Moral Philosophy I
Mette Lebech
2003

"Ethics is what we consider appropriate to do"
Special problem: Immigration

16.01.2003	Introduction to the theory of the course
17.01.2003	Introduction to the practice of the course

I.   Action-theory : About what it is *to do* something

24.01.2003	Thomas Aquinas: *Summa Theologiae* IaIIae q. 18 – 20

30.01.2003	
31.01.2003	Hannah Arendt: *The Human Condition*, section V (24 – 28).

06.02.2003
07.02.2003

II.   Value-theory : About what it is *to consider something appropriate*

13.02.2003	ARASI (Association of Refugees and Asylum Seekers in Ireland)
14.02.2003	Edith Stein: *Philosophy of Psychology and the Humanities*, Treatise I, III

20.02.2003
21.02.2003

Study Week

06.03.2003	Jürgen Habermas: *The Inclusion of the Other*, Chapter 1
07.03.2003	

13.03.2003
14.03.2003

III.   Political Theory : About who '*we*' are

20.03.2003	Edith Stein: *Philosophy of Psychology and the Humanities*, Treatise II, II
21.03.2003	

27.03.2003	
28.03.2003	Jürgen Habermas: *The Inclusion of the Other*, Chapter 4 and 8

03.04.2003
04.04.2003

10.04.2003	Conclusions
11.04.2003	Conclusions

Short Guide to Literature

All books are in the Library. Primary texts should be available in due course in the University Bookshop. Items marked with * in compendium. You are of course welcome to explore the library sources and other sources.

1. Primary Texts:

McDermott, Timothy (ed.): *Aquinas Selected Philosophical Writings*, Oxford University Press, Oxford, 1993 and following (Passage 35)*.

Arendt, Hannah: *The Human Condition*, University of Chicago Press, Chicago – London, 1958 and following (Section V.)*.

Stein, Edith: *Philosophy of Psychology and the Humanities*, transl. by M.C. Baseheart and M. Sawicki, (The Collected Works of Edith Stein VII), ICS Publications, Washington D.C., 2000 (Treatise I, III and Treatise II, II).

Habermas, Jürgen: *The Inclusion of the Other*, transl. and ed. by C. Cronin and P. DeGreiff, Polity, Cambridge, 2002 (Chapters 1, 4 and 8).

2. Texts of Support Concerning Immigration:

Alba, Richard D.: *Ethnic Identity: The Transformation of White America*, Yale University Press, New Haven – London, 1990.

Bauman, Zygmunt: *Modernity and the Holocaust*, Cornell University Press, Ithaca, 1989.

Cullen, Paul: *Refugees and Asylum Seekers in Ireland,* Cork University Press, Cork, 2000. *Short and highly recommended.*

Corcoran, Mary P.: *Irish Illegals. Transients Between two Societies*, Greenwood Press, Westport Conn. – London, 1993. In particular Chapters 1, 5 and 6.

Farrell, Fintan and Watt, Philip (eds.): *Responding to Racism in Ireland*, Veritas, Dublin, 2002. (Also in bookshop).

Information Leaflet for applicants for refugee status in Ireland. A guide to the procedures for processing applications for refugee status in Ireland in accordance with the provisions of the Refugee Act, 1996, as a mended by the Immigration Act, 1999 and the Illegal Immigrants (Trafficking) Act, 2000*.

Important new Developments in Irish Asylum and Immigration Policy, www.justice.ie (Ministry for Justice)*.

Racism in Ireland. The Views of Black and Ethnic Minorities, a report by FAQs Research in association with S. Loyal and A. Mulcahy, UCD, made for Amnesty International, September 2001.

Websites:
www.equality.ie
www.odei.ie
www.amnesty.ie

www.justice.ie

3. Some Other Works Touched Upon:

Daly, Donal: *Some Introductory Notes on Moral Philosophy*, NUIM, Faculty of Philosophy, 1998 and following (Can be obtained from the secretary's office, € 2,50). This collection of notes may be of use in particular as regards action-theory.

Girard, René: *The Scapegoat*, transl. by Yvonne Freccero, Johns Hopkins University Press, Baltimore, 1986.

Habermas, Jürgen: *The Post-national Constellation: Political Essays*, transl. by M. Pensky, Polity, Cambridge, 2001

Heller, Agnes: *A Theory of Modernity*, Blackwell, Malden – Oxford, 1999.

Lebech, Mette: "What is Bio-ethics?" in *Maynooth Philosophical Papers*, 2002, Faculty of Philosophy, NUI M, pp. 51 – 56 (Available in secretary's office, special student-price € 5), article also available in the e-print archive on the library homepage.

McIntyre, Alasdair: *Three Rival Versions of Moral Inquiry*, Duckworth, London, 1990.

Sawicki, Marianne: *Body, Text, and Science. The Literacy of investigative Practices and the Phenomenology of Edith Stein,* Kluwer Academic Publishers, Dordrecht etc., 1997.

Scheler, Max: *Ressentiment,* Marquette University Press, 1994.

Schuhmann, Karl: "Value Theory in Ehrenfels and Meinong" in *The School of Alexius Meinong*, ed. by L. Albertazzi, D. Jaquette and R. Poli, Ashgate, 2001, pp. 541 – 570.

Stein, Edith: *On the Problem of Empathy*, ICS, Washington D.C., 1989.

Taylor, Charles and Gutmann, Amy (eds.): *Multiculturalism*: *Examining the Politics of Recognition,* Princeton University Press, Princeton, 1994.

4. Illustrative Material:
This material is meant for you to relax by, while still continuing learning and thinking. It is also meant to provide common reference for us, so that if you would like to use examples of how immigration has affected countries, you can provide them from sources you know that I know.

The *Pentateuque* and the *Book of Joshua* (The Old Testament). Exists as audio-tapes in the Library. (The Jews were immigrants/conquerors of the promised land after the death of Moses.

The Seventh Chamber of Edith Stein an interpreted Life, Pauline Videos, Boston, 1996. (Being a jew in Germany during the second world war)

The Last September, directed by Deborah Warner, based on a novel by Elisabeth Bowen. (Make sure you see who think they are of what nationality).

Shama, Simon: *A History of Britain, 3500 BC – 1603 AD,* A BBC production association with the History Channel*,* New York Video, 2000. (Wonderful history of successive immigrations).

Introduction to the theory of the course

Ethics is what we think it appropriate to do.

Such a definition – which is my own – involves three elements:

1. what it is to do something
2. what it is to think something appropriate
3. who 'we' are.

These three elements structure the course. Its first part thus concerns action-theory, and presents two contrasting theories about what it is to do something: that of Thomas Aquinas and that of Hannah Arendt. Its second part concerns value theory, and presents two different views on what it is to value something, and thus to consider it appropriate: that of Edith Stein and that of Jürgen Habermas. Its third part concerns community- or political theory, and presents the same two different perspectives (Stein and Habermas) on how we become 'we', i.e. on community formation.

In fact value-theory and community-theory are two sides of the same coin. Stein uses an example, which can serve to illustrate this provisionally: If I love art, i.e. value art very highly, I am a member of the art-loving community. I can recognise the other members of the community on the love that we share, but if I stop loving art, other art-lovers will no longer recognise me on what we have in common, because we will no longer share the same feeling about art. The relations between values, feeling, community, character-formation and personal identity will thus be explored in the second and third part of the course. This in turn will form the background for understanding what virtue is, and for understanding action in the light of how it determines personal and community-life, in a multicultural world and a multicultural Ireland.

Some claim, and among them we find Habermas, that ethics and morals are distinct and in fact contrasting realities. Whereas the Latin 'mores' (from whence we have 'morals') is a translation of the Greek 'ethos' (h=)qoj), meaning *custom*, Greek and Roman culture were different enough to account for a change of sense. The Romans, in fact, were cosmopolitan, in contrast with the polis-centred Greek. Roman 'enforcement of 'morals' – i.e. promotion of all things Roman to strengthen and extend the Roman Empire, had a more legalistic and imposing character than could have had the Greek customs, which did not have universalistic pretensions. As the Christians inherited an imploded Roman Empire their community formation could no longer be backed by any army, but had to rely on the personal strengths for community of each individual. They had only virtue to

keep the world in order, until petty fighting kingdoms gave way to the market based nation state.

