is not tantamount to the sort of indifferent tolerance fostered in a liberal or a libertarian conception of freedoms and rights. This passivity, because it is traumatic and infinite, is characterized by an endless inspiration and restlessness in proximity with the other, a bearing of the infinite responsibility for the other, analogous to that of the bearing of a mother, which is bearing par excellence, wherein another level of responsibility is brought about – the responsibility even for the persecutors' persecuting. A radically different conception of freedom also demands the encounter with the other as pure alterity because it is in this encounter wherein the self faces the extreme accusation, and where the self is taken hostage by the infinite responsibility for the other and thus the ego is stripped of its imperialism within the realm of being and essence (Levinas 2008).

Thus, a radically different idea of freedoms and rights which could be a plausible starting point towards the conception and possible realization of a Levinasian society of neighbors originates from the other in the sense that it is founded on the self's responsibility for the other, a responsibility that is infinite and non-thematizing. It is an idea of freedoms and rights that is radically different from conventional conceptions of freedoms and rights that are based on the entitlements, choices, and interests of the individual self or on the essence of certain societal goals such as utility. Responsibility is not a derivative of these entitlements, choices, interests, or goals, but instead all other things are derived from this pre-original, anarchical, unlimited responsibility for the other that is beyond essence. It is from this infinite responsibility for the other that the ultimate freedom arises, before any choice and beyond any duty. This freedom is most analogous to the freedom of love. This radically different idea of freedom demands an encounter with the other as pure alterity and a resistance against the assimilation of the other with the same. It is in this encounter wherein the self is exposed to the other as pure difference, taken hostage by the sensitivity and extreme passivity in proximity, into the dynamics of substitution which is a most profound realization of this idea of freedom as responsibility, of ethics as first philosophy, a philosophy that "is the wisdom of love at the service of love" (Levinas 2008, 162).

Concluding Remarks

In this paper I have attempted to argue that a plausible starting point towards the conception and possible realization of a Levinasian society of neighbors could be a radically different conception of freedoms and rights that originates

from the other, that is founded on the infinite responsibility for the other, and that demands an encounter with the other as pure alterity. This attempt is initially motivated by the intuition that conceiving a Levinasian society of neighbors would entail a radical change in a central discourse in human social affairs, and it was asserted that the discourse of freedoms and rights could be such a central discourse where a radical change could be conceived of as a starting point. This paper provided a brief discussion on conventional conceptions of freedoms and rights, especially those anchored with liberal, libertarian, and utilitarian theories, in order to suggest the inadequacies of these conventional notions of freedoms and rights with respect to a possible conception of a Levinasian society of neighbors. The inadequacies are rooted in the preoccupations of these conventional notions of freedoms and rights with concerns within the realm of being or essence – either with the entitlements, choices, and interests of the individual self or with certain societal goals such as utility – as well as the attitude of negative tolerance or indifference fostered with regards to the encounter with the other. Lastly, an initial attempt was made in this paper to characterize a radically different conception of freedoms and rights that is based on the infinite responsibility for the other and which compels the need for the encounter with the pure other.

Of course, this paper barely scratches the surface of the discussion on a radically different idea of freedoms and rights which could be a plausible starting point of the conception and possible realization of a Levinasian society of neighbors. However, I have only intended this paper to be such and must now close it despite its meagerness. My hope is that I would find other appropriate junctures in the future where I could develop the ideas presented here further. My other hope is that the modest discussion presented here could provoke even a small motivation to anyone who might come across it, to reflect further on the discourse of freedoms and rights in relation to the vision of a Levinasian society of neighbors, and to re-think how we conceive of our freedoms and rights with respect to our relationships with others.

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DISCUSSION NOTES/ DEBATE

Autonomy in Bioethics

Katerina Deligiorgi

Abstract: Autonomy in bioethics is coming under sustained criticism from a variety of perspectives. The criticisms, which target personal or individual autonomy, are largely justified. Moral conceptions of autonomy, such as Kant's, on the other hand, cannot simply be applied in bioethical situations without moralizing care provision and recipience. The discussion concludes with a proposal for re-thinking autonomy by focusing on what different agents count as reasons for choosing one rather than another course of action, thus recognising their involvement in the decision process.

Keywords: autonomy, agentic skills, bioethics, feminism, involvement, particularism, principlism

Autonomy in bioethics is coming under sustained criticism from a variety of perspectives.[1] In what follows, I consider different conceptions of autonomy and argue that either they fail to explain why we should care for autonomy, or their answer to this normative question is tied to conceptions of skillful or moral agency that cannot be imported unproblematically in the bioethical context. The critical argument, which takes up most of the paper, sections 1 to 5, aims to motivate a re-appraisal of autonomy in bioethics. I conclude with some programmatic remarks about the need to re-connect personal autonomy to moral autonomy.

1. The Problem

In their 2003 book, *The Perversion of Autonomy*, Willard Gaylin, one of the co-founders of the Hastings Centre for Bioethics and Bruce Jennings, a senior advisor, describe the problem as follows:

> Our thesis in this book is that the morality of interdependence and mutual responsibility has been clashing with respect for autonomy with increasing frequency and harshness in the past thirty years and that autonomy has won these clashes too often. … When obeisance to personal liberty and independence triumphs systematically over relational, communitarian common sense morality, then a set of attitudes, unexamined assumptions, and a political and ethical style and rhetoric develop that we shall refer to as the 'culture of autonomy' (Gaylin and Jennings 2003, 4).

Gaylin and Jennings argue that this culture of autonomy prevents what they call 'common sense' moral responses and cite as exemplary the case of William Black. When Black, a homeless man, is taken ill, his friends call for

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assistance from a nearby hospital. The ambulance arrives, but Black refuses treatment. At this point, his friends plead that intervention is warranted by the severity of Black's condition. The paramedics do not treat Black who dies soon after the ambulance leaves. The example is intended to show how respect for individual autonomy, expressed in this case as respect for Black's decision to refuse treatment, defeats expectations and obligations of mutual assistance.

Gaylin and Jennings run together two distinct issues in this example. The first is what Christopher Coope in a recent essay calls 'autonomania' (Coope 2009, 183). This is basically a phenomenon of bad practice, consisting in the failure of those who have the requisite expertise to assume the authority their expertise gives them and so also the responsibility, which comes with exercising this authority. The failure is upstream from commitment to the principle of autonomy, because, on this version of the criticism, respect for autonomy is a convenient means used by some professionals, perhaps under pressure from institutional targets or the threat of litigation, to serve a prior end, namely to minimise the weight of their responsibilities. So it is reasonable to suppose that given this end, other convenient strategies can be devised to attain it. Nonetheless, the diagnosis of autonomania, shows that there is indeed a problem, which consists in a shift of the burden of responsibility for decision-making from the professional to the recipient of advice or treatment who is lacking the requisite expertise and so has no expertise-based authority. As a result the autonomy promoted by this 'do-it-yourself ideal,' as Coope calls it, appears perfunctory. What would modulate, perhaps even reverse, this judgement is showing that respect for individual autonomy acknowledges or preserves some *other* kind of authority that is not expertise-based, but which is both relevant and important. Gaylin and Jennings suggest that this argument is currently missing. This, however, is not a cultural problem, it is unfinished conceptual business.

The second issue is lack of care, which the authors attribute to a 'culture' of autonomy. This is a rather broad diagnosis aiming to draw attention to the deleterious effects of erosion of social and cultural bonds.[2] At its heart is a conceptual puzzle that defenders of autonomy in bioethics have an obligation to address. Autonomy is usually understood as self-determination, which is a relation to self. Ethics, on the other hand, is primarily about our treatment of others and so our relation to others. Understood as a self-relation, autonomy, not only lacks any obvious reference to other-regarding considerations, it actively *excludes* them. The puzzle then is why should it guide our ethics? Compare for example autonomist ethics with self-interest based ethical theories, such as enlightened egoism or Aristotelian flourishing. The latter includes prudential or

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[2] Gaylin and Jennings's analysis of the moral costs of the culture of autonomy has continuities with what Christopher Lasch, writing in the late seventies, called 'culture of narcissism' (Lasch 1979), and Charles Taylor, writing in the late eighties, described as 'narcissistic individualism' (Taylor 1991, 35).

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instrumental justifications for complying with moral demands, for displaying virtuous behaviour and for cultivating philanthropic dispositions. By contrast, autonomy appears to encourage minimal interference by others and in the lives of others. This presupposes a rather exalted view of our powers and some would say promotes a perverted image of ourselves as godlike.

2. A Defense of Autonomy and a New Problem

The criticisms of autonomy in bioethics appear well-motivated and *prima faciae* plausible. The question then is why should the idea of autonomy continue to guide our ethics?

Bioethical cases arise, for the most part, between parties that find themselves in asymmetrical relations of power. The powerful agent can be the state, the medical institution, or the medical professional. The weak agent is the group that is being legislated about, who may be excluded from some services or whose freedoms may be curtailed, or individuals who are already vulnerable, such as patients and their relatives who are the recipients of the professional's decision. Respect for autonomy can play a role similar to the role some rights play, when they are used as trumps to halt intrusions in the individual's life by powerful corporate entities, in a context in which there is no accepted notion of the common good. In a similar fashion, autonomy can be used as a trump-card the individual plays when a decision is made that is contrary to his well-being as he conceives it (Dworkin 1978, xi). A case that is routinely used to illustrate this function of patient autonomy in the context of mental health is the Re C case of 1994.[3] While detained in a high security hospital, a mental health patient developed gangrene secondary to chronic diabetes. Contradicting the doctors attending him, he refused treatment. The court judged that he retained decision-making capacity with respect to life-saving treatment and granted him his refusal.

In this trump-card role, autonomy stipulates non-interference in matters regarding the individual's view of his own good. So the idea is that each should be free to choose their good as they see fit. Why should we go along with this idea? Autonomy as non-interference draws support from John Stuart Mill's 'very simple principle' that "the only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others. His own good, either physical or moral, is not sufficient warrant" (Mill 1989, 13). What justifies adherence to the principle are its consequences for human welfare. Of course, welfare considerations *also* justify coercive intervention. To decide whether the claimant holds a valid trump card or not, we need to look at overall or general welfare. But the very idea of a trump-card presupposes a context in which there is disagreement about how the good may be defined. If the normative foundation of autonomy as non-

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[3] See Stauch 1995 for discussion of the case.

interference is welfare, then appeal to the principle can go in ways that negate autonomy, for example involuntary treatment orders. In practice, conflicts of this sort are left to the law courts to decide. But this practical solution does not relieve us of the conceptual obligation to justify individual autonomy, precisely in cases of competing views about the good.

3. A Second Defense of Autonomy and More Problems

Why then should we care for autonomy? Here is the context of our modern concern with individual autonomy as set out by Gerald Dworkin in his groundbreaking paper for the Hastings Center:

> The advent of new modes of behavioral technology raises important issues for our understanding of human nature and our moral views about how people ought to influence one another. On the theoretical level we find claims that an adequate explanatory scheme for understanding human behavior can dispense with notions of free will, dignity, and autonomy. On the practical level we are faced with claims of effectiveness, efficiency, and moral legitimacy for methods of influencing people such as operant conditioning, psychotropic drugs, electrical stimulation of the brain, and psychosurgery (Dworkin 1976, 23).

Dworkin argues that we are right to consider these theoretical and practical developments as threats. It matters to us that our choices are our own, it is essential to our identity as agents. Autonomy both names this value and shows how it is realised by describing a relation between the agent and her desires and motivations. For this reason, I'll call this conception internalist.

When we respect someone's autonomy, we recognise the authority of the autonomous agent to judge for herself. This authority is not based on her expertise or wisdom in running her affairs, it is authority she claims merely by virtue of the fact that these are indeed her affairs. In bioethics this person-based authority is worth our recognition John Harris argues, because "*it is only by the exercise of autonomy that our lives become in any sense our own.* By shaping our lives for ourselves we assert our own values and our individuality" (Harris 2003, 11). Securing this sense of 'our own,' however, is precisely what the internalist conception fails to do.

In the original paper, Dworkin offers the formula 'autonomy equals authenticity + independence' (Dworkin 1976, 26). The formula speaks to our pre-theoretical intuitions about autonomy: independence states that our choices should be free from external interference and authenticity that they should be *ours*.

To define independence, we need to identify which influences or conditions are problematically external and so should be resisted. Alert to the fact that features of our ordinary moral lives, such as compassion or loyalty require that our actions be determined to some extent by the needs of others, Dworkin argues *against* substantive independence, which encourages the sort of individualism Gaylin and Jennings deplore. Instead, Dworkin defends procedural

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independence by giving a list of hindering conditions such as "hypnotic suggestion, manipulation, coercive persuasion, subliminal influence and so forth" (Dworkin 1976, 28). These conditions aim to define the 'right way' of arriving at a decision so that it can count as autonomous. In part then, procedural independence spells out a requirement of agential control, that the agent has power over her will or at least that no-one else does. Even a perfectly controlled agent, however, would not count as autonomous, if her will is shaped by values she takes unquestioningly for granted. So independence is also about avoiding what Dworkin calls 'false consciousness,' encouraging critical reflection to identify insidious dependencies that cheat the agent of her autonomy.

The problem is with the standard against which the contents of one's will are to be judged. The internalist conception can only give us an inner standard, the true or authentic self. There is a trivial sense in which choices we make are ours because we make them. Authenticity is intended to give us a deeper, normatively significant sense of self. We are encouraged to undertake an internal audit to locate this self, but this is an impossible task. Of course, we often say for unimportant things, "that's not me" and for important things "this is who I *really* am." But we are also capable of mistaken self-ascriptions of identity because of self-deception or self-ignorance. Dworkin warns that if we insist on a 'ground-zero' of agency, we make autonomy impossible. One may add, in support, that the ground-zero view is based on a simply false model of agency as *causa sui*. So we have to start with some motivations and then reflect on them. Standard hierarchical models of personal or individual autonomy, of which Dworkin's is an early version, are premised on the idea that we make some motivation our *own* by endorsing it. As critics point out, however, it is one thing to have a more or less plausible endorsement account and yet another an explanation why the psychological feature that authenticates the decision is itself to count as authentic, and if it is not authentic, then the question is how non-authentic psychological elements give rise to authentic ones. This is the so-called *ab initio* problem.

Defenders of individual autonomy have adopted two sorts of strategies for getting round this.

The first strategy is conventionalist. Effectively, it does away with authenticity, starting with a basic self, consisting of a bundle of motivations acquired one way or another and an endorsement procedure. The advantage is that there is no need to respond to the *ab initio* problem. The normative weight is shared between decision procedures that are accepted as good or good enough and independence from manipulation, hypnotism, subliminal influence.

The threshold for autonomy is quite low. It is low enough to count as autonomous those who consider themselves to be second class citizens because they have been raised in oppressive environments or respond to peer-pressure. Applied to bioethics this seems to confirm Coope's original suspicion that such autonomy is perfunctory. But the bioethical autonomist would justifiably object

that this is too hasty a condemnation. Maybe conventionalism leaves something to be desired as a general theory of autonomy, but its weakness can prove a strength in the bioethical context. After all, we are not looking at the whole person, the concern is with specific choices about treatment; it is the choices and decisions about treatment that need to be autonomous. What we want then is a decent endorsement procedure. This is recognised in current practice through the notion of informed consent. The issue now is this: if consent is about signing at the bottom of a form, the perfunctoriness charge sticks. If, on the other hand, we take consent seriously, by recognising and trying to put aright the various distorting factors, including asymmetries of power and of knowledge, impeding social and cultural factors and so on, then we look to define not just an endorsement procedure but a thicker context of advice, discussion, education, advocacy and so on. This thicker context, however, presupposes a substantive conception of autonomy: the agent makes an autonomous choice if she properly and competently reflects on her options, wishes, aims and various facts of the matter.