Thus one could say (as Habermas does) that moral is universal – i.e. is what is universally binding for all individuals – whereas ethics is the customs, that give groups their identity. It would thus be ethics that determines what it is to be Irish, to be Danish, etc., but morals that determines what is universally binding on all individuals, such as perhaps the 'human rights'.

'All individuals', however, is a way of determining who 'we' are. Moreover, what passes for morals, sometimes is revealed to be narrow-minded and guilt inducing in an un-constructive manner. Thus the distinction between ethics and morals does little more than present the problem that what we think appropriate to do often is contrasting with what others think. It also illustrates that we need an arbitrating instance, which we all can know about, and hence appeal to when we need to talk about a problem, which, if it is not negotiated, can result in the breakdown of the community or in war. What it is that happens when such problems arise, and what we can do to negotiate them successfully (and what this could possibly mean) is what this course is about.

Introduction to the practice of the course

Tutors have agreed to back an approach integrating theory and practice. Thus you are asked to deal with a practical question where you have to build on your own experience and knowledge, extending it perhaps by readings from the reading list or other reading, and applying the various theories concerning action, value and community, that we are dealing with. These essay questions reflect the way exam questions will be structured; exam questions will likewise have a practical and a theoretical component. This means that you can use tutorials to discuss these issues: ask your tutor to make room for discussion of the issues, if you think not enough time is given to it.

1. What are asylum-seekers doing?
   Use Aquinas' and Arendt's action-theory in your answer.
   > The material you can use is for example: the ARASI role-play, leaflet for asylum-seekers, M Corcoran: *Irish Illegals. Transients between two communities.*

2. What values of the Irish Muslim immigrant community favour integration?
   Use Stein's and Habermas' value-theory in your answer.
   > Reference: Imam Al Hussein SCR-mosque: please notify me if you plan to go and talk to him: he is willing to talk to you, but I will phone him and also give him a letter of introduction to you. There is literature in the Library.

3. What is it to be Irish, and how does one become Irish?
   Use Stein's and Habermas' political theory to formulate your answer.
   > Develop questionnaire and compare two answers given by fellow students, family members, or people with specific experience of immigration (or emigration) that you know off (returned sisters from South Africa, people from the travellers or the Irish speaking community, immigrants or Irish immigrants in America). I will draw up a list of such people on campus willing to answer your questionnaire, but you can also find your own.

Human Experience

Human experience starts when we are very small – before we gain consciousness. Indeed, the word 'consciousness' has, like 'conscience' the prefix 'con-' in it, stemming from the latin *cum*, 'with'. This indicates that conscience and consciousness is a kind of 'together'-knowledge, something we know very personally but together with someone else, God perhaps, or ourselves as another. But in a sense human experience always start now: we always extend it, build on the foundations which has been laid by our earlier experience, and even on the experience of others, in so far as we believe that what they communicate to us is in fact correct or true. Thus human experience is the synthesising of a number of distinct experiences.

1. The first of these are that 'I am like you', I am of the same kind, and this is why I can understand what you think and how you feel, as I presume that you think and feel, like I do. I always use this 'hypothesis' when I attempt to understand you better.

As a child I gain confidence in becoming adult – becoming like my mother or father – because I am like them. I can see that, even if I am still small.

2. I also am different. You can do things I can't do, and I can do things you can't. Consequently you obtain and deserve things I don't, and vice versa.

3. If I want to stay in communion with you, i.e. have a common history, share a house, a country, a sense of right and wrong, then I must find a way in which to stay equal with (like) you while remaining different. I must learn to keep the peace. This either means dominating (absolutely) or claiming only what you are ready to give while giving you all what you claim. This at least until we gain a common understanding of our equivalence, i.e. until we are able to say 'we', i.e. share a common history, a house, a country, a sense of right and wrong. This we do when we learn to claim what we deserve and do our duty.

4. Both my properties (i.e. qualities) and my property enable me to do what I can. Hence, while I have a dispute with another, we have not yet recognised each other. Each has not yet recognised what belongs to each, what is due to each and what the duties of each are. We are therefore not yet equal.

5. Perhaps only real friends are really equal. They share everything, property, life, outlook, happiness, pain, goods and friendships with others. Such friendships also last. But we know by experience that they are very rare, and that we must praise ourselves happy if we get to experience such friendship once or twice in a lifetime. Meanwhile we make attempts at friendships in many different settings and with varying degrees of success. Yet we have to get on with those whom we do not get on with, unless we can get rid of them and are willing to do what it takes. We therefore invents ways of being together, relationships, which are like friendship in some of its aspects, but not all. Like buying and selling, and playing together.

6. Law is the rules had in common by a community. Therefore it changes with the community. Changes in the membership of the community must therefore be as carefully monitored as the letting in on personal secrets has to be closely watched. This is because betrayal is possible, which in the case of the individual would mean the loss of a common world with the betrayer, and in the case of the community mean dissolution. Just as friendship demands much care and attention (not to offend, to help, encourage, be useful, fair, courageous, prudent and temperate), so community building demands much care and attention (to ensure people have what they need; that they do not exploit each other; that procedures exists for dispute-solving and decision-making, and that leadership is provided in a crisis).

7. Custom (i.e. ethics) is the mechanisms we inherit that have ensured this for those who went before us.

Action-theory: about what it is to do something

Thomas Aquinas' theory

What is an act or an action?

Action is for Aquinas intelligible in its object. The object of an action is in other words *what the action is*. What the action objectively is, is what is intelligible in it. That an action necessarily has an object does not mean that it is obvious or indisputable what the object is.

When for example the Scottish Presbyterians settled in Ulster, they obeyed an order issued by Queen Elisabeth I. They also made an agreement about English-Irish borders more difficult in the future. Moreover, they claimed their right to land given to them by the Crown, and perhaps they understood their mission to be to curb papist resistance and further popular rule.

The goodness or badness of such action depends, like all action, according to Thomas, on four things.

Sic igitur in actione humana bonitas quadruplex considerari potest. Una quidem secundum genus, prout scilicet est actio: quia quantum habet de actione et entitate, tantum habet de bonitate, ut dictum est. Alia vero secundum speciem: quae accipitur secundum obiectum conveniens. Tertia secundum circumstantias, quasi secundum accidentia quaedam. Quarta autem secundum finem, quasi secundum habitudinem ad causam bonitati.

Four elements therefore contribute to the goodness of human action: firstly its generic existence as activity at all (for, as we said, the more fully it exists as an action the more goodness it has); secondly, its species as defined by an appropriate object; thirdly, its circumstances – as it were, its non-defining properties; and fourthly, its goal – as it were, its relationship to some cause of goodness. (q. 18, a. 4, resp.)

Thus the 'four causes of an action' may be compared to the four causes of a thing, defined by Aristotle (*Physics* II, 3 and *Metaphysics* V, 2):

The activity itself	Discussed in 18,1	May be compared to the efficient cause
The kind (the object)	Discussed in 18,2	May be compared to the formal cause
The circumstances (the accidents)	Discussed in 18,3	May be compared to the material cause
The goal (the end)	Discussed in 18,4	May be compared to the final cause

The 'four causes of an action' combine to determine the goodness of an action, and what it is, because there is nothing that the action is, independent of its goodness or badness. The more fully the action is a human action (i.e. fills out all the dimensions of an action

and combines free activity with the convenient object, the right circumstances and the appropriate intention), the better it is. If it is lacking in any of its dimensions, it is deficient or bad in proportion to the lack. Its imperfections thus stem from it not being fully willed, not having an appropriate object, not being done in the right circumstances and with the wrong intention or to a wrong end.

Some actions are bad of their kind (18, 2). They are objectively bad, because their object is bad. We might also say that they are by definition bad. Stealing, for example, is by definition bad, and if what you are doing can only be defined as stealing (taking something that does not belong to you), then what you are doing is objectively (i.e. by definition) bad.

Respondeo dicendum quod, sicut dictum est (a.1), bonum et malum actionis, sicut et ceterarum rerum, attenditur ex plenitudine essendi vel defectu ipsius. Primum autem quod ad plenitudinem essendi pertinere videtur, est id quod dat rei speciem. Sicut autem res naturalis habet speciem ex sua forma, ita actio habet speciem ex obiecto; sicut et motus ex termino. Et ideo sicut prima bonitas rei naturalis attenditur ex sua forma, quae dat speciem ei, ita et prima bonitas actus moralis attenditur ex obiecto convenienti; unde et a quibusdam vocatur bonum ex genere; puta, uti re sua. Et sicut in rebus naturalibus primum malum est, si res generata non consequitur formam specificam, puta si non generetur homo, sed aliquis loco hominis; ita primum malum; ita primum malum in actionibus moralibus est quod est ex obiecto, sicut accipere aliena. Et dicitur malum ex genere, genere pro specie accepto, eo modo loquendi quo dicimus humanum genus totam humananam speciem.

As we have just said, actions are like other things: good if they exist fully, bad if they are incomplete. Now to exist fully what something must first have is what defines it: for things in nature a form, for actions an object in the way movements must have a destination. So just as its defining form gives a natural thing basic goodness, so a fitting object of activity gives moral actions their basic goodness (makes them good of their kind, as some people say): for example, using what belongs to you. And just as in nature the basic evil is a failure to reproduce a thing's defining form – the misbegetting of human beings, for example – so in the moral sphere the basic evil is an action having a wrong object – for example, taking what doesn't belong to you. Such an action is bad of its kind, where 'kind' means species or 'defining kind', in the sense in which the human species is called human kind.

Some actions are bad, because circumstances make them so (18.3). Circumstances, in fact, make the action real; they are what the action must suffer to be, and in that sense what makes the action what it is. When I conceive of an action, I must take them into account, and use them to do what I want to do, in order actually to do and accomplish what I want to do and accomplish.

Some actions are bad because their end is bad. The intention of an action is an attempt to realise an envisaged object. Willpower and the circumstances determine whether the intended action is successfully realised as intended, and the object of the action determines furthermore whether it is good.

We are therefore left with a question. What makes the object of an action good? What makes an action objectively good?

Aquinas' Theory of Action, continued

The problems we ran into last time, trying to grasp Aquinas' account of what an action is, were linked to **the difference between things and actions**. What distinguish an action from a thing is that it accomplishes something of itself, that some degree of initiative, freedom or choice is expressed in it. These problems were the following:

1.

Activity can be **either free (voluntary) or un-free (driven, instinctive, induced)** or a mixture of both. In the text we read,

Sic igitur in actione humana bonitas quadruplex considerari potest. Una quidem secundum genus, prout scilicet est actio: quia quantum habet de actione et entitate, tantum habet de bonitate, ut dictum est. Alia vero secundum speciem: quae accipitur secundum obiectum conveniens. Tertia secundum circumstantias, quasi secundum accidentia quaedam. Quarta autem secundum finem, quasi secundum habitudinem ad causam bonitati.	Four elements therefore contribute to the goodness of human action: firstly its generic existence as activity at all (for, as we said, the more fully it exists as an action the more goodness it has); secondly, its species as defined by an appropriate object; thirdly, its circumstances – as it were, its non-defining properties; and fourthly, its goal – as it were, its relationship to some cause of goodness. (q. 18, a. 4, resp.)

Aquinas does not distinguish between these two modes of acting, and in fact, we speak about acting in all of these ways. We say both 'he was acting freely' and 'she was acting under compulsion', and we even say about a heron, for example, that 'it was acting strangely'. In the latter case, however, we could just as well have said that 'it behaved' strangely – whereas in the two former expressions 'behaving' could not have replaced 'acting'. This is because we do not expect the heron to be capable of free or rational action. We expect human beings to be capable of acting freely, and action, therefore, is mostly thought to be the activity of someone who is capable of acting rationally, i.e. who is intelligent and has a will.

But in q. 18, 5, Aquinas *does* distinguish between action carried out in accordance with rationality, and action carried out without regard for rationality. In fact these two are two different kinds of action: the one is moral, the other immoral: the first good, the other bad. The first, in fact, is good, and the second less good, because the first act expresses fully the essence of a human being, (which is that of a rational animal), whereas the second doesn't, but expresses only something which is not essential to the human being. Goodness, or action in accordance with rationality, therefore decides the kind of action in question, as a moral kind. This means that truly human actions are moral actions; they are done knowingly and willingly, and we are responsible for them, i.e. it makes sense to be praised or blamed for them. It also means, that when we are acting on a 'whim', when we do 'what we like', we may or may not be acting rationally. Sometimes we would like to do what is rational, but other times not.

Rationality is, for Thomas, the capacity to reason had by all intelligent beings. It consists in being able to take everything into account, to compare and contrast, divide and combine, and to know 'the universal', as he terms it. What we take into account when we act rationally is not merely what we would like to do (though that is part of it), but also the consequences it would have, what others would think and how they would react to it. We sometimes distinguish between something that would be 'rational for me' (meaning something that would be advantageous for me) and something that would be 'rational for everyone (meaning something that would be advantageous for everyone). Aquinas considers everyone to live within the same (universal) community, so that the distinction in fact makes no sense. His world was relatively uniform or unified. So rationality is what we have in common, precisely because it takes everyone and everything into account.

Omnis actus speciem habet ex suo obiecto, sicut supra dictum est (a2). (..) In actibus autem humanis bonum et malum dicitur per comparationem ad rationem: quia, ut Dionysius dicit, [..] bonum hominis est secundum rationem esse, malum autem quod est praeter rationem. Uniquique enim rei est bonum quod convenit ei secundum suam formam; et malum quod est ei praeter ordinem suae formae. Patet ergo quod differentia boni et mali circa obiectum considerata, comparatur per se ad rationem: scilicet secundum quod obiectum est ei conveniens vel non conveniens. Dicuntur autem aliqui actus humani, vel morales, secundum quod sunt a ratione. Unde manifestum est quod bonum et malum diversificant speciem in actibus moralibus: differentiae enim per se diversificant speciem.

Actions we have said are defined by their objects; so difference of object ought to mean actions differ in kind. (..) Now good and bad describe actions relative to reason – as Pseudo-Dionysius says, it is good for human beings to live reasonably and bad for them not to – since what suits a thing's form is good for it, and what doesn't suit bad. So clearly difference of good or bad due to an action's object – namely whether the object suits reason or not – is an essential one relative to reason. And since actions as products of reason are called human or moral, good and bad will obviously decide the kind of moral actions, for the essential differences are the ones that decide kind.

2.

Acting involves the choice of means as well as goals. The means are chosen in the circumstances obtaining, and together with these and the goal, they determine what is actually accomplished, the object of the action, i.e. what the action is. But this may differ from what I intended - for example if I go to work in a car, the driving is the means of getting there, but it may cause me to actually hit someone in an accident, and thus to have injured someone. It is because acting involves the choice of means, that circumstances can change the object of the act, i.e. can change what is actually accomplished. It is because taking these means also is our responsibility that other people can think we are doing something different from what we think ourselves we are doing.

3.

An action, in fact, because we act in a world that gives our actions a reality which we cannot produce, **consists of both an inner and an outer action**: the intended action and the actual action. Tragedy arises when we become aware that what we intended produced exactly the contrary result from what we intended it to produce, perhaps by a series of unfortunate and unforeseen circumstances. Whereas it makes sense to be blamed and praised for the consequences we could reasonably foresee, it makes less sense to be blamed for consequences we could not reasonably foresee.