This brings us to the second strategy, which consists in advocating a substantive conception of autonomy. On the substantive model, the contents of the preferences or values of the agent are placed under normative constraints. These are defined in terms of competencies and skills that stop short of sensitivity and responsiveness to specific values. Some of these competencies include: "well-developed, well-coordinated repertoires of agentic skills" (Meyers 2002, 21) that include introspection, communication, memory, imagination, analytical reasoning, self-nurturing, resistance to pressures to conform and more. Applied to bioethics this is unhelpful because more often than not the putatively autonomous agent is in a vulnerable position that inhibits the exercise of these skills. The threshold here is too high.

At the same time, the indirect reference to contents can have perverse effects: by *modus tollens*, someone is counted as lacking the skills because of the content of her choices. This strikes me as relevant in the case of a refusal of treatment that reached the High Court, in which the patient's request was challenged on the grounds that she is lacking agentic skills if she seeks discontinuation of her treatment that would lead to her death. Here is an extract from her witness:

I felt that I was being treated as if I was being unreasonable by putting people in this awkward position. I fully accept the doctor's right to say, 'I personally will not do it,' and I respect that position, but I was angered at the arrogance and complete refusal to allow me access to someone that would. I felt my path was being blocked and I was being pressurised to accept this option, to quietly go away conveniently, even though at tremendous cost to me and my family.[4]

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[4] Ms B v An NHS Hospital Trust [2002] EWHC 429 (Fam) 50.

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The substantive model of autonomy is underpinned by a conception of what constitutes skillful agency. Autonomous choices are competently considered, ultimately, well-made choices. Because of this, the model allows for maternalistic interventionism; possession of 'agentic skills' confers on the agent the right to intervene in the lives of others less skilled than her, second-guessing their true choices. This problem is vividly illustrated in a division among feminist legal theorists who argue that recognition of women's autonomy requires respecting women's right to make bad choices and those who argue that certain choices such as consent to prostitution and sex trafficking can never be thought as autonomous.[5]

4. Kantian Autonomy and Its Limits

An important feature of Dworkin's internalist conception of autonomy is the thought that it matters that we recognise and respect individual choice. When I say that such and such decision is *mine* – I ask others to recognise that I made it, I endorse it, I stand by it. These terms describe agential involvement and control. The agent is involved in the exercise of her agency *through* judging something to be the right course of action and she controls the exercise of her agency by shaping her choices in accordance to her deliberations.

Kant's moral theory contains a model of agential determination of ends in light of reasons based on "the idea *of the will of every rational being as a will giving universal law*" (Kant 1999, 81).[6] He calls this idea autonomy. His is a moral conception. It provides the basis of an objectivist morality; the universalisability test formalises the notion of duty and directs us to reflect about ends we *ought to* make our own – so 'mine' is not just any end I have. Unlike the internalist conception, we are asked not to make a special case for ourselves and our interests. The specific Kantian formalisation of this familiar moral content is that we entertain others in our minds not as recipients of our legislative efforts but as co-legislators – as universally legislating wills – and *therefore* as fellow rational beings. The model of agency that supports this moral conception requires only that we are capable of acting for reasons.

However, the reasons that secure a normatively robust sense of involvement and control are moral. This has advantages and drawbacks. The advantage is that the authority we respect when we respect each other's autonomy has a rightful claim to our respect, it is the authority of morality in our lives. Moral autonomy sits awkwardly within the ineliminably plural aspect of moral deliberations in bioethics. We can neither count on nor enforce free

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[5] Representatives of the first view are Sullivan 2003, Sullivan 2004, Doezema 2005. For the second view see MacKinnon 2005, 242-48, and Auchmuty 2002.

[6] In the Akademie edition, which has become standard for references to the German, the reference is volume 4, page 431. For a more detailed discussion of these claims see Deligiorgi 2012, 6-31.

uptake of moral injunctions. Even assuming such free uptake, the content of the moral duty will, very likely, be intrusively revisionary for some of the agents involved.

Kant does offer also a juridico-political conception of freedom that looks much closer to the non-interference principle we considered earlier: "independence from being constrained by another's choice" (Kant 1999, 393).[7] Such independence however does not quite fit the bioethical context because it is an answer to a question that is not ours: how is state law justified? Kant's answer is that it is justified through freedom: as a condition for the formal unification of a plurality of wills that preserves their independence.

Of course, bioethical issues cut across political ones about what is allowable and what is fair. But they are also distinctly ethical, in a way that the justification of state law need not be. Consider for instance surrogate or substitute judgement, when we ask "what would the patient choose?", the question strikes us with moral force (Brudney 2009, 33). Or consider refusal of treatment cases, when the High Court judges weigh the right of individuals to dispose of their bodies as they see fit and the social duty to protect the sanctity of life, they engage in moral as well as legal deliberation.[8] Additionally, the plurality of wills that are involved in each particular bioethical situation need to reach a decision they actually agree with, because they will have a role in implementing it. Independence understood as freedom to pursue ends I have looks orthogonal to these situations, either because cure or health depends on changing my ends, or because obtaining what I want for health, cure, or some cases death, depends absolutely on the will of others.

5. A More Radical Set of Criticisms and an Unsatisfactory Response

If we are to defend autonomy in bioethics we need access to a normative justification for our conception that explains the intuition that respect for autonomy is recognition of an ethical value, but which does not presuppose or lead to unrealistic expectations of each other.

In a recent paper about end of life choices, reliance on patient autonomy is described as a remedy for "the now discredited reliance on physician autonomy" (Burt 2005, 11). This agonistic way of putting things is interesting for two reasons. First, it reinforces the earlier point about asymmetrical relations of power, reflected here in the perspectival assignations of autonomy, which incur different obligations on the party that lacks it. What is unsettling about this pass the parcel picture of autonomy is that it fails to do justice to the thought that if we care for autonomy we care for it as beings who make choices, whichever position one is occupying in this situation.

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[7] The reference to the Akademie edition is to volume 6, page 237.
[8] High Court case Lord Justice Elizabeth Butler-Sloss Ms B v An NHS Hospital Trust [2002] EWHC 429 (Fam).

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Second, it illustrates the point made earlier that the bioethical decision situation involves by necessity a plurality of agents of whom very little can be assumed regarding shared intentions, shared moral convictions, or shared role-based obligations. Parties in the bioethical situation start with already prescribed sets of rules (contracts, institutional, professional and so forth). Bioethical principles will have to sit atop these rules that already determine what each may do.

Because of these features of bioethics, radical critics have urged that we do away with ambitious theory building or what Annette Baier calls the 'vault' view of moral theorising, that is a "fairly tightly systematic account of a fairly large area of morality with a keystone supporting all the rest" (Baier 1987, 55). Autonomy based bioethics fit this type of theorising because they place one principle, autonomy at the heart of the theory. The cost, Baier argues, is neglect of the particularities that give each case its specificity. In a similar spirit, Margaret Urban Walker criticises the practice of 'armchair' bioethics and 'decontextualised arguments' and advocates that we resist the 'pull to purity' in moral theorising that has affected bioethics (Walker 2008, 7).

Walker recommends a naturalised bioethics which is an ethics "committed to understanding moral judgment and moral agency in terms of natural facts about ourselves and our world" (Walker 2008, 1). It turns out that 'natural' here is intended to include social, economic, and cultural facts because we are naturally social beings. This pragmatic naturalism offers an entry point for feminist considerations about the inequality of openness of these social 'circuits' and the failure to treat people "under conditions of comparable respect and credibility" (Walker 2008, 3). The upshot is a feminist naturalised bioethics that rejects the 'characterisation of moral reason as timeless and universal' and is sensitive to 'situated discourse'. Walker is not prescriptive about the method of such ethics, but overall the advice is that moral thinking should be driven by the specifics of the case, be critical and empirically informed.[9]

The issue then is not theory-building as such. After all, moral theories do not arise in idleness, they arise because we confront problems that drive us to think deeper about our commitments and those of others, to try to find what if anything is justified, good or true even. Ordinary common sense is a fine guide, but sometimes it is not reliable or ought to be revised, which is the point of Walker's insistence on the importance of critical reflection on our assumptions. Baier and Walker are not anti-theory just against the immodesty of a certain type of theory-building. In arguing for an alternative approach, they are raising a deep question about how we deal with moral situations, how we recognise that a moral response is demanded of us and what resources we bring in responding.

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[9] Walker characterises the contributions in the volume as "self-reflexive, socially inquisitive, politically critical, inclusive" (Walker 2008, 5), which would fit any number of different sorts of ethics and bioethics. See too her earlier monograph Walker 2007.

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They offer a contextualist and particularist approach against a principle-based approach.

What is wrong with a principle-based approach? First, we do not think morally in terms of principles (Baier). Second, we should not think morally in terms of principles; decontextualised theorising ignores large parts of our moral life and essential features of it such as relationships and the values that define them (Walker). Third, principles commit us to an inferential model of practical reasoning which is false, and more generally, principles do not seem to be very useful when we judge specific cases (Baier, Walker).

The first point is perhaps the weakest. It is hard to see how one can accept it, for patently we do think morally in terms of principles, or some of us do some of the time. The claim would have more weight if it stated that although we *take* ourselves to be using principles (e.g. "do as you would be done by"), in fact these principles play no actual role in our deliberations. This would require an account of our deception, when we think we are using principles, but nothing like this is on offer here.

The second point is easy to respond to because some principles, such as "love thy neighbour," "honour your father and mother," are just formalisations of relationships in terms of values (love, honour). So there is no antagonism here between approaches. Of course, principles are purposely designed to abstract from the particulars of the situation in order to be useful. They do not capture the rich texture and nuance of our moral life, because they are not meant to.[10]

This brings us to the question, what use are principles for? This links with the third point against principles, namely that they commit us to a false picture of practical reasoning. Principles come in different forms and with different content, some look like rules "do this," some look like facts "x is wrong." We can think of principles as tools for unifying disparate cases. This is how they are supposed to provide guidance: when something is uncertain, we can use the principle to make our way into the unknown. In this way, they can be used by individuals and groups to steady outcomes and firm up expectations of consistency. In addition, they can perform a useful testing role enabling us to gain reflective purchase on our moral intuitions. Of course, other things too can perform this role, heeding other voices, attending to stories, examples and so on. But the point of this brief discussion of principles is that they can be part of a reflective process, which both Baier and Walker applaud, and they can also be reasons to which the agent responds directly without engaging in moral inferences.

A currently popular defense of autonomy in bioethics offered by proponents of 'principlism' favours so-called midway principles. The purported

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[10] The application of principles is obviously a matter of context. So a principled approach is not ex hypothesi contrary to reasons holism, a position to which both Baier and Walker subscribe and which states that reasons that are good or bad in one context need not be so in another context.

advantage of these principles is that they are midway between formal and substantive. So they do not fall foul of the earlier criticisms of substantive autonomy, yet can accommodate the criticisms coming from a particularist perspective. Principlism aims to help us first of all recognise something as a moral problem and secondly offer guidance for how to deal with it. It is not intended as a general theory of the vault type, on Baier's classification. It is designed from the start with a plurality of principles, "respect for autonomy, non maleficence, beneficence (including utility or proportionality), and justice, along with such derivative principles or rules of veracity, fidelity, privacy, and confidentiality" (Beauchamp and Childress 1994, 12). These principles are not to be seen as providing foundations for the theory. In addition, these are not justified a priori but empirically, the authors claim they are historically important, shared widely and embedded in moral thinking especially in the medical profession. This fits Walker's empirical sensitivity recommendation and also what Emerich says about the role of bioethicists, since the proponents of the theory identify principles that are 'generally held moral values' and formalise them to help guide practical thinking. Finally, these midway principles are to be seen as non absolute; they are rules of thumb, which means that if one of them is ignored, then the agent is under obligation to justify herself. Other things, such as how they are ranked or which are most appropriate in judging a case, are, as Urban Walker urges, to be decided in context, so the principlist moral discourse is, despite its name, a 'situated discourse'.

Unfortunately the midway approach faces by now well-reheared difficulties. One concern is that the four core principles are not in fact as widely shared as the authors suppose.[11] The position is intended to be flexible enough to fit different value contexts up to a point while overlaying them with a set of principles rooted in professional practice. But here a more urgent problem arises about shareability. Principlists do not claim that all morality is contained in their four principles, but they do claim that our common morality binds us. This means there are going to be considerations not caught by the principles which are nonetheless binding for some of the agents involved in the bioethical situation. In such a case the extra values and principles will not get recognised as such, and perhaps the moral import of the situation won't get recognised. If they are, then we can add ad hoc values and principles hoping for the best, or a way is sought to connect these extra values and principles to the four core ones. Whatever the prospects of these amendments it should be obvious the possibility of these alternatives is damaging for the claim that the four principles offer a moral framework for bioethics.

The problem is with the very nature of mid-way principles: they are the upshot of a negotiation that is supposed to be done and dusted *before* we start on the specifics but which for the reason just mentioned never is.

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[11] These criticisms are carefully detailed in Walker 2009.

6. A Possible Way Forward

Kant's moral conception of autonomy stands apart from the other models we discussed because it links the demand that we should respect autonomy to the recognition that morality obligates us. This is a robust answer to the original normative question about why autonomy should guide our ethics and therefore have a role in bioethics. The problem with drawing directly from the Kantian source is that the model is prescriptive on the grounds of the objectivity and universal appeal of the moral demand. For reasons well-rehearsed in the literature, these grounds are not in fact shared by all those who find themselves in the sort of situations tackled by bioethicists. On the other hand, without a foundation in a moral conception, autonomy cannot be normatively secure. I conclude here with some programmatic remarks about one way in which this link can be established without ignoring the pluralism characterizing bioethical cases.

A key element of Kantian autonomy is agential involvement; the agent is acting on *her own* reasons. Involvement is essential if the agent is to *own* her action. As we saw earlier, not everything the agent decides counts as her own; the agent is under obligations of reflection to figure out what morality demands. This morally demanding conception of what is to count as properly the agent's own makes use of a thinner conception of what it is to act on reasons: the agent considers facts she judges to be relevant and then takes some as reasons for her choice to pursue some end.

Though fairly minimal, this interpretation of autonomy allows us to envisage a normative situation that accommodates a plurality of wills, each *starting* with no prejudgement about the facts that are reasons for them. The facts that are reasons for each of the affected agents should be allowed to count *prima faciae* in the decision making. So unlike the pass the parcel picture we encountered before, autonomy as involvement is applicable to all relevant parties (noting that some of the facts that are reasons for some participants include facts about who should be included in the decision making). In addition, the model allows and indeed encourages negotiation, advice and so on, which were attractive features of the substantive conception of autonomy without cutting off those who lack 'agentic skills.' In short, it does justice in practice to the basic intuition, which motivates Dworkin's original paper, that there is something about the mere self that is worth respecting, without committing to the problematic internalist model.

A practical advantage is that involvement connects with a good deal of current practice so it is not unduly revisionist, it merely sets current practice in a different theoretical framework by focusing on what different agents count as reasons for choosing one rather than another course of action. On the other hand, the co-operation for the purpose of meshing agents' aims that autonomy as involvement encourages is quite demanding, not least psychologically since it is hard to recognise as reasons the reasons of those with whom we share very little.

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In addition, empowering those involved in decision making, especially those who are vulnerable and feel powerless, is time and resource-taxing. But these practical difficulties attend all serious joint attempts to figure out what the right thing is and to do it. Importantly, nothing *secures* the co-operative meshing of ends, because some facts that count as reasons for some of the relevant parties will not issue into actions, so some ends will be thwarted. As a result, some views of the good, as in the Millian model, shall prevail while others not, and some instances of maternalistic intervention will be allowed while others not. This is just a function of the pluralistic model we start with. On the other hand, involvement is much more promising, I think, in recognising the need for ownership of the decision by the agents involved and explaining why such ownership should be respected.

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Social Epistemology Transformed: Steve Fuller's Account of Knowledge as a Divine Spark for Human Domination

William T. Lynch

Abstract: In his new book, *Knowledge: The Philosophical Quest in History*, Steve Fuller returns to core themes of his program of social epistemology that he first outlined in his 1988 book, *Social Epistemology*. He develops a new, unorthodox theology and philosophy building upon his testimony in *Kitzmiller v. Dover Area School District* in defense of intelligent design, leading to a call for *maximal human experimentation*. Beginning from the theological premise rooted in the Abrahamic religious tradition that we are created in the image of God, Fuller argues that the spark of the divine within us distinguishes us from animals. I argue that Fuller's recent work takes us away from key insights of his original work. In contrast, I advocate for a program of social epistemology rooted in evolutionary science rather than intelligent design, emphasize a precautionary and ecological approach rather than a proactionary approach that favors risky human experimentation, and attend to our material and sociological embeddedness rather than a transhumanist repudiation of the body.

Keywords: social epistemology, theodicy, precautionary principle, transhumanism, evolution, intelligent design

Steve Fuller burst onto the academic scene with his provocative synthesis of opposites in *Social Epistemology* in 1988, which brought together constructivist sociology of science with normative philosophy of science, not to mention analytical and continental philosophy (Fuller 1998). Defining social epistemology in his new book, *Knowledge: The Philosophical Quest in History*, as "the normative study of knowledge as a product of social organization" (Fuller 2015a, 4), Fuller can be credited with virtually bringing an entirely new field into existence, founding a journal also called *Social Epistemology*, which pushed views together that were unpopular in their home fields. Normative philosophy of science was not to be focused on individual knowers and their relationship to an external reality, but should engage in a kind of social and political philosophy of science focused on knowledge's social organization and its attendant tradeoffs of costs and benefits. Constructivist work in Science and Technology Studies (STS) was not to be focused on case studies emphasizing that science cannot be wrenched from its social context, but should contribute grounds for remaking the knowledge enterprise in ways responsive to our collective input.

In *Knowledge: The Philosophical Quest in History* (2015a), Fuller returns to core themes of the program outlined in 1988, showing how the evolution of his views over the past three decades pushed his original program in new directions.

In the process, he explores how developments in twentieth-century sociology and philosophy of science, economics, psychology, theology, and history alternately facilitated or impeded the development of a larger perspective on what knowledge is (or can be) that would make possible the liberation of human capacities from self-imposed restraints. In particular, this book argues for the compatibility and relevance of Fuller's work on intelligent design to social epistemology, in the aftermath of Fuller's testimony on behalf of including intelligent design in the science curriculum in *Kitzmiller v. Dover Area School District*.

Normative Social Epistemology

For those like me skeptical of Fuller's recent anti-Darwinian polemics, the new book does at least have the virtue of providing a clear normative perspective not only on science, but also on the collective mission of humanity as a whole. By contrast, early discussion of the normative components of social epistemology tended to be more programmatic and hypothetical. In fact, I think it is possible to see the book under review as the culmination of the third stage of normative reflection in Fuller's writings.

The first stage, call it *hypothetical normativity*, was epitomized by the argument that it was absolutely necessary to decide how inquiry was to be organized and that opting out of this discussion was an abandonment of intellectual responsibility. Here, while constructivist sociology was the empirical program taken to provide the source of data to guide judgment (with experimental psychology later thrown in for good measure – Fuller 1989), the real basis for normativity was the economist's concern with economic tradeoffs (developed in chapter 2 of the volume under review).

Building on his dissertation on Herbert Simon's concept of bounded rationality (Fuller 2015a, 15), Fuller argued that there was no way to *maximize* truth, not least since there was no single entity to maximize but a series of different socially organized ways of producing knowledge that evidenced the incommensurability of perspectives inherent to language (Fuller 1988, ch. 5). Unlike the constructivists, he did not conclude that each scientific discipline ought to be left to its own inclinations, but that the knowledge policy maker should enforce a common currency to *overcome* incommensurability, partly based upon the values that the public decides ought to frame the process of inquiry (Fuller 1993).

The second stage of Fuller's normative reflections could be called a quasi-socialist *planning of science*. In this stage, Fuller interrogated class conflict between knowledge workers and "knowledge management" (Fuller 2001) and drew inspiration from the finalization of science movement in Germany, where a shift was advocated from a focus on basic science to science applied to serve human interest (Böhme et al. 1983). This quasi-socialist conception of science fits well the idea that science ought to be directed to some larger human goal

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than mere accumulation of knowledge and that traditional elites, in science or politics, had stood in the way (Fuller 2015a, 203-204, 219).

Accompanying this stage of Fuller's writings were some of his most historical writings, revealing that science did respond to cultural imperatives that shaped inquiry in lasting ways (Fuller 1997). Crucially, this involved an in-depth examination of the way in which Thomas Kuhn's *The Structure of Scientific Revolutions* led us astray, establishing a Cold War-inspired compromise that protected the autonomy of science from what was seen as potentially demagogic political interference. The heroes of Fuller (2000)'s examination of the Cold War roots of the ascendancy of Thomas Kuhn were those politicians and scientists who wished the public to have its say in how research funds were spent. In this sense, a democratic populism filled out the hypothetical normativity of stage 1 and there was a shift away from the standpoint of the philosopher-king enforcing austerity. The tension between stage one and stage two can still be seen in his current thinking, as Fuller (Fuller 2015b) defends neoliberalism's disruption of disciplinary autonomy as a good thing, while his argument in the current volume is that STS has retreated from a richer sense of normative evaluation by valorizing market discipline (Fuller 2015a, 208-209).

The third stage develops themes that emerged after his testimony in *Kitzmiller v. Dover Area School District*, and called for *maximal human experimentation*. Beginning from the theological premise rooted in the Abrahamic religious tradition that we are created in the image of God, Fuller argues that the spark of the divine within us distinguishes us from animals. The real philosophical error of Darwin's science was that it lowered our expectations as to what the human project could accomplish once we set our divine minds to it. With this theological premise, Fuller sought to roll back all the obstacles to radical improvement of the human species, including academic dogmatism (Fuller 2002), regulatory caution (Fuller and Lipińska 2014), ecological thinking (Fuller 2006), and humanist essentialism (Fuller 2011).

A New Science for Transhumanism

The positive program aligned itself with technological transhumanism, where radical technological transformation of human nature was encouraged, potentially abandoning our merely carbon-based existence for some higher form. Fuller downplays the risks of transforming ourselves and the world technologically by extending the economist's concern with tradeoffs between costs and benefits to a cosmic, theological level. Drawing on the idea of theodicy, which reconciles God's perfection with the existence of evil, suffering, and other imperfections that are all presumed to be part of a larger plan, Fuller enjoins us to think of the project of humanity in the same grand fashion.

Will and agency figure as key values and caution and historical determination obstacles to our destiny. Thus, in truth, Fuller's views have less to do with the traditional religious conservatism of some of the intelligent design

proponents challenging school curricula in the U.S. than his testimony in *Kitzmiller v. Dover Area School District* would suggest. Instead, his views reflect the science-fictional emphasis of futurist writers and transhumanists who seek cognitive and physical enhancement of the human body, the elimination of aging, and the transformation of consciousness from bodies to machines under the guise of bringing about a posthuman condition (Kurzweil 1999). The roots of this view – seeking science-based 'spiritual' transformation of the human condition into carbon-free masters of the universe – ironically trace to many of the scientists involved in demonstrating the chemical underpinnings of life leading to the modern synthesis in biology (Fuller 2015a, 197-99). These scientists, including J.B.S. Haldane, Julian Huxley, and J.D. Bernal, were also influential in the development of science studies, evidencing a curious fusion of modernist, Marxist, atheist, and eschatological themes (Midgley 1992, chs. 2, 14; Nye 2011, ch. 6; Lessl 2002).

Common to all three of Fuller's normative perspectives was a hyperbolic response to the recognition of uncertainty and indeterminism in science. The so-called Duhem-Quine thesis asserts that theories are underdetermined by the empirical data, such that it is always possible to construct alternative, empirically equivalent theories to those accepted consensually by scientists. For conservative philosophers, this raised the question of how to defend the rationality of science, given this residue of conventionalism. The status quo was presumed rational and alternative, empirically equivalent theories were to be avoided whenever possible (Fuller 2015a, 158). Sociologists drew another corollary, borrowing from Wittgenstein, that consensus was socially enforced (Lynch 2005). They failed to take the next step that the conclusions of science should or could be changed, and the general conclusion of post-Kuhnian science studies was that one ought to defer to the experts (Collins 2014; Shapin 1994).

Expertise, on this view, was self-warranting, a view that has been vehemently critiqued and rebuked by Fuller over the years (Fuller 2004). The social epistemological corollary, then, was that one ought to explicitly and consciously decide just how the openness and indeterminancy of science was to be handled, rather than relying upon the accidents of history or the discretion of elites. For stage one Fuller, this meant that philosophers of science were defecting from their responsibility to hold science accountable for its choices. For stage two Fuller, this meant that the public should have much more say over the direction of science than allowed to them by the gatekeeping philosophies of science since Kuhn. For stage three Fuller, this meant that we can remake nature itself – including human nature – as we wish. In theological terms, creation has been made for us to act upon and, in some sense, complete, as apprentice divinities ourselves.

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Human Knowledge in the Image of God

In *Knowledge*, Fuller defends this view that "humans are gods in the making" (Fuller 2015a, 1) as a fully general theory of knowledge. In this sense, it is his most hyperbolic book and his most metaphysical: it projects indeterminancy onto nature itself, but leaves humans as the creatures responsible for making it determinate by our own activity.

Whereas Quine thought to change scientific theories conservatively, where there is a compelling need, Fuller wants to *maximize* the change that indetermininancy makes possible. Note that one doesn't need to be enamored of the status quo or opposed to pushing along scientific dissent and radicalism to think that this is not the best strategy. Fuller, however, is particularly allergic to any hint of "deference" (Fuller 2015a, 3), not only to experts but also to reality itself (see the extended critique of deference to expertise in chapter 5). Hence the importance of a complete reconceptualization of what knowledge is – above all else, it is not a correspondence to an underlying, brute reality. Rather knowledge is something that has to do with making or doing rather than observing or reflecting (compare Pérez-Ramos 1988; Lynch 2001).

Consequently, anything that limits our freedom to remake the world is an obstacle to knowledge, and that especially includes the self-imposed blinders associated with philosophy of science and epistemology, and similar disciplinary endeavors to define and delimit science addressed in this book. While philosophers have long discussed a residual 'conventional' component to knowledge, conceived as an unwanted intrusion of arbitrariness into our picture of reality, Fuller wants us to understand this conventional component as a freely chosen social convention (Fuller 2015a, 12). We decide how to interpret reality in order to best facilitate the manipulation and transformation of brute reality to serve our purposes. The emphasis here is on the imposition of our *will* on brute matter, rather than our passive reflection of it. The fact that it is a social contract also means that epistemology is really a species of political philosophy.

The problem with this way of looking at things is as much ethical as it is epistemological. Fuller has taken political economy's emphasis on the hidden hand of the market, miraculously transforming human misery into aggregate utility, into a principle that applies to the universe itself. While admitting that it might only be useful to assume the existence of a God just in order to motivate us to transform the world as if it were created for our use (Fuller 2015a, 1), his appeal to theodicy as the solution to the problem of evil and suffering given the existence of an all-powerful God can excuse any level of suffering as part of God's plan, "as total knowledge will justify all the sacrifices that have preceded it" (Fuller 2015a, 263).

This kind of cosmic utilitarianism is the calling card of the millennialist enthusiast, the believer in the reign of God, the coming right-wing or left-wing utopia, or the end of history. The Darwinist needs no such consolation, since we were not placed here intentionally and whatever suffering or evil exists is the

blind product of evolution. Theists, on the other hand, must seek to understand what is the *purpose* of suffering. Fuller gives two answers: one, the existence of suffering must serve the purpose of a larger plan by God, and two, God must struggle (as we do) to make his intentions real given the resistance of ordinary matter (in this sense, Fuller denies God's omnipotence). The latter point is connected to the Gnostic inheritance of transhumanist thinking and I will have more to say about this below.

But the former is a particularly difficult claim to swallow, particularly in the aftermath of the century of horrors, of the Gulag and the Holocaust. It is hard to believe that anyone can accept that such evils are part of a larger plan or that that would excuse a god from condemnation who resorted to such means for some end we cannot yet fathom. For Fuller, "theodicy provides the clearest precedent for our valuing all errors – even evils – as learning experiences en route to a just world order" (Fuller 2015a, 249).

For those religious believers who test high on psychological measures of authoritarianism – who believe obedience to authority and exclusion of outsiders are key imperatives – the acceptance of suffering as God's hidden plan makes sense as a kind of willful ignorance (Taub 2016). In Fuller's case, however, his views are almost reflexively anti-authoritarian, so such an interpretation will not work. Rather, like a good Leninist, Fuller wants to break a few eggs in the present (and the past) so that we can make an omelet in the future.

This kind of revolutionary modernism excuses all the sacrifices that we can be compelled to carry out to make freedom possible for the children of the revolution. Despite calling for an end to false abstractions in our view of knowledge in *Social Epistemology*, much of Fuller's discussion of our bold, new future is incredibly abstract. So let us just translate how a proactionary, transhumanist theodicy might spell out in practical terms: there would be a shift from a precautionary protection of human health and the environment to seizing every opportunity for the emergence of new powers and possibilities for human enhancement without being held back by dour risk assessments and the like. In Fuller's views, our very progress in gaining scientific knowledge depended upon our willingness to explore risky ideas and a retreat to a precautionary approach would mistakenly imply "the existence of inherent limits to our capacity for action" (Fuller 2015a, 166). Instead, we ought to learn from our mistakes, via a 'proactionary principle' generalized from Popper's falsificationism, which implies that we should not be afraid to make frequent mistakes, however harmful they may be in terms of health or ecological damage (Fuller 2015a, 166).

The resulting techno-experimental eugenics will favor the select few at the expense of the many, as the many who suffer chemical assaults, health impairment, or derangement by new technologies of personal enhancement are sacrificed to make possible the emergence of Humanity 2.0, a kinder name for Nietzsche's Übermensch (Fuller 2011). The ecological sustainability of our planet will be jettisoned and our companionship with other animals set aside because

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this is not our home, but a launching pad for our glorious future among the stars (or amidst the electrons in our computers). Global warming and other alarmist threats will be embraced as opportunities for shaking out the old and bringing in the new (Fuller 2015a, 279).

Darwin's Wrong Turn

The adoption of Darwin's theory of natural selection is the key wrong turn for Fuller, in that it made possible a negative view of human capabilities and failed to explain how science itself was possible. In order to develop this idea, it was necessary for Fuller to explain why his own early writings on the materialist basis of knowledge have to be reinterpreted. In particular, in his second book, Fuller endorsed evolutionary biology as the key basis for a naturalistic science of science in the mold of the strong program in the sociology of science (Fuller 1989). Social epistemology was the theory of knowledge that explained how knowledge could be simultaneously "in and about the world" (Fuller 1991). Popper's world three and the like – areas where disembodied knowledge existed – were anathema from the point of view of Fuller's early hypermaterialist and naturalistic take on knowledge.