Aquinas' Theory of Action, Finally

We have seen so far that an action can be analysed in terms of its four sources: the activity, the object, the circumstances and the goal (S.T. IaIIae Q. 18, a. 1-4). We have also seen that whether it is rational or not, (or whether it is in conformity with rationality or not) determines the kind of action as good or bad (S.T. IaIIae Q.18, a. 5). Actions in conformity with rationality are good, and actions not in conformity with rationality are less good, or bad (depending on their object or intention). So how exactly does the goodness or badness depend on the object or the intention of an act?

Respondeo dicendum quod aliqui actus dicuntur humani, inquantum sunt voluntarii, sicut supra dictum est. In actu autem voluntario invenitur duplex actus, scilicet actus interior voluntatis, et actus exterior: et uterque horum actuum habet suum obiectum. Finis autem proprie est obiectum interioris actus voluntarii: id autem circa quod est actus exterior, est obiectum ejus. Sicut igitur actus exterior accipit speciem ab obiecto circa quod est; ita actus interor voluntatis accipit speciem a fine, sicut a proprio obiecto.

Ita autem quod est ex parte voluntatis, se habet ut formale ad id quod est ex parte exterioris actus: quia voluntas utitur membris ad agendum, sicut instrumentis; neque actus exteriores habent rationem moralitatis, nisi inqqntum sunt voluntarii. Et ideo actus humani species formaliter consideratur secundum finem, materialiter consideratur secundum finem, materialiter secundum obiectum exterioris actus. Unde Philosophus dicit in V Ethic. Quod ille qui furatur ut committat adulterium, est per se loquendo, magis adulter quam fur.

As we explained earlier, we call some actions 'human actions' because they are done voluntarily. Now voluntary action is made up of an interior act of will and external activity, and each has its object: the goal is the object proper to the interior act of will and the external activity's object is whatever that activity is concerned with. So just as the external activity's kind is decided by the object it is concerned with, so the interior act of will's kind is decided by its own proper object, namely, its goal.

Now since the body act as will's tool, what the will contributes to action is a sort of form of control imposed on the external activity as material, and only when the external activity is voluntary in this way is it morally significant. Human actions are defined formally by their goal, and materially by the object of the external activity. As Aristotle put it: Stealing to pay for adulterer makes you more an adulterer, properly speaking, than a thief. (S.T. IaIIae, q. 18, a. 6).

Thus the intention (what the act is intended to be) and the object (what the act happens to become or be) both contribute to the act, the first formally and the second materially. In the same way as it is more important for a chair to be a chair than to be of wood (it could also be of plastic, ice, metal or reeds), the intention of the act is more important for the act, than what the act happens to become. The consequences being circumstantial to the act, they nevertheless contribute significantly to what the act happens to be, i.e. to the object of the act. Among the consequences we find what other people think of the act. What the act therefore happens to be, can always be discussed and further analysed (S.T. IaIIae, q. 18 a. 10). Such analysis, in fact, is generally how we come to understand what happened and why people did what they did or act as they do. The fact that we can analyse acts in this way (can analyse what they are, i.e. their objects), is what makes us rational.

What therefore makes acts irrational, is, as we will later explore with Edith Stein, that they intend to realise (they have a goal for object) which it is impossible to realise. Irrational acts intend something it is impossible that the act can happen to become. An irrational act, in other words, is one in which intention and object, inner and outer act, are in complete disharmony, and cannot be brought into harmony. It is the act that intends to

do what it is not possible to do. We could discuss the following examples, keeping in mind that the object of an act always can be further analysed in terms of its circumstances:

- I intend not to take know what I know to be true.
- I intend to build a house that is not a house.
- I intend to cycle without using a bicycle.
- I intend to enjoy the protection of a state of law without having law.
- I intend the police to police everyone, but not me.
- I intend that my hatred of a certain person will make him love me.
- I intend my stealing to provoke that I am given what I want because I deserve it.
- I intend the innocent I kill to recognize my right to kill him. So I torture him until he says he does.
- I expect to be treated well by the one I treat badly.
- I expect to be helped by someone who I am doing harm.

If rationality is to take everything into account, I also must take into account what others think. This is why rationality not only knows, but knows what others know and hence is reflexive. It therefore in dealings with others centres on The Golden Rule: do to others what you would like them to do to you (or do not do to them what you would not have them do to you). The golden rule can be applied because the act has an object, because it is something that is not simply dependent on the doer, something that can in principle be done by others. The act, in other words, is not simply what we intend it to be, it is real, has consequences, and is seen and judged by others, who take their queue from it, and imitate you to gain common ground with you. Communication tends to proceed in some sort of reciprocity, and thus rationality is our ability to share experience and thus take everything into account. Rationality, hence, is deeply rooted in the communal experience, and maintenance of community a condition for the flourishing of rationality.

Sicut species rerum naturalium constituuntur ex naturalibus formis, its species moralium actuum constituuntur ex formis prout sunt a ratione conceptae, sicut ut supradictis patet. Quia vero natura determinata est ad unum, nec potest esse processus naturae in infinitum, necesse est pervenire ad aliquam ultimam formam, ex qua sumatur differentia specifica, post quam alia differentia specifica non possit. Et inde est quod in rebus naturalibus, id quod est accidens alicui rei, non potest accipi ut differentia constituens speciem. Sed processus rationis non est determinatus ad aliquid unum: sed quolibet dato, potest ulterius procedere. Et ideo quod in uno actu accipitur ut circumstantia superaddita obiecto determinat speciem actus, potest iterum accipi a ratione ordinanti ut principalis conditio obiecti determinantis speciem actus.

As we have already shown, just as natural forms decide kinds of thing in nature, so forms conceived by human reason decide kinds of moral action. But nature is fixed, and nature's processes have defined ends, so that in nature we arrive at an ultimate form defining the thing's kind, after which we have no further definition is possible: no supervening modification to a thing in nature can redetermine its kind. But the processes of reason are not fixed, and whatever is given can be taken further. So what in a first action was treated as circumstance, attendant on the object that decided the kind of action, can be reassessed by reason as a main feature of the object deciding the action's kind. (S.T.IaIIae q. 18, a. 10)

Arendt's Theory of Action

For Hannah Arendt action is first and foremost what displays the being acting as what it is. It manifests this being, realises it, even makes it real. A being that does not display itself does not appear, and whatever does not appear, is not. Action, therefore, as self-display, is what makes the being what it is. We could also say that your action shows who you are. Hence I attempt to appear the way I would like to be, and might even attempt to hide or display that I am hiding or displaying something.

Speech, according to Arendt, is one form of acting. It is a form of self-display. We know that we can display ourselves to the gaze of the other in speech from the way in which he or she displays him or herself to us. We know what 'display' is, by watching and comparing others with ourselves, and trying out for ourselves, what we see them doing. Language, therefore, relies on there being a plurality of speakers/actors, who are like each other, in that they understand each other. This likeness implies equality and distinctness, a uniqueness the individual can display by distinguishing himself.

Such distinction is achieved through action, by appearing in the public realm in the light of glory. In fact it is impossible not to act, no one can refrain from action and remain human. In this action is distinct from other activities such as labour and work. Labour, necessitated by necessity, and work, producing the useful, both subtract from the appearance of being initiator, beginner, and ruler, which is the properly human (Arendt implies that to be human is to be seen as human). Birth is what brings into the world this newness initiative relies on, and acting in a sense is like a second birth: bring forth who I am from what I do.

The question the world must ask of every newcomer, and hence the question everybody has in mind when you appear in a public place, is "Who are you?". This you will have to disclose in that place by choosing to appear in the way you do, by means of action accompanied by speech. However, we have no complete umpire over our appearance. In fact we appear to others only when we are with them (not against them or for them, where who we are then is determined exclusively by this position). It is only when we thus appear that there is properly speaking action, not mere production, as in propaganda or scam, where the 'other' is manipulated to produced a specific opinion in him. In such activities, nobody appears to be anyone.