The difference, Fuller now tells us, is that naturalism must be reflexive in being able to account for the emergence of naturalistic science in the first place. He argues that the knowledge produced by science is something that does not merely organize our everyday experience, but posits laws holding even where we have no possible experiential access (in the center of black holes, for instance) and in mathematical language that that has a level of precision and power that belies science as a mere codification of 'animal' induction.

In this sense, reflexive naturalism requires explaining the existence of knowledge in the first place, which cannot be done except by appealing to a supernatural or transcendental perspective (Fuller 2015a, 60). Naturalism is naturalistically falsified by the history of science, for the history of science is held to demonstrate that we can only do science on the assumption that the world was created for us in a language we can decode and understand. This revisionist historiography is facilitated by a less materialist and more Platonic view of knowledge (Fuller 2015a, 262), as Fuller mistakenly follows Koyré in believing that Galileo innovated through thought experiments rather than real ones (Fuller 2015a, 61). Fuller's conclusion is that

> the power afforded by scientific knowledge is decidedly non-Darwinian: It takes us out of our natural habitats, leading us to radically transform and even replace them, while we extend our horizons to the heavens (Fuller 2015a, 61).

The fact that our scientific insight may be an evolutionary byproduct of capacities we inherited from a process of natural selection is rejected (Lynch 2016).

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William T. Lynch

The Cultural Evolution of Science

For Fuller, the 'universal' character of knowledge lacks an explanation by evolutionary naturalism. Admittedly, part of the problem here is the anemic character of what passes for evolutionary epistemology in the philosophy of science. Evolutionary epistemology is understood by many philosophers to be a way of cobbling together naturalistic justifications of (roughly) traditional epistemological conclusions about knowledge: we have accurate knowledge, we gain it through experience, and so forth.

But there should be no equation of an adaptive cultural formation and truth, as pointed out by evolutionary biologist David Sloan Wilson when he turned to consider evolutionary epistemology. Wilson shows that adaptations are not equivalent to truth, as Fuller believes is inherent to the Darwinian view (Fuller 2015a, 263). The best way to survive and reproduce in an environment is not necessarily to have an accurate representation of the world. It is better to infer that a predator lurks in the bushes when it does not than to make the opposite error and become that predator's dinner (Wilson 1990).

Within the evolutionary study of religion, it is this adaptive, but false attribution of agency to the world around us that is taken to underwrite the prevalence of belief in God in our species (Boyer 2001). I expect that it is a little more complicated than that, and evolutionists remain divided on whether religion itself tends to be adaptive for us, as argued for by group selectionists like Wilson (Wilson 2002), or that religious ideas are self-propagating memes akin to viruses that use us for their own benefit (Dawkins 2006a, 2006b). My own sense is that science and religion both exploit human biological capacities that emerged for other reasons, but that make possible a distinctly cultural evolution of human institutions (Lynch 2016).

Part of Fuller's hostility to Darwin has to do with emphasis on a distinctly autonomous science of sociology that has been eviscerated by the diffusion of sociobiology and evolutionary psychology throughout the social sciences (Fuller 2006). However, at the same time that a reductionist form of biological determinism was emerging as human sociobiology (Wilson 1975), the application of Darwinian approaches to cultural phenomena like language was emerging (Cavalli-Sforza and Feldman 1981; Boyd and Richerson 1985). The distinctive importance of sociocultural processes was being underwritten by Darwinian principles, as multiple levels of selection beyond the genetic were being uncovered. The competitive aspect of natural selection, epitomized by the phrase 'struggle for existence,' is now seen increasingly to be dependent upon prior establishment of cooperative relationships, either at the level of the cell, the genome, or human culture (Maynard Smith and Szathmáry 1995). Thus, the best naturalistic view of science would be that it is a peculiar result of cultural evolution, another level of selection apart from genetic evolution, where individual interests at the genetic level can be subordinated if group selection is strong enough (Harman 2010).

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In the case of humans, warfare between groups may ironically have stimulated cooperation within groups. The altruistic defender of the group would normally be selected against, but in the face of fierce competition *between* groups, those groups with altruistic warriors (sacrificing life for the group) thrive better than others (Bowles 2006). The cultural evolution of religion shows the same tendency, as classic Durkheimian mechanical solidarity emerged to facilitate the survival of intellectual beliefs, religious rituals, and the groups associated with them (Wilson 2002).

The cultural evolution of religion was particularly applicable when group membership and survival lined up with religious belief systems. The drive to secularism began already when a more complex division of labor and interconnectedness led to organic solidarity. Especially by the time the modern world system developed, where cultural 'memes,' including religion, could be more free-floating and subject to individual adaptation within social groups, the close alignment of group selection and cultural evolution gave way, with more 'horizontal' transmission of cultural products (and hybridity) operative (Blute 2010, Boyd et al. 1997). Thus, the possibilities for human cultural creativity are opened up by breaking apart the temporary alignment of selective forces with group competition.

Epistemology as Divine Psychology

In his discussion of "epistemology as divine psychology" (Fuller 2015a, ch. 2), Fuller generalizes his critique of Darwinism under the banner of intelligent design as what he calls a "'Left Creationist' affirmation of science" (Fuller 2015a, 86). What does he mean by this? Three points can be identified, all connected to a view of the practice and history of science suffused with religious inspiration.

First, science is connected inherently to natural theology. Natural theology, for Fuller, is the belief that God communicates with us through his design of the natural world in a law-like, and indeed, language-like, form that allows us to be sort of apprentice creators. We learn to uncover how God created the world in the first place and begin to practice the art of creation ourselves. This follows from the fact that we were created *in imago Dei*.

Fuller has a quite strong view of what this means – indeed, it is virtually heretical in a Christian sense as it a) depends upon humans fully sharing in the potential for divinity with God, and b) it also leaves God (and ourselves) constrained to overcome the resistance of matter in implementing his (and our) will. The former view resembles Renaisssance humanist Pico della Mirandola's heretical take on our human capacity for divine action (Cassirer 1948). Fuller and Mirandola share a belief in the human capacity to remake itself, the limitless capabilities of human intellect, the view that humans are not tied to biological creation, that they are free to choose their own course of action, and that they can ascend the chain of being to become like angels and gods (Fuller 2015a, 74-75).

The later view is basically the Gnostic heresy and it underwrites Fuller's transhumanism, as the full test of whether we have delivered on the promise of the divine within us is whether we can become 'transhuman' by leaving behind our merely carbon-based and materially constrained way of life for a new way of being human, what Fuller calls 'Humanity 2.0' (Shiffman 2015; Malapi-Nelson 2016; Lessl 2002). Likewise, Fuller's God is not omnipotent, and struggles with matter to realize his creation; matter preexists God on his reading of Genesis (Fuller 2015a, 75). Whatever one thinks of this imaginative theological construct, it is easy to see that it is inherently antithetical to any suggestion that we are creatures bound by our material and social embodiment, and so, in that sense, looks like a retreat from the initial program of social epistemology. It is also hostile to nature as such, and is reflected in Fuller's opposition to restraining human self-experimentation as urged by insufficently 'proactive' traditions of thought like environmentalism or animal rights.

Second, Fuller's Left Creationism asserts that only intelligent design can explain why we pursue science in the first place, since a materialist view – and especially a Darwinian view – is held to leave humans with no motivation to pursue science and with no explanation of why they would succeed in uncovering knowledge of the world if God did not write the book of Nature in a way that could be understandable to us. As Fuller puts it, "human artifice is marked by the intelligence of the divine artificer in whose image we are created" (Fuller 2015a, 87). In other words, we can only make artificial things because God has made nature. An emphasis on design sciences that seek to create new structures in the world rather than just represent the world from afar is held to be fundamentally impossible in a Darwinian world.

Related to that point, Fuller makes much of our capacity to construct 'universal' theories that give us knowledge valid for regions of space and time we will never experience directly. Such universal knowledge would never be the outcome of evolutionary adaptation, according to Fuller, so giving an evolutionary explanation of how knowledge is possible is preempted at the outset. It would require extended discussion to show where Fuller goes wrong in thinking about the difference between explanations based on intelligent design and those based on natural selection. Key to his line of thinking is the portrayal of Darwin's thinking as pessimistic about the meaning of life and pessimistic about the capacities for human intervention in nature. For Fuller, meaning, purpose, morality, and the like all dissolve if we were not destined to be here and are the products of contingency in nature.

Fuller's point about Darwin's pessimism about human intervention is ironic, because Darwin himself thought that artificial selection via domestication of plants and animals could actually introduce true novelties, since nature was not in fact confined to species oscillating around fixed types, as he found through the breeding of pigeons. Consequently, humans could insert themselves into the process of evolution by controlling the features selected for and thereby produce

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outcomes desired by us, whereas his predecessors believed our capacity to breed domesticated animals was limited by the fixity of natural types (Lynch 2016).

The third aspect of Fuller's Left Creationism is an alternative historiography of science. After having tried to convince us that intelligent design theory is the basis for the motivation and possibility of knowledge in the first place, Fuller develops an alternative history of science in order to show that Darwin is marginal to the true revolution in biology of the twentieth century, similar to how Pierre Duhem wrote the atomists out of the history of science. There are a number of contentious ways this point is made, which all come down to separating developments in science from Darwinian accounts of evolution by natural selection by connecting them instead to the view of a book of nature authored by God providing clues for us as apprentice gods.

So much is made of Darwin's (and Stephen Jay Gould's) natural historical methods as insufficiently interventionist in order to draw a wedge between the discovery of DNA and developments in molecular biology, on the one hand, and the belief in evolution that is typically attached to them by the scientists involved. Thus, Francis Crick drew a direct connection between the discovery of DNA and Darwinian evolution, while contemporary efforts to simulate the origin of life from non-living matter proceed from active laboratory efforts to construct primitive self-replicating structures (Crick 1990; Blain and Szostak 2014). Following the playbook of intelligent design and creationism, Fuller treats molecular biology as based upon an ontology of 'information' (read as the book of Nature) that must fail to be integrated into a strictly materialist view of life as the product of blind contingency.

Evolutionary biologists have long recognized that structures put into place by evolution may constrain further evolution itself, so the variation that may emerge in any lineage would not be completely random (Kirschner and Gerhart 2005). Fuller sees this as a tacit admission of design, as he does the emergence of the science of 'evo-devo,' evolutionary developmental biology, which addresses developmental constraints of evolutionary development (Fuller 2015a, 86). None of this implies that evolutionary logic is left behind or replaced by something akin to intelligent design. Instead, the heterogeneity of views about how best to understand evolution by natural selection within science is treated simultaneously as grounds for questioning the well-foundedness of Darwin's views and as grounds for including intelligent design theorists at the table, an 'affirmative action' proposal for science that Fuller sees as a matter of "epistemic justice" (Fuller 2015a, 32-33).

In a particularly confused discussion of the debate between Richard Dawkins and Gould on the proper foundations of evolutionary biology, Fuller chastises Gould's contingentism above all, while giving a backhanded compliment to Dawkins for inadvertently advancing the theological view that the universe was created with us in mind. Where Gould denies that rerunning the

tape of evolutionary history would lead to our presence, given the vagaries of environment that were necessary to produce us, Dawkins is held to believe that our presence is overdetermined by the strong power that adaptation has in directing evolution in particular directions. While there is a clear difference between the two on just how much evolution is directed by adaptations and how much of a role contingency and non-adaptive processes play in evolutionary outcomes, neither Gould nor Dawkins subscribes to the inevitability of the emergence of humans, which would be a new, extreme kind of anthropocentrism, albeit one congenial to Fuller's perspective. The issue between Gould and Dawkins has more to do with whether adaptations are sufficiently directed by the environment to represent clear trajectories that override historical constraints (Dawkins) or whether adaptations, when they occur, must 'adapt' themselves to the preexisting constraints introduced during a long evolutionary history and the accidents of survival not tied to measured fitness (Gould) (Sterelny 2007).

Political Implications

As I have suggested, perhaps the most disturbing part of Fuller's recent theological turn is his reliance upon theodicy, which even in secularized forms would license great misery as means to some unspecified higher end. This is not a problem if an active, interventionist God is not responsible for creation! Indeed, it is one of the fundamental weaknesses of standard, monotheistic belief systems that they postulate an omnipotent God that allows evil to happen. In this sense, theodicy is just an idiocy that looks to make this cognitive dissonance go away.

Put in the context of his theodicy, Fuller's transhumanism and proactionary imperative are especially callous and offensive, as great suffering and misery can be consciously chosen if it allows us to pursue a higher calling as Nietzchean supermen. For Fuller, the emergent 'Humanity 2.0' that would emerge from radical human experimentation would become "a being that perhaps abandons much of its carbon-based biological inheritance to be resurrected in a form that permits a less impeded version of our divine qualities" (Fuller 2015a, 89). If, in pursuit of this grand project, we run roughshod over protections against poisoning ourselves and our environment, ethical restraints that limit human experimentation and enhancement, and concern with the place and suffering of other species, that is no legitimate objection.

Indeed, in holding us back from our ultimate destiny, such precautionary and protective approaches are positively misanthropic in Fuller's estimation, not in the sense of harming real humans but in the more rarified sense that our future possibilities for transcendence are cut short by a concern with the merely mundane, worldly concerns of contingent human beings. We are not only individual creatures of spirit, struggling against material embodiment, but we are participants in a collective project of transcending nature. We are held to be a species where future possibilities of transcendence trump the merely material

and mundane concerns of ordinary politics. The present and the past must be sacrificed on the altar of the future.

This exaggerated messianism, found sometimes in stereotyped form among political Leninists who consider any means appropriate to a hypothetical future liberation, is not progressive or radical in the ordinary sense, as Fuller claims (Fuller 2015a, 89). It is not, in short, a program for remedying the actual suffering of real, live human beings. This is where Fuller comes up short from a Feyerabendian perspective, despite the epistemological anarchism at the heart of Fuller's view of science.

Paul Feyerabend always opposed the tendency of systems of thought, even those intended to liberate us, to become dogmatic sources of oppression and manipulation themselves (Feyerabend 1981). While Fuller seeks to overcome the dogmatism of contemporary scientific authority, his alternative philosophy has all the earmarks of abstraction run amok. It ends up being peculiarly indifferent to human suffering as such, rather than as a prop for an intellectual's effort to become an auteur for the unfolding story of humanity (Feyerabend 1999). Such hubris rarely goes unpunished by the gods--but then again, in our secular age, no one really takes that threat seriously, least of all Fuller.

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Social Epistemology for Theodicy without Deference: Response to William Lynch

Steve Fuller

Abstract: This article is a response to William Lynch's, 'Social Epistemology Transformed: Steve Fuller's Account of Knowledge as a Divine Spark for Human Domination,' an extended and thoughtful reflection on my *Knowledge: The Philosophical Quest in History*. I grant that Lynch has captured well, albeit critically, the spirit and content of the book – and the thirty-year intellectual journey that led to it. In this piece, I respond at two levels. First, I justify my posture towards my predecessors and contemporaries, which Lynch shrewdly sees as my opposition to deference. However, most of the response concerns an elaboration of my theodicy-focussed sense of social epistemology, which is long-standing but only started to become prominent about ten years ago, in light of my involvement in the evolution controversies. Here I aim to draw together a set of my abiding interests – scientific, theological and philosophical – in trying to provide a normative foundation for the future of humanity.

Keywords: Bentham, Christianity, Darwin, Deference, eugenics, evolution, Kant, Malthus, science and technology studies, theodicy, transhumanism

Let me start by saying that despite the strong critique that Bill Lynch lodges against the world-view developed in *Knowledge: The Philosophical Quest in History* (Fuller 2015), I must credit him with having set out at the start of his essay an admirably comprehensive overview of my intellectual trajectory, including a keen sense of the spirit which has animated it, as well as some of its key twists and turns. I am painfully aware that though I remain very much an engaged and productive thinker, most readers appear to encounter my work like isolated ruins of a lost civilization. The reason may be, as Lynch correctly notes, that I am drawn to bring together sensibilities that are normally seen to be at odds with one another. For this reason, I have always seen Hegel as a model for what a good philosopher should be – someone very much immersed in the differences of his time yet at the same time trying to transcend them by finding a place in the imaginary future (or 'The Mind of God') where they are each given their due.

To be sure, the very idea of 'social epistemology' already pointed to such a tendency, given my original interest in recovering a strong normative philosophy of science in the face of an equally strong empirical turn in the history and sociology of science. However, for roughly the past decade, in the context of configuring the future of human condition (of 'Humanity 2.0'), I have been combining a progressivist vision of science and technology – perhaps of the sort that postmodernism was supposed to have laid to rest – and an eschatological

vision of our having been created 'in the image and likeness of God' that is likely to disturb ordinary churchgoing Christians, who would prefer not to take that part of Genesis too literally. As Lynch also correctly observes, if there is a clear target in my book, it is the sort of naturalism – shared by Epicurus, Hume and Darwin – which inclines one to atheism and a generally diminished view of the prospects for the human condition.

I want to spend most of this response defending my recourse to *theodicy* as a normative horizon, since that is clearly the aspect of my world-view which Lynch finds most offensive. However, my way into that will be through Lynch's astute observation that much of my intellectual style can be explained by my hostility to *deference* in all its forms.

Against Deference

Deference is the signature anti-democratic attitude. It goes beyond the call of respect, which is the recognition of someone else as your equal. Deference involves self-subordination. In officially democratic societies, expertise is the only tolerable form of deference, resulting in what already in *Social Epistemology* I had called 'cognitive authoritarianism' (Fuller 1988, chap. 12). Yet expertise works only because the experts have persuaded us that the knowledge they possess is exactly the knowledge we need and, moreover, that it requires just the sort of esoteric training which they have. For me, this argument is less about justifying the 'cognitive division of labour' than about discouraging people from using their own resources to solve whatever problems they face to their own satisfaction.

I don't mean to say that expert knowledge should be ignored but it should be seen as a necessary evil -- the more necessary, the more evil. It imposes structure on what would otherwise be a dynamic situation. Indeed, I believe capitalism's instinct to seek cheaper alternatives for any product which threatens to create a bottleneck in the market – that is, a source of rent – applies no less to knowledge itself. Thus, a progressive social epistemology is dedicated to deconstructing (i.e. 'creatively destroying') expertise by making its knowledge more generally available for use, be it through teaching or technology. This is where my own version of social epistemology differs most profoundly in spirit from the sort of analytic social epistemology promoted nowadays by Alvin Goldman and Philip Kitcher.

I should also say that my hostility to deference extends to *humility*, which I now take to be an especially arch form of arrogance which comes from thinking that you know better than your 'betters' just how bad you are. As a piece of social epistemology, humility amounts to a pre-emptive strike against others falsifying your knowledge claims, which serves to immunize you against the prospect of self-improvement.

Humility first became fashionable among followers of Donna Haraway (1991) in the late 1980s, when she popularized the idea of 'nervous laughter' as

an appropriate normative response to science and technology during the Cold War. The idea was to make oneself appear vulnerable to critique by appearing to reveal a 'dirty secret,' namely, that one continues to support science and technology despite their potential for mass destruction. I was originally well-disposed to humility, but I saw it as a dialogical virtue not as immunity from dialogue (cf. Fuller and Collier 2004, chap. 8). However, as a more generically postmodern sensibility took hold, humility morphed into invulnerability in the guise of a studied ambivalence towards whatever happened, an attitude which Latour (Latour 1987) had already canonized in terms of Janus-faced images of the countervailing interpretations of 'technoscience' which are peppered throughout the book. Here ambivalence is simply the polite face of unfalsifiability, which absolves you from having to take responsibility for anything you say.

Taken in the context of Latour's evolution from science anthropologist to eco-friendly metaphysician over the past three decades, it would be easy to read this studied ambivalence as oracular, but in practice it has reinvented old positivist ideas of value-neutrality and instrumentalism in a more florid ontological setting. Instead of the positivist gesture of the researcher remaining silent in the manner of an epistemic ascetic, Latour's followers in science and technology studies (on the empirical side) and 'object-oriented ontology' (on the metaphysical side) have exploited the trope of *systrophe* to pile on descriptions from many different angles which serve to obscure any normative orientation that they might be thought to have. Those attuned to theology might see Latour's move as the Catholic way of matching what the logical positivists had achieved by more Protestant means.

In any case, this rhetorical move is papered over in science and technology studies by a redeployment of the long-standing methodological principle of 'symmetry,' whereby social explanations should not make reference to factors or events that were not operative at the time of the event in question. Thus, appeals to 'truth' and 'falsity,' judgements which are reached – if at all – only after the fact, are not allowed. Yet it is worth recalling that in its original formulation, the symmetry principle did not preclude the researcher from making true/false judgements as such: it simply prohibited such judgements from being included as part of the explanation of what happened. Thus, many early interpreters of Shapin and Schaffer (Shapin and Schaffer 1985) – myself included – used the historical contingencies surrounding Hobbes' exclusion from the Royal Society (which began the fateful separation of philosophy from science) to argue on normative grounds that it would have been better had membership been extended to him.

However, nowadays it is more common to treat 'symmetry' as something akin to the equal-time doctrine in journalism, its *de facto* definition of 'objectivity.' In Fuller 2000, this is what I identified as the 'Prig' attitude adopted by historians whose professional commitments are stronger to representing the

archive than the people and events referenced in the archive. At one level, historiographical Priggishness seems humble, even modest, in its refrain from judgement. However, at another level, it is simply the arrogation of power through normative detachment from a situation, what Georg Simmel originally dubbed the *tertius gaudens*, the third party who benefits by not taking sides in a conflict – and perhaps even by promoting the conflict as unresolvable. Such an attitude has helped to position science and technology studies researchers as prime candidates for policy-based research contracts. For this reason, and as an antidote, I have become increasingly attracted to Jean-Paul Sartre's rather totalizing notion of *responsibility*, whereby we bear some direct responsibility for both what we say/do and what we don't. Of course, once you take responsibility in this extended sense, you remain always open to criticism – and the avoidance of criticism through studied ambivalence is no longer an option.

For Theodicy

I understand Sartre's extended conception of responsibility in terms of what Lynch treats as the bugbear of my world-view, namely, *theodicy*. Max Weber got the significance of theodicy right when he observed that the great world-religions can be distinguished by their differing senses of cosmic justice. In the Abrahamic religions, which posit varying degrees of similarity in kind between humans and creative deity, theodicy aims more specifically to justify to humans God's often seemingly inscrutable, if not perverse, *modus operandi*. Nevertheless theodicy has never been a comfortable topic for either clerics or lay people to discuss. Nowadays, thanks largely to Kant, the main problem with theodicy is seen to be its self-aggrandizing assumption that we might be able to get into the mind of God. Kant's charge became increasingly pointed once God's existence itself could no longer be taken for granted, at which point theodicy morphed from mere blasphemy to a lightly veiled version of Nietzsche's will to power. Lynch's misgivings seem to be coming from this general set of considerations.

However, among the faithful, theodicy has been problematic because of the potentially alienating image of God that it implied. After all, here was a deity who seems capable of tolerating all manner of evil and suffering as long as it can be turned towards some ultimate good. Such a God may be quite rational and efficient but not very compassionate. More to the point, would such a deity – were it to exist – be worthy of our allegiance? Darwin, for one, clearly thought not. Indeed, natural selection is basically Reverend Thomas Malthus' population pressure model of theodicy minus the providential hand of God giving a larger meaning to the process (Passmore 1970, chap. 9). To put the matter crudely, but perhaps not so far from what Lynch thinks, what had previously been seen (in Malthus) as the means for realizing the Divine Plan came to be registered (in Darwin) as the unintended consequences of a complex process which exists only for its own sake – and not out of any particular concern for humanity. In other words, Darwin accepted the phenomena and even some of the modes of

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inference which theodicy had associated with God's inscrutable ways – the 'cunning of reason,' as Hegel semi-secularized it – but could not assign divine authorship to them.

I believe that Darwin de-authorized God in this fashion largely on moral grounds, namely, that the Malthusian theodicy (which was endorsed by William Paley, the godfather of contemporary intelligent design theory) implicated a deity with whom Darwin could not have a personal relationship, as this deity appeared to be indifferent to the fates of individual lives. Recall both Darwin's Christian upbringing and the grief he suffered at the loss of his daughter. Christianity stresses the individuality of the human soul and the uniqueness of humanity's saviour, Jesus, who is distinguished by his empathic capacity with each individual human. Population thinking of the sort pioneered by Malthus and generalized by Darwin is antithetical to this traditional understanding of Christianity. But here one should not underestimate the radical shift in Christianity's cognitive and emotional centre of gravity brought about by the Protestant Reformation.

In particular, John Calvin and his followers began to explore in detail the implications of the radical difference in perspective between the ends of a transcendent and infinite deity and the experiences of a spatio-temporally bound humanity. In this 'reformed' vision of Christianity, Jesus came to be seen less as the literal incarnation of God and more as a mask (*persona* in the original Greek sense) which God adopts to justify his actions in a way ordinary humans can understand. Not surprisingly, as this thinking becomes more developed, 'Unitarian' forms of Christianity which de-emphasize the unique personality of Jesus become more prominent. Theodicy also comes from this reformed Christian view, and its two main secular legacies are utilitarianism (via Reverend Joseph Priestley) and population thinking (via Priestley's student, Malthus).

Accordingly, many of the traditional 'humane' virtues of Jesus come to be seen in purely instrumental terms, which is to say, virtuous only insofar as they are instrumental. Compassion would fall under this category. Compassion is not a virtue in itself, and in fact can do harm if it promotes a false sense of personal security in the face of genuine existential risk. In other words, the proper emotional terminus of compassion is not a feeling that one's fate will improve (even if only in the next life) but that one's plight serves a higher purpose, which should be understood rationally. Indeed, reformed Christians stress the sacrificial nature of Jesus' death as discharging the debt incurred by Adam's Fall. Jesus' divinity lies specifically in his recognition and acceptance of this fate, which is something that Christians in turn should seek to emulate in their lives.

Implied here is an attitude towards the past, which from a secular standpoint can only be called 'progressive,' though Calvin almost certainly did not see matters this way. In particular, the past is treated as the hereditary burden of Original Sin which each generation of humans is obliged to mitigate if not fully overcome. Admittedly only God's Grace determines success in the

matter, yet the default normative setting of the past is clearly negative, insofar as whatever misery remains in the world is a reminder of our still fallen state. On this view, while it may not be within humanity's gift to remove the world's abiding misery (only God can allow that to happen), the continued existence of such misery is meant to provide an incentive for humans to try to make the world better. Or, as Leibniz put it more abstractly a century after Calvin, we need evil in the world to excite (by contrast) our knowledge of what is good. Durkheim later observed that public executions performed a concrete version of the same function in reinforcing secular society's norms.

One can also see this general train of thought in the work of Ronald Fisher, who provided the first general mathematical formulation of natural selection theory in the 1920s. He was both a Calvinist and a eugenicist, and regarded the two stances as opposite sides of the same coin (Fuller and Lipinska 2014, chap. 3). He is perhaps the closest to a direct descendant of Malthus in terms of cognitive-affective orientation when it comes to population thinking. The very idea that one might need to look at the aggregate of the human condition – that is, take seriously the fate of each individual as if they all counted equally – to determine what is in humanity's best interests is both democratic and godlike. In case of the latter, it comports with the Christian view that God disposes of each person's fate individually, even as it reinforces some of the scarier features of democratic elections, e.g. that simple majorities can dominate over minorities, a consequence of the fact that in an election, each person's decision contributes equally to binding everyone's will.

From this standpoint, we can see Kant's categorical imperative as the abstract expression of this principle, understood as the frame of mind in terms of which each person should cast their vote. In effect, for Kant, the rational moral agent internalizes the democratic voting procedure as his/her normative horizon, as opposed to simply voting his/her interests and then relying on the procedure itself to sort out the outcome. A good way to see this shift in frame of reference is as a version of the classical philosophical idea that humans can see themselves under multiple metaphysical guises. The stereotyped division in early modern philosophy between 'rationalists' and 'empiricists' largely turns on identifying the appropriate guise. Rationalists stressed the overlap of human and divine being, and empiricists the overlap of human and animal being. This in turn explained the relative priority each side gave the various mental faculties. Against this backdrop, Kant can be seen as actually trying to forge a more *sui generis* sense of the human – hence his coinage of 'anthropology' – such that humans are not merely part-divine and/or part-animal but most of all, part-each other. Now, this might be by virtue of being children of the same God or members of the same biological species. But in either case, it establishes a metaphysical standpoint from which to assert the fundamental equality of all people *qua people* (Fuller 2011, chaps. 1-2).

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The style of population thinking associated with natural selection complicates this trajectory, as it effectively reinjects this democratic turn into the disposition of life itself. The sense of 'democracy' that is relevant to nature understood as a 'constituency' transpires at the level of the entire ecology, in which a reduction of one's species' population coexists with an increase in another species' population. However, in this case, the 'vote' one takes is with one's life, more specifically, whether one lives long enough to bring offspring to fruition. In this context, genetic capacity functions as the biological correlate to the rational capacity that provides the frame of mind in which a vote should be taken in a democracy. And so, corresponding to the Kantian who internalizes the voting procedure as his/her normative horizon is the eugenicist who internalizes the laws of genetics. Just as we already ask responsible citizens to think in terms of policies that are likely to benefit the entire society, we might extend this deliberation to include the sort of people we would wish to have inhabit such a society. And of course, as it becomes easier to access biometric data, individuals will be able to make more informed choices on the matter. But of course, the original eugenicists already believed that people should take it upon themselves to decide whether or not to have children, depending on what they know of their genetic capacity.

People may find this train of thought quite logical or totally scary – and here I think the Nazi atrocities do cloud our judgement. But our judgement is equally clouded by the crude conceptions of 'ability' and 'disability' with which even welfare state eugenicists have operated, not to mention the unfortunate policies which followed from them. Nevertheless, despite these negative lessons of history, I basically think that this is the direction of normative travel, and it is to a better place. However, there are some philosophical loose ends. The main one is that the smoothness of this narrative depends on our successfully internalizing natural selection, understood as the divine surrogate. This presupposes a specific historical trajectory, which has so far gone through two stages:

(1) Malthus (to Darwin): In the beginning, natural selection is a purely external, Calvinist godlike force which is indifferent to the fate of individual humans. Moreover, individuals simply follow their passions, based on their self-interest as understood in the relative short term (i.e. the current or, at most, the very next generation). This is an argument against both the democratic vote and munificent welfare policies.

(2) Fisher (from Galton): Natural selection comes to be internalized as part of the self-understanding of, first, legislators but eventually, the populace. (We might think of this two-step process as going from Bentham to Kant in terms of the secularisation of the moral horizon.) Thus, people come to judge, say, whether having that extra child is likely to be to everyone's benefit; if not, then self-selection occurs against reproduction. This line of thought is

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facilitated by corresponding changes in the environment from the late 19th century onward, from mass education in 'civic biology,' as eugenics was often presented in high school textbooks in the early 20th century, to improvements in public hygiene. In effect, what looks from the outside as a disciplining of nature amounts to our internalization of natural selection as part of our own self-understanding. Moreover, if one has retained Malthus' original theological disposition (as did Fisher), this process amounts to our becoming more God-like, which is the position of contemporary 'transhumanism,' a term coined by the officially non-religious eugenicist, Julian Huxley.