Yet the attempt to say *who* someone is makes us face our linguistic incapacity to designate exactly that. We must instead turn our attention to *what* she is, to her character. This corresponds to the unsatisfactory quality of any definition of the human being. The human being is a kind of who, a human who, but then there is no definition of a who, only a sign *that* he is. The character, however, can be described.

(This is where Aquinas' Aristotelian heritage of virtue-ethics sets in, to provide the categories in terms of which we describe character. Virtues, for Aquinas (and for Aristotle before him), are habits of choosing a particular kind of goal for one's action, and the corresponding experience in the choice of appropriate means to realise this goal. The person, hence, whose character can be described as courageous, is the kind of person

who is in the habit of choosing not to shy away from difficult and dangerous things, and who by experience has learnt in practice how not to. The person whose character can be described as prudent, is the one who is in the habit of choosing to act only after careful deliberation, taking all issues into account, and who also has learnt by experience how to do this in practice.)

It is clear, for Arendt that how character is judged in others also is a way of acting, *in so far* as they come to realise how we judge them. Hence our judgement of others as well as of things, reveal our interests, that is, how things are between us (*inter-est*), and what binds us together: the web of human relationships. It is because of this web of inter-relationships that action often becomes something else than intended, and inevitably gives rise to stories. Action affects other people's understanding of the in-between, i.e. of the world. This is also why action cannot create a story, but only initiate it. Other people inevitably contribute to one's own life-story by their reactions and actions and by their perceptions, judgements and interests. Thus it is clear, that we never act alone, and never give sense to our action alone.

This is the reason why, action, to be intelligible, presupposes not only an actor, but also a community that makes the action what it is. To settle the perplexity that whereas human beings act in history, they are not the authors of it, 'an invisible hand' in charge of all the stories, is easily presumed, though not experienced. Political theory can explain something. It is the theory about how action happens, i.e. how it happens that individuals come to recognise each other as members of a group, and act together in for example making the act of the single person, e.g. the leader, appear to be what it is. Whenever the leader acts, the constitution of the group makes its members co-act, or bear the acting of the leader – for example by carrying it out. The splitting of community into two distinct functions: that of ruling and that of being ruled is one way in which community may structure itself. Whereas it is a common way, and easy when it is traditional, it is far from being the only way the members of a community contribute to each other's acts. In fact the doer is always also a 'sufferer', in so far as the doer at least must suffer to do what he does. This is the way in which he always must remain *primus inter pares – primus* as actor, but *inter pares*, because others makes him suffer to do what he does, by appearing to them as he does.

The main points raised by Arendt's theory of action are the following:

1. The importance of the judgement of others for one's own understanding of what one does;
2. The way in which one's goals and habitual dispositions are available for public inspection;
3. The dynamics at work in the community judging one's acts, goals and dispositions and meeting one with the question: "Who are you?".

What are Asylum-Seekers Doing?

Given our two theories of action, how can we apply them to the first question raised as part of the practice of the course?

In terms of Aquinas' theory:

1. Activity

Their activity, as such, might be more or less free, more or less urgent, insistent, intense, effective and mediated by rationality: what is certain is that it *is*, and represents an initiative, the initiation of an action. *They are doing something.* Such initiation, must, to be moral, be rational and take everything into account. What they are doing, hence, depending on whether they take everything into account, is either free (i.e. done on the background of the capacity to take everything into account), or instinctive (i.e. done without consideration for the capacity to take everything into account. For Thomas, as we have seen, this distinction decides between the goodness and the badness of an act, so that asylum-seeking is good in so far as it takes everything into account, and bad (or not good) in so far as it does not.

2. Object

What they are doing, per definition, is seeking asylum, i.e. seeking recognition as a refugee, (defined under the 1951 Geneva-Convention Relating to the Status of Refugees and the related 1967 protocol, and specified in Irish Law as a person who:

> Owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his or her nationality and is unable or, owing to such fear, unwilling to avail him or herself of the protection of that country; or who, not having a nationality and being outside the country of his or her former habitual residence, is unable or, owing to such fear, unwilling to return to it, but does not include a person who [is not a citizen, criminal or guilty of acts] contrary to the purposes and principles of the United Nations (*Texts* p 60).

The object is defined by the United Nations and Ireland, being a member of the United Nations. It presupposes in other words the United Nations, i.e. a union of Nation-States, relying on stable borders. What is intelligible in what asylum-seekers are doing, the object of their act, is defined in the context of the present world order of united nation-states. To Aquinas a refugee would have been someone seeking protection from someone or something else. Such protection could be sought with any power; convent or prince. It was given for a reason, whether pity or interest. But many people would never have found such protection, against eviction, cold, starvation, anarchy, malice, persecution and ethnic cleansing. Seeking protection could be done taking everything into account (i.e. rationally), instinctively, without taking everything into account, and finally irrationally,

by consciously omitting to take everything into account. (for example, whether the one you are seeking protection from can protect both you and her family).

3. Circumstances
The circumstances left behind when seeking asylum may contribute to make the act more or less intelligible. They may render an application more or less understandable. They are examined in order to determine whether an application is justified (i.e. is in fact a case of asylum-seeking).

4. Goal
The goal of an asylum-seeker is implicit in the object, i.e. it must be to seek protection from something that would otherwise destroy the person seeking asylum. If the goal is anything else, the person seeking asylum is acting irrationally, i.e. doing something which he does not want to do.

In terms of Arendt's theory:

1. An asylum seeker is finding out what he is doing by acting, and hence entering the space of appearance of the world he is arriving at. He does, in other words, what he is seen to be doing, and if his terms of reference are very different from the world into which he enters, his actions might not be comprehensible at first within this new world. This indeed is what happens when worlds meet. Both spectators and actors have to adjust to one another in order to form a new world, in terms of which the acting makes sense as what it is to both spectator and actor alike. This process is necessarily unsettling for both parties, though it also might be interesting, because it tears down the 'old world' in order to clear the minds for the building of the new. Whoever, therefore arrives, without knowing what it is to act (appear) in the world, changes the world he enters, and runs the risk of being excluded from it, if the world finds no means of interpreting the action as rational, and therefore comes to regard it as criminal. This will in turn reflect back on the applicant (the newcomer), so that he is either recognised as an asylum-seeker or not. If he is not, he is refused protection, i.e. refused membership of the community to which applied for membership.
2. If he is seen to have other intentions than seeking protection, or intentions contrary to the purposes and principles of the community he seeks protection from, protecting him anyway amounts to destroying the space of appearance upon which all other members are dependent. (Aquinas would have characterised this as irrational action on behalf of the community).
3. The dynamics of the group to which he flees, will ask of the newcomer: 'who are you?' and expect an answer that can be understood and accepted. Thus asylum-seekers are ultimately asking to be accepted as members of the society they seek protection in.

Value-theory: About what it is to consider something appropriate

Background to Edith Stein's Theory

Phenomenology

Phenomenology is a branch of philosophy that has arisen from Descartes' hyperbolic doubt, historically rooted in the religious wars after the Protestant Reform. Its rationale is to investigate only what we can know with certainty, independently of all prejudice: namely what appears to us, as it appears.

What we call the 'Phenomenological Movement" originated in Germany (Göttingen, with Husserl; Munich with Theodor Lipps), in proximity to the budding science of psychology (Franz Brentano). Husserl is above everyone associated with its cause – justifiably so, as he dedicated himself to begin it. His pupils in particular, and those who since associated themselves with them were proud of being given the name 'phenomenologists'. They comprise Scheler, Reinach, Conrad-Martius, Lipps, Stein, Koyré, Hering, Von Hildebrandt, Pfänder, and others (Cfr. Spiegelberg and Sawicki). Those, more famous, perhaps, who have become associated with phenomenology are: Heidegger, Gadamer, Arendt, Ricoeur, Sartre, Levinas, Merleau Ponty and Derrida (cfr. Moran). The first are often referred to as 'the early phenomenologists' or the 'Göttingen-phenomenologists'. The second make up the 'canon' of 'continental philosophy'.