Let me pick up on the Kantian connection, since Kant's profoundly detached ethical attitude, one swayed neither by one's own nor others' passions, was part of his strategy to relocate our intuitions of the divine which he believed could not be borne out by pure reason alone. Here I would suggest that Kant retains the reading of Jesus' parable of the Good Samaritan that was favoured in his Calvinist upbringing – namely, that the 'universal love of humanity' (*agape*) consists in recognizing in the disadvantaged person a rational will like one's own regardless of whatever positive or negative feelings one immediately registers about the person. After all, the sort of visceral responses that we dignify as compassion are ultimately based on our animal natures (e.g. the simple fact that we can imagine what it is to feel another's pain), which is the source of Original Sin, which in turn can only be checked if not purged by the sort of principled 'deontological' ethic that Kant proposed.

My point in all this is to suggest that the sort of abstract understanding of life's meaning promoted by theodicy – and which Kant relocates in ethics – sets the stage for the attitude taken towards the individual in population thinking in the social and biological sciences in the 19th and 20th centuries. As Ian Hacking (Hacking 1975) started to make clear forty years ago, our modern paradigms of probability and statistical reasoning originated in early modern attempts to mathematize theological claims in the wake of what is generally called the 'Scientific Revolution.' Malthus, writing at the end of the 18th century, may be seen as the last great achievement in this movement. However, these efforts at mathematization – for which Leibniz and others had seen theodicy as providing a metaphysical foundation – had been already subject to a hermeneutical backlash in Leibniz's day, two generations prior to Malthus. 'Historico-critical' scholars of the Bible inspired by Spinoza began to question the sacred book's literal – including mathematical – meaning, which, for example, had been used to set the date of Creation at 4004 BC.

A new phase of this anti-mathematical backlash recurred a century after Malthus, only this time in a purely secular guise – against neo-classical economics and experimental psychology, which attempted to quantify human meaning-making in terms of various decisions taken (in the market, in response

to stimuli, etc.). In this version of the debate, which dominated 20th century philosophical discussion of the social sciences, the descendants of the Leibnizian literalists were the 'analytic' or 'positivist' school, while the mantle of their Spinozist critics fell to the 'historicist' or 'interpretivist' school. Thus, the positivists reproduced the arguments of the Biblical literalists of yore, but this time tied to the sensory, verbal and numerical 'data' – understood as 'texts' with the sort of reverence previously reserved for Sacred Scripture. The interpretivists denied that texts could be treated in such a literal fashion but required contextualisation in the subjects' lifeworld.

To be sure, in this second round, the interpretivists faced the additional burden of having to deal with the successful secularization of theodicy's godlike standpoint in policymaking – first, in political economy and, later, economics and official statistics, which increasingly included psychometrics. Indeed, in retrospect the relatively seamless transition from Leibniz's theodicy to Bentham's legislator can be tracked in the ease with which Malthus' own identity morphed from that of theologian to economist. In any case, the faith that reformed Christians routinely had in the literal understanding of the Bible was inherited by the faith we now invest (at least for policy purposes) in quantified generalizations of human conduct. In neither case has the faith ever been asserted without objection. However, the conditions under which we might doubt one version of textual literalism should be seen as comparable to the conditions under which we might doubt the other. At stake is our epistemic access, respectively, to the divine mind and the human mind. Both the original Biblical literalists and today's statisticians and psychometricians are convinced that, even granting the vicissitudes of imperfect human cognition (both at the time of expression and in its transmission over time and space) we have a sufficiently robust empirical record for orienting our conduct.

Theodicy's Lesson to Philosophy: Epistemology as the Higher Ethics

For me, one of the most attractive features of theodicy, which was clearly recognized by Leibniz, is that all the evil in the world which we might be tempted to attribute to God turns out to be a form of ignorance on our own part. Evil becomes error, and Original Sin the recognition of our own finitude as ignorance, which then creates an endless thirst for knowledge, which, in a sense, reproduces the sin while providing the basis for overcoming it. After all, we could have remained finite creatures without ever having to recognize our finitude, in which case we would have remained in the Garden of Eden. But we would have also remained as animals, to whom this 'in itself' sense of ignorance – to use the Hegelian jargon – has been traditionally attributed. Whereas animals don't know that they don't know, humans do. In this respect, humans are animals who can stand outside themselves in order to see on the other side of their epistemic limits. For Leibniz and other devotees of theodicy, such feats of the imagination constituted 'rational intuition,' a faculty which overlaps with the

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divine mind. However, Kant notoriously debunked such feats of the imagination as no more than projective fictions.

But if evil is error, then two orientations towards it are possible: (1) We can try to prevent it. (2) We can let it happen and then try to use it. What we normally call 'learning' involves doing both, first (2) and then (1) when the next opportunity for error arises. However, if the 'we' is meant as a personification of natural selection, then that's not really how it works, despite the efforts of the psychologist Donald Campbell and others to develop an 'evolutionary epistemology.' Natural selection is really just about (2). In other words, according to natural selection, we live in a world in which error is intrinsic to the normal course of things (aka genetic variation and mutation). The only remaining question is who at any given moment takes most advantage of this regular error generation. 'Advantage' in the context of natural selection is ultimately about reproductive achievement. But how do the non-reproducing members contribute to a stronger common gene pool in the future?

The slightly glib but not trivial answer is 'simply by being there.' This answer is in the spirit of Leibniz's view that evil is required for us to recognize good. Information economists nowadays talk about this in terms of the noise that's necessary for the signal to be received. In other words, it is difficult to tell good from bad unless you've got a baseline, which is the 'background noise.' This is used by economists to justify the proliferation of entrants into, say, the labour market or, for that matter, the academic research market – namely, with more entrants, the signal-to-noise ratio can be more easily detected. To be sure, this begs lots of questions about the receiver's mindset that enables it to draw such distinctions. But in any case, such distinctions are drawn. The difference between attributing this mindset to God or natural selection lies in whether there is something 'principled' to be understood which we might turn to our advantage – even 'game the system.' This is why the 'blindness' of natural selection – its utter obliviousness to what humans might recognize as rational – has been the most irksome feature of Darwin's specific account of evolution.

To be fair, Darwin knew nothing about genetics, let alone its basis in molecular biology, which no doubt contributed to his forthright denial of reason in nature (aka teleology). But of course, our knowledge on this score has massively improved since Darwin's day, yet Darwin's scepticism concerning teleology remains the default scientific sensibility. Thus, the slightest evidence of teleology is followed by Darwin-inspired accounts showing how it could have been brought about without positing teleology. To anti-Darwinists, such as intelligent design theorists, these accounts simply reveal the often counter-intuitive means by which the divine or otherwise intelligent ends were brought about.

What all this suggests is that the metaphysically interesting question about evolution is not whether it is true but whether it is something that we can understand, control and direct in a way which allows us to flourish indefinitely

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in a way no other species has. Commitment to an answer of 'yes' runs counter to what Darwin thought was possible, yet it would corroborate the Biblical idea that we are created *in imago dei*. In other words, the progression of humanity amounts to, in Popperian terms, a 'bold hypothesis' as we subject our species to ever greater risk. Indeed, I have been promoting this idea as an ethic associated with the *proactionary principle*, the exact opposite of the better known *precautionary principle* (Fuller and Lipinska 2014). The longer humanity succeeds at beating the odds, the greater the likelihood that we know what we're doing, even as we take several significant hits along the way. However, this 'knowledge' is not an inductive generalization from past experience but a deeper epistemic capacity, one which nowadays tends to be associated with a 'causal' understanding of reality but is not so far from what Leibniz and especially modern mathematicians have characterised as 'rational intuition.'

Finally, let me provide some sense of how theodicy came to play such a central role in my thinking. Early in my career I was influenced by a distinction that Jon Elster drew based on his reading of Norbert Wiener. It is introduced in Fuller 1988 (chap. 2): the difference between 'strategic' and 'parametric' rationality. The difference turns on how one deals with error. The strategic rationalist envisages error as something active, which recurs in new and perhaps more insidious forms with each effort at elimination, very much in the manner of an adversary. In contrast, the parametric rationalist sees error as a passive deficit from which one might recover through some act of completion. Corresponding to these two epistemic notions are two ethical ones, in which 'error' means 'evil.' The strategic opponent is like the positive incarnation of evil in Zoroastrianism, which was given a Christian makeover as 'Satan.' Parametric error is more like the privation account of human evil provided in Augustinian theology, whereby Original Sin is associated with our own freely lost divinity, which might be somehow redeemed in the future, something closer to 'weakness of the will.' A shift from a strategic to a parametric orientation towards what we do not know about nature emboldened devotees of the inquisitorial (what we now call 'experimental') method in the early modern era – most notably Francis Bacon – to conclude that it might be easier to extract the secrets of nature than those of our fellow humans, who operate in a more strategic vein to evade our inquiries (Harrison 2007).

In between these two positions on error sits the 'deficit with a memory' (residue), or 'debt,' which lingers after the deficit has been met, since 'completion' in the case of debt rarely means restoring an original state but rather some equivalent level of compensation for the original disruptive act. Here too there is both an epistemic and an ethical spin: Who is able to benefit from my exposure of vulnerability – both in terms of how it was brought about and how I managed to redress it? If I am the main beneficiary, then the debt remains in me as 'conscience' or 'superego' or some other self-disciplining faculty of the soul, which prompts me always to think that good is never good

enough. However, if someone else is the main beneficiary, because they are also witness to my vulnerability, then they are in a position to exploit me, be it as a Mafia don or a capitalist employer. Our susceptibility to such exploitation is bound to take a new and potentially more insidious turn as such corporate information giants as Google incentivize us to reveal more and more about ourselves in return for free access to their search engines and databases. To put it somewhat more metaphysically, humans discharge the indebtedness of their being by becoming the gift that can only keep giving.

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On "Self-Realization" – The Ultimate Norm of Arne Naess's Ecosophy T

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Abstract: This paper considers the foundation of self-realization and the sense of morality that could justify Arne Naess's claim 'Self-realization is morally neutral,' by focusing on the recent debate among deep ecologists. Self-realization, the ultimate norm of Naess's ecosophy T, is the *realization* of the maxim 'everything is interrelated.' This norm seems to be based on two basic principles: the diminishing of narrow ego, and the integrity between the human and non-human worlds. The paper argues that the former is an extension of Plato's idea of self-development or self-mastery while the latter is implicit in Aristotle's holism. It defends that Self-realization is morally neutral only if the term 'moral' is considered in the Kantian sense. However, Naess reluctantly distinguishes between ethics and morality, which makes his approach less credible. The paper concludes that Aristotle's notion of *eudaimonia* supports Self-realization to qualify as a virtue.

Keywords: deep ecology, environmental ethics and philosophy, morally neutral, principle of integrity, self-development, Self-realization

1. Introduction

Deep ecology as an environmental movement emphasizes Self-realization, ecological wisdom, and asking of deeper questions. Instead of dominating moral norms, such as the Categorical Imperative, Self-realization is the essence of deep ecology. Arne Naess, the pioneer of this movement, believes that a radical change in our present ideology, attitudes, and values toward environment can solve the environmental crisis. Environmental philosophers and ethicists have also suggested this change and recommended various sets of rules. Contrary to them, Naess argues for 'no moralizing.' He thinks that all we need is 'Self-realization.'

Naess takes the term 'Self-realization' in a comprehensive sense. His procedure first distinguishes between the two selves, Self (with a capital S) with a meaning to the Indian *atman* and self (with a small s), meaning individual self. The individual self should achieve the universal Self through the diminishing of ego or through the narrow self. In other words, through realizing the maxim 'everything is interrelated.' Naess argues that once the individual self attains Self-realization, her behavior 'naturally' and 'joyfully' follows the norms of environmental ethics. Some important questions then arise: Is Self-realization a moral term? Or is it a virtue that the self needs to be habituated to?

Thus, two basic principles – the diminishing of ego and the integrity between the human and the non-human world – constitute Naess's ultimate

norm of Self-realization. By the diminishing of ego he means the gradual reduction of our hedonistic attitude, the diminishment of our Western isolated ego. The integrity principle says that everything in this biosphere is internally connected, all organisms are parts of an integrated whole. That is, if we harm any elements in this nature, then eventually we harm ourselves. I will argue that the first principle is an extension of Plato's self-development or self-mastery while the second is an extension of Aristotle's biocentric holism.

This paper starts with an explanation of the term Self-realization. It then focuses on Plato's and Aristotle's views. After briefly reviewing Gandhi's non-violence theory and Buddhism, I will support Naess's claim that Self-realization is a morally neutral phenomenon. At the end, I will show that although Self-realization is, in essence, non-moral, Aristotle's notion of *eudaimonia* provides enough ground for it to qualify as a virtue.

2. Self-Realization as the Ultimate Norm of Ecosophy T

Self-realization is the norm which connects all life forms through the ultimate principle "life is fundamentally one." Rothenberg has identified three main features of this norm: firstly, Self-realization does not mean self-centeredness because the individual self cannot be isolated from, as well as dissolved into the greater Self. Secondly, Self-realization is a process of expanding oneself to realize that she is a part of nature and others' interest should be her own interests. Finally, since Self-realization is an active condition, or a process, or a way of life, nobody can ever reach Self-realization. Like *Nirvana* in Buddhism, Self-realization is unreachable. Self-realization provides us a direction to move towards the Self (Rothenberg 1986, 9).

But what does the Self exactly mean in Naess's ecosophy? What are its special characteristics? In one sense, the Self includes all life forms in the world. That is, it is the symbol of organic Oneness. Naess writes, "the Self in question is a symbol of identification with an absolute maximum range of beings" (quoted in Fox 1990, 99). He also adds, "This large comprehensive Self (with a capital 'S') embraces all the life forms on the planet" (Naess 1986, 80). However, I think these words may not present his whole idea of the Self. The Self can also be seen as an extended manifestation of the self. In other words, the Self is a mature position of the self.

The Self represents unselfishness, totality, and is beyond narrowness. It is unselfish in the sense that it considers the potentiality and the life of other non-human beings. Narrow human dominance dissolves into the Self. So, the Self, in another sense, refers to the wider, broadened, matured, refined, examined, and developed self. If we accept both these characteristics, Self-realization then denotes the realization of the 'organic wholeness' as well as some sort of 'rectification' of our selves.

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As I have just mentioned, Self-realization conceives a view of totality which is the ultimate goal of life. To reach this goal one has to go through several stages:

"T_0-self-realisation

T_1-ego-realisation

T_2-self-realisation (with lower case s)

T_3-Self-realisation (with capital S)." (Naess 1989, 84-85)

The last stage, i.e. T_3 should be the ultimate goal. In the Western philosophical tradition we find only T_0 which Naess calls isolated or egoistic. However, T_3 is similar to the 'Universal Self' or to the 'Absolute,' in this tradition. Now, how can we reach T_3 from T_0? In other words, do we need any moral norm to reach T_3? According to Naess, we need 'inclination' rather than 'morality' to get T_3, a joyful inclination with nature (Naess 1989, 86).

The norm of Self-realization plays a central role in distinguishing between 'Shallow' and 'Deep' ecology. In the shallow ecology movement, Self-realization seems less important because the movement aims only to fight against pollution and protect human beings. By contrast, in deep ecology, Self-realization is extremely crucial. Deep ecology considers all organisms, plants, and so forth, as a 'total-field image.' So, deep ecology dissolves the 'man-in-environment' concept and establishes a more symbiotic relationship; a relationship which is intrinsically valuable and based on an enlightened principle "the equal right to live and blossom" (Naess 1973, 152).

Thus, Naess's 'Self-realization' dismisses any hierarchical chain among human beings, animals, and plants. It favors the principle of integrity to draw a normative conclusion. Self-realization, therefore, is neither a purely ecological nor a logical conception. It is an ecosophy of equilibrium and harmony.

By means of this norm Naess argues against the 'survival for the fittest' theory. As Darwin's theory undermines co-existence and co-operational relations in the biosphere and advocates an 'either you or me' sentiment, Naess rejects it. As an alternative to the evolutionary thesis, Naess's maxim is "Live and let live," a class-free society in the whole ecosphere. He writes: "By identifying with greater wholes, we partake in the creation and maintenance of this whole" (Naess 1989, 173).

So, the question is: how does the process of identification stem "Live and let live?" Naess mentions that we the human beings cannot help animals, plants, and other species, and even landscapes, but we can only *identify* ourselves with them. Identification is a situation which, he says, "elicits intense empathy" (Naess 1986, 227). One example of identification is that once Naess saw a dying flea that had suddenly jumped into acid. Though he was not able to save the flea from dying, he felt deeply its painful suffering. Naess says, "Naturally, what I felt was a painful sense of compassion and empathy" (Naess 1986, 227). Hence,

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psychologically, Naess realized the similar pain of death and felt deep compassion and empathy by identifying with the flea. Identification means not to *alienate* from others.

According to Naess, self-love is a pre-condition for identification. He understands self-love not in an egoistic sense, but rather in a deep and wide sense that promotes others' interest. The being's interest, therefore, makes a bridge to reach Self-realization from self-love. Inspired by Spinoza and William James, Naess maintains that human beings have the interest of preserving their existence. But this interest is basically the realization of their 'inherent potentialities.' Naess believes that other animals and plants have the same interest of realizing their own 'inherent potentialities.' Only through identification we can realize them (Naess 1986, 229).

So, existence appears as a necessary condition rather than a sufficient condition for Self-realization. Another point is that the self develops into *ecological Self* when human beings realize their own self-interests and have genuine self-love.

The ecological Self feels a strong bond with the natural setting around her. She has deep identification with it, and finds herself as a part of it. Naess expresses the feelings of the ecological Self as: "My relation to this place is part of myself;" "If this place is destroyed something in me is destroyed" (Naess 1986, 231). Naess seems to say, unlike the Western philosophical trend, that the self is not merely something which exists inside the body and has consciousness. The self has a major role in the identification and, finally, the realization of our relationship with Nature. It contributes significantly to realize how we should live, and how we should treat ourselves as self-interested and self-loving beings.

Clearly, Self-realization inspires us to think beyond humanity. That is, we should realize our intimacy with the non-human world. This realization, as deep ecologists Bill Devall and George Sessions say, displays the maxim "No one is saved until we are all saved." Here, the word 'one' refers to each and every elements of the ecosphere contributing to its existence, such as bears, mountains, rivers, and even the microscopic lives in the soil (Devall and Sessions 1985, 222).

In the next two successive sections, I argue that the foundation of the Self-realization norm can be found in Plato's view of self-development and in Aristotle's holism.

3. Plato's View of Self-Development

Plato developed Socrates' idea of 'know thyself' in his view of self-development. Although Plato did not take 'Self-realization' as the ultimate norm, 'self' was the central moral source in his thinking. From this perspective, Plato's view of self-development could be the beginning of the norm of Self-realization. According to Socrates, "the unexamined life is not worth living" (Des Jardins 1997, 212). The inner message of this statement is that the good life must involve a process of

self-understanding, self-examination, self-interpretation, and so forth – which is also the aim of Self-realization.

In the *Republic,* Plato's moral thinking is directed in a similar sense: "We are good when reason rules, and bad when we are dominated by our desires" (Taylor 1989, 115). That is, the good man is he who is dominated by reason, not by desires. Arne Naess says: "To identify self-realization with ego-trips manifests a vast underestimation of the human self" (Naess 1986, 234). Devall and Sessions illustrate this idea in the following manner: "... self-realization goes beyond the modern Western *self* which is defined as an isolated ego striving primarily for hedonistic gratification or for a narrow sense of individual salvation in this life or the next" (Devall and Sessions 1985, 222).

Both Plato and Naess argued against allowing our narrow egos or hedonistic desires to dominate. They hold that our reason should dominate our soul or our thought, not those anthropocentric desires which direct human beings to fulfill their needs and wants by any means. Someone could argue here that Plato is more concerned with 'self-control' while Naess with the 'diminishing of ego.' Even though to some extent it is acceptable, their ultimate goals both seem to show that egoistic desire should not control a good human being. Morally good human beings have the natural capacity to control or to rectify their selves.

Plato's notion of self-development harmonizes three concepts: unity, calm, and self-possession, which Taylor calls 'self-mastery.' To be ruled by reason it is necessary to have correct understanding or correct ordering. According to Plato, correct ordering establishes "priorities among our different appetites and activities, distinguishes between necessary and unnecessary desires" (Taylor 1989, 121). Nevertheless, without self-examination, the capacity for correct understanding of appetites, activities and desires is not possible. As Naess says, without developing capacities, the ultimate goal of Self-realization is not achievable (Naess 1986, 233). Broadly, these capacities may include identifying with the non-human world.

Beyond this similarity there are a number of methodological differences between Plato and Naess. Plato did not consider the 'Self' in his philosophy as an organic wholeness or an organic Oneness. Nor did he take it as an expanded widen pattern of the self. Plato's self seems centered on morality, when he distinguishes between the higher part and the lower part of the human soul. The dominance of the higher part implies that we should be ruled by reason. Naess, by contrast, believes that inclination rather than morals can change our behavior.

Rationality is a key feature of Platonic philosophy. Plato divides our souls into three aspects based on our mental states and activities. The appetitive part, the spirited part, and the rational part make a harmony or balance among our desires and wills. However, only the rational part has the ability to desire what is best for the individual. Rational desire does not rely on the strength of desires. Reason is thus a condition for self-mastery or self-possession. Naess believes

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that to act always by reason or by duty is a 'painful toil.' A process of identification and joy can help us end this painful situation. The concept of identification is completely absent in Plato's thought.

Indeed, of these differences, I believe Plato's metaphysics and ethics exhibit a way of governing human beings' behavior that relies on reason, but not necessarily on moral principles, like Kant. Plato's vision was to create craftsmen instead of Kantian moral agents. Craftsmen who can lead their lives by art, beauty, and knowledge. As Carone rightly mentions, "craftsmen of goodness in their own lives" (Carone 2005, 123). This noble idea can make a closer link with Naess's thought.

In the great Allegory of the Cave, Plato argues that through education we can move from 'illusion to wisdom.' Illusion prevents us from attaining the right desire, true happiness, while wisdom is the achievement of real knowledge, and correct reason, in order to live a good life. Plato says that this improvement is a turn from 'darkness to brightness.' Taylor's response to this analogy reflects the motto of 'Self-realization.' He writes, "For Plato the key issue is what the soul is directed towards... the possible directions of our awareness and desire" (Taylor 1989, 123-124). Similarly, Naess's norm of Self-realization at the end creates 'awareness' of identification, diminishment of ego, holistic and harmonious living, joyful co-existence, and broadening of self to the Self.

Thus, we can say that Plato's view of self-development primarily focuses on self-awareness. This awareness corrects our desire, guides our reason, and clarifies our vision of the good life. As a whole, his account centers on how moral development can be achieved through the rectification of the soul. We have already discussed that Naess's Self-realization is a process of enlightened self-interest, and of recognizing the potentiality of all elements in the ecosphere. Therefore, although Plato did not use the term 'Self-realization,' the norm seems implicit in his view of self-development.

4. Aristotle on Biocentric Holism

Aristotle blended ethics and biology, and thought that biology should be the essential part of ethics (Des Jardins 1997, 20). Deep ecologist Arne Naess also presented a similar view by mixing ecology and ethics as an alternative to solve the environmental crisis. It is therefore not surprising that Naess and Aristotle both share the same integrity principle to construct a holistic approach to Nature. The integrity principle as outlined by Aldo Leopold states that "[a] thing is right when it tends to preserve the integrity, stability, and beauty of the biotic community. It is wrong when it tends otherwise" (quoted in Des Jardins 1997, 176). Thus, integrity has also a moral dimension. Westra develops a more precise version of integrity in environmental context. She writes, "... the 'principle of integrity' is an imperative which must be obeyed *before* other human moral considerations are taken into account. Just as... the *basis* for all life is a holistic value" (Westra 1994, 6). So, roughly, the principle of integrity is the

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(moral) basis of biocentric holism. Now we have to show how Aristotle's view conceives of this principle.

Aristotle's works *Metaphysics, Physics, De Anima,* and *Nicomachean Ethics* reflected on the principle of integrity. All natural objects, according to Aristotle, are distinguishable into two classes: living and non-living. The living things comprise the 'principle of life itself' or 'psyche,' meaning 'soul' (Des Jardins 1997, 21). However, movable things move by 'qualitative potentials' and 'locomotive natures' toward 'mature state' (*akme*). In practice, he uses *eidos* (species or form) as a unified norm for biology, ethics, and metaphysics (Westra 1994, 135).

Aristotle's view of natural integrity is teleological because the aim of all living things is to achieve *telos*, meaning purpose or function. As Westra argues, this activity involves some sort of 'self-maintenance.' Like *telos,* self-maintenance then also exhibits a positive value. Therefore, she claims that the self-maintenance capacity of an organic ecosystem should be considered an 'indisputable value' (Westra 1994, 135).

Lennox points out similar findings and writes: "[Aristotle] claims to be arguing for the extension of teleology to nature, not, or not merely, to plants and animals. And yet the examples he uses to illustrate the teleology of nature are all organic" (Lennox 2006, 294). Aristotle, therefore, includes human beings, plants and animals as integrated parts of an organic system. Biocentric holism also appears in his book *Progression of Animals*: "... nature never produces in vain, but always produces *the best among the possibilities for the being of each kind of animal*" (quoted in Lennox 1985, 72).

However, Aristotle differs from Naess in some important points. Firstly, Aristotle holds a teleological view of nature. All entities in the natural world have instrumental value, as according to Aristotle they are resources for human beings, but at the same time they have intrinsic value because their end is to attain excellence. For example, a tree has an instrumental value as human beings may use it for several purposes, but the end of the tree is functioning well. In this sense, the tree has intrinsic value. By contrast, Naess holds that all natural elements are intrinsically valuable. They are valuable for themselves. Thus, their values do not depend on their usefulness. Secondly, unlike Naess, Aristotle holds that only human beings have moral status – a strong anthropocentric view towards Nature. He writes, "plants exist for the sake of animals... all other animals exist for the sake of man" (quoted in Des Jardins 1997, 91). Since Aristotle believes that only human beings can possess *psyche* or soul, which is the prime criterion of morality, only they can claim moral standing. Thirdly, as human beings possess the hierarchical top position, their interests and needs are very important for Aristotle. In contrast, Naess aims to eliminate such hierarchy and argues that human beings have no right to dominate nature. Fourthly, the integrity principle of Aristotle contributes to attain a purpose: that of achieving excellence or functioning well. Later, Thomas Aquinas developed Aristotle's idea

of *telos* to argue for the existence of God. By contrast, Naess's holistic view does not have any such purpose.

Therefore, Aristotle and Naess's positions are completely opposite in some contexts. But Aristotle obviously has developed an integrated view, a holistic system of Nature. Some environmental thinkers (e.g. Westra) explained the ethical implication of this integrity principle and argued that Nature is intrinsically valuable. Even if Arne Naess himself writes: "An ecosophy, however, is more like a system of the kind constructed by Aristotle or Spinoza" (Naess 1973, 155). So, despite their fundamental difference, Naess and Aristotle hold that the system of Nature is holistic.

5. Is Self-Realization a Moral Phenomenon?

Naess's ecosophy is primarily about widening of one's self to Nature through identification. In his view, ecosophy can be taken as an alternative to environmental ethics. That is, when the self perceives everything in this Nature as her own part, such a self should naturally be an ethical person. The norm of Self-realization, therefore, is a non-moral phenomenon and the act of Self-realization is morally neutral. Naess himself believes that 'inclinations' rather than 'morals' could be the solution of the present environmental crisis. So, there seems to be a contrast between Naess's ecosophy and environmental ethics.

Eric Reitan argues that, from the perspectives of Aristotelian virtue ethics and Kantian morality, Self-realization cannot be treated as morally neutral because the value of Self-realization resides in how one identifies with nature. The act of Self-realization, thus, cannot be value neutral. Mathew I. Humphrey supports Naess's view and claims that Self-realization should be morally neutral. By highlighting Kant's notion of respect he argues that ecosophy T is *ontologically prior* to any moral law.

In this section, I will focus on this debate and argue that Naess seems correct in taking Self-realization as morally neutral. I will briefly discuss Gandhi's non-violence theory and Buddhism to support my claim. Let us first see how Naess perceives morality.

a. What is Morality According to Naess?

Naess writes,

> Our self-realization is hindered if the self-realization of others, with whom we identify, is hindered... Thus, everything that can be achieved by altruism – the *dutiful, moral* consideration for others – can be achieved, and much more, by the process of widening and deepening ourselves. Following Kant, we then act *beautifully*, but neither morally nor immorally. (Naess 1986, 226)

Thus, Naess's Self-realization is a replacement or an alternative to moralization. But he never explicitly mentions which sense of morality he is considering. As we know, the concept of morality changes during time and

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customs, there are different standards of morality. For example, happiness is the sole criterion of morality to utilitarians, rules – for Kantians, elimination of class difference – for Marxists, and religion – for religious moralists. Naess, greatly influenced by Kant, seems to have taken moral rules, or duty, as the hallmark of morality.

Naess intends to outline a system of inclination rather than an ethics in ecological thinking. He emphasizes Kant's distinction between a moral and a beautiful act and holds that a beautiful act could be an alternative to duty in ecological context. His article on this issue is "Beautiful Action. Its Function in the Ecological Crisis," where he explores superficially the notion of morality. He says, "... you do it simply because it is your duty. There is no other motive. Presumably a factual mistake would not spoil the *morality* of an action – if you have done your duty *trying* to find out the facts of the case" (Naess 1993, 67).

Naess insists that moral acts must follow moral laws. Morality seems like some sort of sacrifice, according to him, and fully against our inclination because when we obey any moral law we give up our pleasure, joy, and happiness. Like Kant, he believes that moral acts should follow moral laws 'at whatever cost.' So, moral acts are against inclination. Naess writes, "Inspired by Kant... Moral actions are motivated by acceptance of a moral law, and manifest themselves clearly when acting against inclination" (Naess 1989, 85). Environmental ethics sometimes suggests that we change our behavior, for example, reducing excessive consumption, or giving up a luxurious lifestyle, otherwise Global Warming will continue. A lot of people are inclined to live in luxury. So, in this case, following environmental ethics would be a sacrifice for them. However, if we act rightly towards the environment by inclination and joy we do not need to follow ethics, or precisely environmental ethics. For instance, if people find that it is joyful to live in no luxury at all, then their behavior naturally follows from the norms of environmental ethics. As he says, "... what I am suggesting is the supremacy of environmental ontology and realism over environmental ethics...our behavior *naturally* and beautifully follows strict norms of environmental ethics" (Naess 1986, 236).