This movement concerns itself with the essences of conscious life – i.e. with what is necessarily so – while "bracketing" existence. It analyses phenomena in their essential structures with their *noetic* and *noematic* components, and takes this to lie within the sphere of the indubitable, which according to Descartes can be seen clearly and distinctly. This 'intentional analysis' relies on the scholastic (Aristotelian) idea that a faculty, (e.g. will), is defined by its formal object (in this case 'the good'), so that subject (act) and object cannot be separated. They also would say that *intentio* and *intentum* cannot be separated, but must be understood in terms of one another. That consciousness and all its contents, i.e. everything that appears to anyone, can be thus analysed is due to the *intentionality* of consciousness.

The 'programme' of the movement is exposed in Husserl's *Ideas* (1913), in the *Encyclopaedia Britannica* article on phenomenology (in the fourteenth edition) and in the *Logos* article (1910 or 11). It was, however, already present as a project for a laying a unified foundation of science in *Logical Investigations* (1900 – 01), and this work was the work that drew the early phenomenologists to Göttingen to study under Husserl before the first world war.

Husserl insists that phenomenology is *not* a descriptive psychology. It does not describe the soul, or states of the soul, which both are realities constituted within pure experience. It investigates in stead *pure experience* as emanating from the transcendental ego, i.e. the ideal essential unity of pure experience as such. The way of achieving the required purification is to suspend 'the natural standpoint' by the 'reduction' and bracket the existence of the objects experienced by the 'ēpoche'. In this way what is achieved is pure

appearance as it appear – and this is what phenomenology is concerned about, not realities of the soul.

Value-theory

Since the rise of capitalism it had become obvious that to understand economic transactions, a theory about goods was insufficient. It was how goods appeared to the buyer that determined what he was willing to pay. This appearance (which includes objective needs, timing, level of satisfaction, understanding and ability to put to use the desired good) had to be brought on a formula in the budding science of by economy. The resulting value theory reaches a high-point in the so-called Austrian School, credited with 'the marginal utility theory', and counting among others the economist Carl Menger. The philosophers Brentano, Meinong, Ehrenfels asked the question as a question of descriptive psychology. Max Scheler, in contrast, asked it as a question of pure phenomenology, under the influence of Husserl, and enjoying the status as his 'counterpart in practical matters'.

Edith Stein continues the work of Husserl *and* Scheler attempting to establish a theory of values relying on pure phenomenology, that can found the philosophy of the humanities, i.e. explain the practice of understanding motivation, and interpreting acts as motivated. To do this, she must take Husserl's theory further (as she does in her doctoral thesis: *On the Problem of Empathy*) and clear up the ambiguities of Scheler's (as she does in *Philosophy of Psychology and the Humanities*).

Empathy, the act in which foreign experience is given to consciousness, and which hence is the act through which the ego is enabled to accede to intersubjectivity at a higher level of objectivity, is investigated by Stein within the phenomenological reduction. I.e. it is described and analysed *as experience*.

How motivation occurs and is understood within the group and within the individual person in contrast with causality is the first part of her value-theory. Values, which are the objects of motivation (i.e. what determines motivation as what it is), forms part of her analysis of motivation in the first treatise of *Contributions to a Philosophical Foundation of Psychology and the Humanities* (translated as *Philosophy of Psychology and the Humanities*). The second part of her value-theory concerns the inter-subjective reality of values – the way they form community and inform the community with their own 'life'. Values are the reasons, in fact, that intersubjectivity is structured and can be understood. Values and value-response therefore is not only what history is concerned with, but also sociology and in general all the humanities.

Stein's Theory of Motivation

What it is to consider something appropriate, is a question addressing the mental act in which 'appropriateness' is grasped. It investigates not only the nature of this act, value-judgement, but also its object: the valuable. The intentional analysis of the phenomenological method, seeing the aspects of the phenomenon to be *intentio* and *intentum,* here sees instead the *valuation* and the *value* in and through the *motivation* and the *motive.*

Stein understands valuation to be implicit in all motivation and motivation to be implicit in all intentionality, precisely because it is intentional, i.e. directed towards something (as distinct from something else). This means that an act has not been fully investigated, for her, unless also its motivation has been accounted for. This again means, that there is no 'value-free' mental activity, as there is no unmotivated act. All conscious life therefore is value-related. There is, in other words, no such thing as 'having no values', unless one by that mean that one has no positive values, only negative ones.

Stein also understands motivation to operate at all levels of consciousness: it is 'the basic lawfulness of mental living'. It is what makes us distinguish mental life from physical causality; initiative and spontaneity from causality and causation. Whenever there is motivation, we know there is life, we can 'follow' the motivation 'inside', whereas causality is on the surface only. She defines motivation as:

> *The* connection that acts get into with one another: not a mere blending, like that of simultaneously or sequentially ebbing phases of experience, or the associative tying together of experiences, but an *emerging* of the one *out of* the other, a self fulfilling or being fulfilled of the *one on the basis of* the other *for the sake of* the other. (p. 41)

Its general structure is:

Perception motivating
Apperception, motivating   The Hermeneutic Circle
Synthesis, motivating perception

It is operative at all levels of consciousness:

Perception motivates attention
Attention motivates cognisance
Cognisance motivates judgement   Below the level of intentional willing
Judgement motivates acceptance/rejection   Above the level of intentional willing
Acceptance/rejection motivates attitude (implicit
adoption of **values**)
Attitude motivates action

Stein's Implicit Theory of Rationality

Rational is the act that takes everything into account. A rational perception is therefore one that sees what it sees; a rational valuation one that values what it values. However, just as one can not-se what one sees (ranging from overlooking over ignoring to erasing), one can also not-value what one values (e.g. the efficiency of a person in stead of the person, while still pretending – even to one self – that one is valuing the person). Hence it is the pretending to oneself that is irrational – because one knows that one knows (and therefore that one overlooks), and one knows what one values (and therefore how it relates to other things that one values). Or perhaps, rather: one can find this out by investigation.

This is how the insight into the feelings I have and the judgements I make, make one more aware of what in fact I value – whether this 'one' is myself, or someone else. Feelings, in fact, are the sub-rational way of relating to values, they contain implicit value-judgements, which, at the level of reason, can be explicated and understood through insight into what they value and why I have them. This, in fact, is what it is to 'know oneself', it is to know why one feels the way one does. Will (i.e. pure intentional reflection) has no power to make me feel what I do not, no power to invent feelings, but it has the power to channel and direct, as it may adopt an attitude in relation to the feelings I have, and act as it *sees fit*. The attitude I have to my own feelings is a *habitus* in the Scholastic sense, i.e. a habit reinforced by practice, a chosen way of behaving, because it is desirable in one way or another. The reason why it is desirable for me to cultivate such a habit is of course also a value, so the reasons for my values is a higher value. This means that my values are organised in a hierarchy. I always have such a hierarchy – if I did not, my behaviour could not be understood, and I would be unintelligible to myself. My ethics – i.e. what I take to be appropriate – can be read from my choices and my actions, as these reveal a complex unity of chosen attitudes, my character. I read it from my own actions in the same way as other people do, except that it is generally more difficult to deceive myself than it is to fool others. This, however, only generally holds. Sometimes others are much better at judging my character than I am.

Because values are organised hierarchically (the higher are the reasons for the lower), when we discuss people's values, it is necessary only to discuss the higher ones, as these contain or determine the lower ones. Stein represents these in relation to four types (after Scheler): These are

1. the values of the hedonist, who seeks pleasure (whose highest value is pleasure)
2. the values of the hero, who seeks life and glory (whose highest value is glory)
3. the values of the genius, who seeks brilliance (whose highest value is brilliance or knowledge) and
4. the values of the saint, who seeks the sacred (whose highest value is the holy).