So, following Kant, morality to Naess is to act according to a duty that is motivated by the moral law. However, eventually, he rejects the concept of morality as it is too narrow. Narrow in the sense that it does not value beautiful act. Beautiful acts, to him, have to be performed by inclination, not by duty. He writes, "Moralizing is too narrow, too patronizing, and too open" (Naess 1993, 71). In the similar way, he rejects the role of environmental ethics to solve environmental problems.

b. Self-Realization, Morality and Ethics:

My observation is that Kant's distinction between a beautiful act and a moral act, which is the basis of Naess's claim, cannot establish the norm of Self-realization as morally neutral. One could argue that moral acts are also beautiful acts. For

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instance, sometimes we act by duty without distinguishing between duty and beauty. Mothers care for their children with great love not because it is only a moral duty, but because it is joyful. So, a mother's care could also be a beautiful act.

However, Kant intended to construct his supreme principle of morality beyond inclination. In other words, Kant thought that inclination is troublesome for morality because it derives from the 'propensities of feeling,' not from the will of the moral agent, and conflict between these feelings is not unlikely. Thus, he emphasized duty, and wrote: "For the maxim lacks the moral import, namely, that such actions be done *from duty*, not from inclination" (Kant 1999, 26). His distinction between duty and inclination in morality is crucial.

One example may clarify my point. Suppose there is a war in some part of the world. One feels deep sorrow for the dying people, including children, there, and is inclined to help them. Naess would say this inclination is much more important than morals. However, Kant would say anybody who does not have such an inclination but is able to save lives has a duty to save them. As he says: "Now an action done from duty must wholly exclude the influence of inclination… objectively the *law*, and subjectively *pure respect* for this practical law, and consequently the maxim that I should follow this law…" (Kant 1999, 26). Now, what will happen if the person feels deeply the suffering of the victims and helps them to survive without considering it as a duty? According to Kant, since the act was not done from duty, such an act would not be moral; but would it be immoral? Surely not, because it is not a violation of any moral law. The act then would be morally neutral.

So, I believe that the distinction between inclination and duty, rather than that between a beautiful act and a moral act, can establish Self-realization as morally neutral.

Beyond this, a serious shortcoming in the deep ecology approach is that it does not distinguish between morality and ethics. According to Bernard Williams, people generally make this mistake when they consider morality in a narrow sense. For example, they may believe that morality stands for obligation without considering that this would be "just one type of ethical consideration" (Williams 1985, 196). They mistake morality with ethics. Williams refers to "morality as a special system, a particular variety of ethical thought" (Williams 1985, 174). He also says: "Morality is not one determinate set of ethical thoughts" (Williams 1985, 174). For instance, Kant's conception of morality is based on obligation and duty. Or, more precisely, Kant "claimed that the fundamental principle of morality was a Categorical Imperative" (Williams 1985, 189). However, if one claims that the Categorical Imperative is the *only* fundamental criterion of morality, such a claim would be a mistake, as Naess maintains, because for utilitarians maximization of welfare or self benefit is the criterion of morality.

Ethics, on the other hand, is a much broader concept than morality. Williams claims that "it is possible to use the word 'ethical' of any scheme for

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living that would provide an intelligible answer to Socrates' question ['how should one live?']"(Williams 1985, 12). According to him, we should not limit ethics by duty, obligation, good state of affairs, and so forth (Williams 1985, 17).

Because of mixing morality and ethics, three problems occur in deep ecology. Firstly, it is obscure whether Self-realization is morally neutral by Kantian morality or Kantian ethics. The principle of Kantian morality is the Categorical Imperative, i.e. the moral law, but moral law itself is not morality. Laws only provide the justification for morality. Secondly, if Self-realization is morally neutral, what type of norm it is? Is it a norm of logic or a norm of beauty or some other norm? Thirdly, Self-realization focuses only on the development of the self which is, from an ethical point of view, a form of self-centeredness or selfishness.

Therefore, we should keep in mind these limitations while commenting on Self-realization. I point out that the distinction between inclination and duty rather than between a beautiful act and a moral act can establish Self-realization as morally neutral. However, such moral neutrality is possible only if we take 'moral' in the Kantian sense. But Reitan argues that even Kantian morality in a broad sense can allow Self-realization as a moral term.

c. The Debate Whether Self-Realization Is Moral or Morally Neutral:

According to Reitan, deep ecologists' understanding, including Naess's, of Kant's distinction between a moral act and a beautiful act is 'too narrow' and gives too much weight to it. Moreover, their narrow understanding "ignores certain other critically important traditions", such as Aristotelian virtue ethics (Reitan 1996, 413). He claims that if we take Kantian and Aristotelian ethics in 'wider scope,' then Self-realization cannot be an alternative to traditional morality, and fits fully into these traditions (Reitan 1996, 413). Reitan's argument is based on the process of identification, a core concept in Self-realization. As it is a way of realizing interconnectedness, realizing that plants, animals, and landscapes are our parts, i.e. a diminishment of narrow ego, identification involves an 'act of will,' a 'choice' that is totally relational in nature. Self-realization, therefore, must be a rational choice, not a feeling or an instinct.

Reitan maintains that Naess's 'narrow reading' of Kant fails to grasp what moral acts are. According to this reading, acts that are performed by 'pure practical reason' without personal feelings, desires, and so forth, are moral acts. But this does not mean that such acts must be 'against one's inclinations'; rather it means only an 'indifferent' position. He points out that "one of the elements of Kant's philosophy that is overlooked in the narrow reading is the centrality of respect" (Reitan 1996, 419). He advances: respect obviously involves certain inclinations, such as emotion. So, Kant uses 'respect' in the same sense as Naess uses 'identification.' Respecting cannot be just a physical act. Rather, as Reitan puts it, a 'mental act' or an 'act of will.' In the process of respecting we recognize

and affirm the character as we do in the process of identification. Following Kant, he concludes: it is possible to say that Self-realization is a moral term.

In response to Reitan, Humphrey challenges his understanding of the Self-realization thesis and claims that for several 'disanalogies' it would be unconvincing to fit Self-realization in the Kantian notion of respect. Like Naess, he believes Self-realization is, after all, morally neutral. The main problem in Reitan's analysis, that Humphrey raises, is the problem of not recognizing 'ontological priority.'

Kant's notion of respect has application in two perspectives: first, we should show respect for 'the moral law' and second, to respect 'rational agents' is a duty for us. In the first case, there must be a moral law *before* we show respect for it. Humphrey says, "Thus, the moral law has to exist before respect can be given to it, and so moral law is ontologically prior to respect for such law" (Humphrey 1999, 77).

In the second case, according to Kant, we should never treat rational beings as means but as ends in themselves. Obviously, before respecting them, we must know the nature of rational beings. For Kant, having reason is the criterion to be treated as rational beings. Thus, the sense of morality develops in rational human beings before their disposition of respect. Humphrey concludes that Self-realization or the process of identification is *ontologically prior* to any deviation of the moral law, and therefore, Self-realization remains neither moral nor immoral (Humphrey 1999, 77-78).

The above analysis shows that it is debatable to say that Kant's distinction between a beautiful act and a moral act can establish Self-realization as a non-moral term. Probably, the difficulty arises for Naess himself who takes this distinction seriously without grasping Kant's whole idea. But there might be another way to show that Self-realization is morally neutral.

Naess's ultimate norm of Self-realization primarily refers to a system of identification or realizing the Self, which says 'life is fundamentally one.' Famous deep ecologist Warwick Fox has distinguished two different directions in this formulation. First, an axiological direction (or an intrinsic value direction) that says the process of Self-realization is intrinsically valuable. In other words, "the process of Self-realization is valuable in and of itself" (Fox 1990, 99). Second, a psychological-cosmological direction (or an identification direction) that says all entities are interrelated. In other words, "all entities are aspects of a single, unfolding process" (Fox 1990, 99).

If we take 'Self-realization' in the axiological direction, then Naess's theory would not add any new ideas because most ecocentric theories, including the Gaia hypothesis, have the same philosophy. But if we take it in the identification direction, only then we can have a wider, deepen, and total view of the self. Surely, Naess takes the second direction. As Fox writes, "Naess consistently explicates the meaning of his term 'Self-realization' in terms of the psychological-cosmological framework of wide and deep identification"(Fox 1990, 99). Since

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the psychological-cosmological direction does not involve morality or intrinsic value, the term Self-realization is morally neutral.

As both thinkers, Gandhi and Buddha, took 'self-realization' with similar importance and Naess himself was inspired by them, I will discuss briefly their thought to strengthen my position.

6. Gandhi's Thought

Naess's claim that we do not need moralization but only cultivation of our insight, i.e. Self-realization, has a metaphysical similarity with Gandhi's non-violence theory. They both believe that if we diminish the dominance of our narrow ego or self, then we can achieve Self-realization, the ultimate norm of ecosophy or *Moksha* (Liberation). Although Naess and Gandhi have different processes in mind, i.e. identification and non-violence, their goal is the same: to achieve Self-realization. Gandhi says, "What I want to achieve – what I have been striving and pining to achieve these thirty years – is self-realization, to see God face to face, to attain *Moksha* (Liberation)" (Naess 1986, 233).

Gandhi's non-violent actions were against human mastery. His personal life style, such as carrying a goat for milk, living with snakes and scorpions, shows his inclination for non-human beings. He believes that harmonious coexistence, non-violent living, could be an alternative to moralization. His non-violent life style recognizes the equal right of non-human beings. According to Naess, "Gandhi recognized a basic common right to live and blossom, to self-realization in a wide sense applicable to any being that can be said to have interests or needs" (Naess 1986, 234).

7. Buddhism

In Buddhist thought, Self-realization is also seen as a process of *Nirvana* (Liberation) without taking it as a moral norm. Naess mentions that particularly Buddhist theories of reverence for life, non-injury, and non-violence make for an intimate relationship with deep ecology. In Buddhism, the non-killing of animals is a fundamental norm. Waldu writes: "There is in Buddhism more sense of kinship with the animal world, a more intimate feeling of community with all that lives... animals are always treated with great sympathy and understanding" (Waldau 2000, 86). He also mentions: "The healthy rapport between plants, animals and humans, underlined by boundless compassion, was the basis of Buddhist life" (Waldau 2000, 86).

Naess shares this spirit of Buddhism in his view of Self-realization. One of the teachings of Buddha to his disciples was that human beings should care for all living entities like mothers care for their children. For Salvation, this realization is a prime condition. In fact, Buddha thought that true Salvation comes only when we overcome the surroundings of *duhkha* (unsatisfactory).

Trying to fulfill unlimited wants and desires is the source of all dissatisfaction. But how can we separate ourselves from dissatisfaction?

Buddhism persistently emphasizes meditative awareness about the interconnectedness of all life forms. Buddha's threefold learning or *trisiksa*, which says cultivation, meditation, and insight, is the root of enlightenment (Sponberg 1997, 369). These threefold learnings significantly develop an ultimate awareness of realizing the Self. Although Buddha did not hold such activities as joyful, his enlightenment certainly involved a transformation of consciousness from self to the Self. As Sponberg writes, "This development of consciousness in Buddhism is expressed practically as an ever greater sense of responsibility to act compassionately for the benefit of all forms of life" (Sponberg 1997, 372).

To conclude this section, I have tried to show that Self-realization may not necessarily be a moral term. Other traditions, for example Buddhism and Gandhism, have considered Self-realization as morally neutral. So, I am supporting Naess' and Humphrey's views. However, Reitan seems correct to hint that Self-realization possesses some sort of *value*. The next section will focus on whether Self-realization can qualify as a virtue.

8. Is Self-Realization a Virtue?

Arne Naess has not rejected the possibility of qualifying Self-realization as a virtue, though it is morally neutral. We have seen in the earlier discussion that Self-realization demonstrates enlightenment, and may involve some sort of practical wisdom. Joyful co-existence, association with the non-human world, and recognition of their potentialities, are the functional values of Self-realization that have to be achieved through long time practice. Self-realization is, therefore, not an overnight achievement.

Additionally, according to Naess, Self-realization is the "ultimate goal of life" (Naess 1986a, 237). It is a lifestyle which has simple means but rich ends (Naess 1986b, 82). These relate Naess's view to virtue ethics. Virtue ethics, in particular Aristotle's virtue ethics, are concerned with the characteristics of a person. According to Aristotle, a virtuous person is the one "who does the right thing joyfully and spontaneously out of a firm state of character" (Reitan 1996, 423). Alternatively, a virtuous person does the right thing from the love of virtue, not from the moral law.

Reitan writes: "The ecological Self is one which has acquired a certain kind of virtue" (Reitan 1996, 424). I should note here that his remark does not tell us the *name* of that virtue. Since the distinguishing characteristic of an ecological Self seems to be having Self-realization, by referring to Aristotle and to contemporary virtue ethicist Rosalind Hursthouse, I will argue that Self-realization is a certain kind of virtue.

Aristotle stated that if "virtues are neither passions nor faculties, all that remains is that they should be *states of character*" (Aristotle 2003, 17). If virtues

are states of character, do they arise in us naturally or by practice? Aristotle's reply is that we can only receive them by adaptation and make them "perfect by habit" (Aristotle 2003, 12). Later, Aristotle says that when someone achieves a virtuous character she has the capacity to act according to the right rule. To Aristotle, "the right rule is that which is in accordance with practical wisdom" (Aristotle 2003, 49).

The highest value, according to Aristotle, is *eudaimonia* which Aristotelian virtue ethicist Hursthouse translates as 'human well-being.' She explores the notion of *eudaimonia* to construct an environmental virtue ethics, and argues that *eudaimonia* can never be grasped within individual happiness, in other words, within human-centredness. Aristotle's *eudaimonia* requires 'a complete life,' and therefore she maintains, "it is nonsense to call someone *eudaimon*, however virtuous, if they are being broken on the wheel or surrounded by great disasters" (Hursthouse 2007, 169).

The above discussion shows that if we consider Self-realization as a state of character, since it is functional and achievable by habit, then it fulfills the criteria of practical wisdom. Such a piece of practical wisdom inspires us to live a complete life, a life which realizes the principle 'everything hangs together.' Therefore, Aristotle's own writings and his commentators' clarification provide enough ground to consider Self-realization as an excellence of human character, or in other words, a constituent of *eudaimonia*.

9. Conclusion

Arne Naess's ecosophy T has as its ultimate norm Self-realization, a norm that holds that all entities in Nature are interrelated. Human beings can only achieve this ecological consciousness through the process of identification. Once identified with Nature they can feel the ecological wholeness, the interconnectedness of animals, plants, and even landscapes. A more deepened, rather than alienated view of empathy and compassion for other biological entities, as they also have potentialities, is the goal of such realization. I argued here that Self-realization is an extension of Plato's view of self-development and Aristotle's biocentric holism. By exploring Gandhi's non-violence theory and Buddhism, I then defended Naess's claim that Self-realization is morally neutral, if we take 'moral' in the Kantian sense. Finally, it seems to me that Aristotle's virtue ethics advocates Self-realization as a virtue. [1]

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Symposion was published for the first time in 2003, as *Symposion – Revistă de științe socio-umane* (*Symposion – A Journal of Humanities*), with the purpose of providing a supportive space for academic communication, dialog, and debate, both intra and interdisciplinary, for philosophical humanities and social and political sciences. *Symposion: Theoretical and Applied Inquiries in Philosophy and Social Sciences* shares essentially the same purpose. Its main aim is to promote and provide open access to peer-reviewed, high quality contributions (articles, discussion notes, review essays or book reviews) for scholars working in philosophy, other humanities disciplines, or social and political theory (both empirical and normative).

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