These are hierarchically organised among themselves only in so far as they form part of one another's universe. The values of the saint hence integrate as lower the values of brilliance, life and pleasure; the values of the genius, integrate life and pleasure, but only uneasily the value of the holy. The holy, therefore, if analysed for what it is in itself, is essentially higher than that of brilliance. The values of the hero integrate the value of pleasure, but only uneasily knowledge and the holy. When reflecting the hero will discover he has not taken everything into account and that there are values higher than those, that are his. An investigation into the essence of value would make us realise that.

Rationality, i.e. the fact of in fact investigating what one is investigating, and hence knowing what in fact one is knowing (neither more nor less) hence combine intellectual honesty with the openness towards more insight. It the quality of the kind of mental living which satisfies these criteria. It is the willingness to have and to gain more insight into *essential relationships*.

Essential relationships are states of affairs that could not be otherwise – experiential necessities. They are experienced as such, as necessary, i.e. as having to be, or as things that ought to be. They are in other words experienced as valuable, but they can be ignored and disregarded. In fact this is what people do, when they act irrationally, they act as if they could do what is impossible to do. They hereby ignore the principle of non-contradiction, one of the most basic essential relationships.

Habermas' Theory about 'what it is to consider something appropriate'

1. Distinction between morals and ethics
2. The idea of ethics
3. The presuppositions of morals

1. Distinction between morals and ethics

Habermas introduces a relative distinction between ethics and morals: ethics being the morals of a *particular* community and morals being what is valid for *all*. Ethics, thus, is bound to a particular ethnicity, while morals are based on impartial judgement (p. 35).

However, they have a lot in common. What thye have in common, they share with Stein's value-theory. Seen from the standpoint of the individual, they are distinguished only by the degree of inclusiveness of discourse, but paradoxically, this degree may be obvious only to a third party observer. Both are:

> statements through which we demand a certain conduct of others (i.e. hold them to an obligation), commit ourselves to a course of action (incur an obligation), reproach ourselves or others, admit mistakes, make excuses, offer to make amends, and so forth. On this first level, moral utterances serve to coordinate the actions of different actors in a binding or obligatory fashion. "Obligation" presupposes the intersubjective recognition of moral norms or customary practices that lay down for a community in a convincing manner what actors are obliged to do and what they can expect from one another. "In a convincing manner" means that the members of a moral community appeal to these norms whenever the coordination of action breaks down and present them as prima facie convincing reasons for claims and critical positions. Moral utterances are made against a background of potential reasons on which we can draw in moral disputes. (P. 3-4).

1. Ethics and morals concern statements through which we demand a certain conduct of others.
2. Whether these are pronounced in sentences (you must…) or expressed in feelings (indignation, contempt/admiration, (3. person perspective), resentment/gratitude (2. person perspective), shame, guilt/loyalty (1. person perspective)).
3. These statements are correlated with evaluations. Actions and intentions are judged 'good' or 'bad', whereas our terms for virtues refer to personal qualities of agents.
4. We do not regard these evaluations to be the expression of mere sentiments and preferences – they re tied to obligations functioning as reasons.
5. They regulate social action immediately by binding the will of the actors and orienting it in a particular way.
6. They govern the critical positions that actors adopt when conflicts arise.

7. They recommend themselves by their internal relation to the gentle, persuasive force of reasons as an alternative to strategic, that is coercive or manipulative, forms of conflict resolution.

The rationality involved in justification of ethical or moral stances can be conceived on four models (as used in contemporary analytical moral philosophy): Strong noncognitivism, weak noncognitivism, weak cognitivism and strong cognitivism. Noncognitivism considers moral justification to be illusionary, even as its weak form recognises its importance for the self-understanding of acting subjects, and admits morals may make sense as a means to realise other goals. Cognitivism, in contrast, considers moral validity to be rationally examinable, even if its weak form considers it to be so only within particular cultural traditions, not universally.

Habermas' stand is a strong cognitivist one, as is Stein's, but they differ in their understanding of the relationship between reality and rationality. Stein would understand rationality to be the commitment to accept the insight you have into essential relationships whether this concerns physical, psychic or spiritual reality. Habermas would claim that there is no moral order, no such things as moral objects or facts. Stein would neither include nor exclude metaphysics as a presupposition for morals, Habermas would exclude metaphysics a s a basis for morals.

2. The idea of ethics

Ethics, for Habermas, is the kind of morals not admitting of the strong cognitivist stand.

> Reflection on what is 'good' for me (or for us) all things considered or on what is 'authoritative' for my (or for our) consciously pursued life-plan opens up a form of rational assessment of evaluative orientations (in the spirit of Aristotle or Kierkegaard). What in each instance is valuable or authentic forces itself upon us, so to speak, and differs from mere preferences in its binding character, that is in the fact that it points beyond needs and preferences. However, the intuitive understanding of justice undergoes revision on this view. From the perspective of the individual's conception of the good, justice, which is tailored to interpersonal relations, appears as just one value among others (however pronounced), not as a context-independent standard of impartial judgement. (p.6).

Ethics is different from morals because it has no context independent standard of impartial judgement.

3. The presuppositions of morals

> (D) Only those norms can claim validity that could meet with the acceptance of all concerned in practical discourse. (p. 41).

> (U) A norm is valid when the foreseeable consequences and the side effects of its general observance for the interests and value-orientations of each individual could be jointly accepted by all concerned without coercion. (p. 42).

Habermas' Theory of Morals

1. The Presuppositions of Morals
2. A Genealogy of the Cognitive Content of Morals
3. A Post-Metaphysical Theory of Morals

1. The Presuppositions of Morals

> (D) Only those norms can claim validity that **could** meet with the acceptance of all concerned in practical discourse. (p. 41).

> (U) A norm is valid when the **foreseeable consequences** and the **side effects** of its **general observance** for the interests and value-orientations of each individual could be jointly accepted by **all concerned without coercion**. (p. 42).

In terms of the definition of ethics we have proposed, morals is for Habermas distinct by being what we *all* consider it appropriate to do.

Ethics	Morals
What we consider it appropriate to do	what we all consider it to be appropriate to do.

This explains how morals can be found dogmatic, narrow-minded and oppressive: It is because we are excluded from the moral community (from being a member of 'all'), if we do not agree with what is affirmed as being 'what we all consider it appropriate to do'. We find ourselves precluded from being anyone, if we do not accept 'what everyone considers to be appropriate, and cease to be a member of the community. It explains why we find it so difficult to accept a 'foreign' morality – it is because its acceptance implies *that we do not exist*.

Humility and realism makes us aware that 'what we all take it to be appropriate to do' is extremely difficult (though perhaps not in principle impossible) to assess. This is so because it is difficult to assess:

1. What it means that such rule **could** be acceptable to all.
2. What the **foreseeable** consequences of such acceptance would be.
3. What the **side effects** would be.
4. What its **general observance** would mean.
5. Who **all concerned** would be.
6. What acceptance **without coercion** would mean.

2. A Genealogy of the Cognitive Content of Morals

The various attempts that have been made to explicitate the 'moral point of view' remind us that, after the breakdown of a universally valid 'catholic' worldview and with the subsequent transition to pluralistic societies, moral commands can no longer be publicly justified from a transcendent God's eye point of view. From this latter vantage point beyond the world, the world could be objectified as a whole. The moral point of view is supposed to reconstruct this perspective within the world itself, that is, within the boundaries of our intersubjectively shared world, while preserving the possibility of distancing ourselves from the world as a whole, and hence the universality of the world-encompassing view-point. This shift in perspective to a 'transcendent from within' raises the question of whether the specific binding force of norms and values can be grounded in the subjective freedom and the practical reason of human beings forsaken by God – and, if so, how the peculiar authority of the moral ought is thereby transformed. In the secular societies of the West, everyday moral intuitions are still shaped by the normative substance of so to speak decapitated, legally privatized, religious traditions, in particular by the contents of the Hebrew morality of justice in the Old Testament and the Christian ethics of love in the New Testament. These contents are transmitted by processes of socialisation, though often only implicitly and under different titles. Thus a moral philosophy that views its task as one of reconstructing everyday moral consciousness is faced with the challenge of examining how much of this substance can be rationally justified. (p. 7 – 8).

What Habermas here says is that:

1. There once was *another* 'catholic' (=universal) view-point, from which morals could be justified, which *is not* the view-point he is going to defend as justifying the strong cognitivism of discourse ethics.
2. That this view-point was lost with the transition to pluralistic societies, which prevented the public justification of morals in terms of a transcendent God.
3. That the universality of this position nevertheless has to be reconstructed from within the immanent perspective, by human beings 'forsaken by God'.
4. So that the rational core of morality – still informed in the West by the transmission of Judaism and Christianity – can be reconstructed.

3. A Post-Metaphysical Theory of Morals

The social world, as the totality of legitimately ordered interpersonal relations, is accessible only from the participant's perspective; it is intrinsically historical and hence has, if you will, an ontological constitution different from that of the objective world which can be described from the observer's perspective.

What is not at our disposal here is the moral point of view that imposes itself upon us, not an objective moral order assumed to exist independently of our descriptions. (p. 38).

Habermas' Theory of Values I

The various attempts that have been made to explicitate the 'moral point of view' remind us that, after the breakdown of a universally valid 'catholic' worldview and with the subsequent transition to pluralistic societies, moral commands can no longer be publicly justified from a transcendent God's eye point of view. From this latter vantage point beyond the world, the world could be objectified as a whole. The moral point of view is supposed to reconstruct this perspective within the world itself, that is, within the boundaries of our intersubjectively shared world, while preserving the possibility of distancing ourselves from the world as a whole, and hence the universality of the world-encompassing view-point. This shift in perspective to a 'transcendent from within' raises the question of whether the specific binding force of norms and values can be grounded in the subjective freedom and the practical reason of human beings forsaken by God – and, if so, how the peculiar authority of the moral ought is thereby transformed. (p. 7).

Habermas here replaces the God's eye point of view, but also demonstrates his awareness that a universal point of view is strictly required in order to justify morals. He also examines the basic structure of Christian morals (Creation – Metaphysics – Redemption), as well as their differentiation, in order to gain a blueprint of a well-functioning moral justification. Hereafter he is examining two strands of empiricist justification of morals, Aristotelianism and Kantianism as four different ways of reconstructing the moral view-point: four reconstructions, however, that all suffer from inconsistencies, and therefore leads us to search further a field for a better reconstruction. In fact he is uncovering, much like an archeologist, layers of moral justification, that could well correspond to Kohlbergs stages of moral development or Stein's and Scheler's degrees of personal depth or community. The types of moral justification he treats, therefore reveals the values not only of their authors but also the nature of the community for whom it is the principle of cohesion.

There is a complication, however, and this is, that the culture we are brought up in informs our everyday moral consciousness in ways we do not even realise, and cannot always account for. We must therefore be on the outlook of moral fragments presenting themselves unaccounted for in our theories, by the simple fact that we take them for granted.

There are four types of responses to the breakdown of the official justification of the Christian worldview and morals that Habermas will not consider: Moral realism, utilitarianism, scepticism and functionalism. He considers their types of reconstruction to be unable to account for what they are trying to explain: everyday moral practice. Habermas takes it for granted that justification in morals must appeal to something that *is* so; something that meets universal acceptance, because this is what it must, in order to convince, even myself. The four theories he examines reveals what each of their authors take this something to be; what each of the authors take to be universally valid, and what each of them take to be *rational*.

> Empiricism identifies practical reason with instrumental reason. On this view it is rational for an actor to act in one way and not in another if the (anticipated) result of the action is in his interest, satisfies him or gives him pleasure. (..) In this way he obeys the principle of instrumental rationality: 'whoever wills the end, so far as reason has decisive influence on his action, wills also the indispensably necessary means to it that lie in his power.'

Taking this as their basis, the two classical empiricist programs attempt to reconstruct a rational core of morality. **Scottish moral philosophy** takes moral feelings as basic and conceives of morality what founds the bounds of solidarity that unite a community (a). **Social contract theory** begins immediately with interests and conceives of morality as what ensures that social interactions regulated by norms are just (b). Both theories ultimately run up against the same problem: they cannot explain the obligatory character of moral duties, which points beyond the binding force of prudence, in terms of rational motives alone. (p. 12 – 13).

The empiricist, in other words, is the one who understands the person to be rational when he pursues his own interests, desires or pleasures, in community as well as individually. To be moral, for the empiricist, is to have a behaviour that can be explained in this way. Hence, there cannot be a rational duty that points beyond self-interest; desire, or pleasure.

What is wrong with (a) is that, whereas feelings of approval and disapproval may well be used in our attempt to influence our environment (and hence to further our interests, desires and pleasures), regulating your environment by means of them only works within a narrow sphere.

Complex societies cannot be held together solely by feelings like sympathy and trus, which are geared to the local sphere. Moral conduct towards strangers calls for 'artificial' virtues, above all a disposition to justice. In the case of abstract networks of action, members of primary reference groups can no longer rely on the familiar reciprocities between performances and rewards and thereby lose their pragmatic reasons for benevolence. Feelings of obligation that bridge the distance between strangers are not 'rational for me' in the same sense as are feelings of loyalty toward members of my group on whose co-operation I can rely. (p. 14).

What is wrong with (b) is that whereas rights may well arise within the group agreeing to them, and thus be justified by this very agreement or contract, newcomers are not accounted for and the possibility of the 'free rider' illustrates that contracts of themselves do not found obligations.

Only those who already have an interest in rule-governed interaction with one another have a reason to accept reciprocal obligations. Thus the sphere of those possessing rights will extend only to those from whom reciprocation can be expected because they want to, or have to, co-operate. Second, Hobbesianism wrestles in vain with the familiar problem of the free rider, who engages in a shared practice only with the proviso that he can deviate from agreed norms when it is to his advantage. The free rider problem shows that an agreement between interested parties cannot itself ground any *obligations*. (p. 15).

What cannot be explained in either of the empiricist positions is the existence of the prompting of a bad conscience. Why we internalise moral norms and why self-punishing feelings arise on its background, cannot be explained as long as we take rationality to consist merely in pursuing our interests, desires or pleasures. Rationality, consequently, must consist in something else (given that we must account for the phenomenon of a bad conscience and for our attempt to deal justly with the stranger).

Habermas' Theory of Values II

Allan Gibbard represents the Scottish enlightenment theory, Ernst Tugendhat contract theory.

> But both start from the same intuition: viewed in terms of function, every moral system provides a solution to the problem of coordinating actions among beings who are dependent on social interaction. Moral consciousness is the expression of the legitimate demands that members of a cooperative social group make on one another. Moral feelings regulate the observance of the underlying norms. Shame and guilt alert a person that he, in Tugendhat's words, has failed as a 'cooperative member' or as a 'good social partner'. Gibbard remarks of these feelings: '[they are] tied genetically to poor cooperative will – to a special way a social being can fail to be a good candidate for inclusion in cooperative schemes' Both authors seek to demonstrate the rational basis of the emergence or the choice of morality in general, but also of universalistic morality based on reason (Vernunftmoral). Whereas Tugendhat sticks to the objectifying approach of functional explanation. (P. 16-17).

Gibbards theory understands rationality judgements to be expressive speech acts, which cannot express truth or falsehood, only be authentic or inauthentic (i.e. correspond or not correspond to what the person in fact takes to be rational). This sense of rationality is thereafter explained in terms of evolution and its biological survival value. Gibbard is therefore a neo-Darwinian, explaining moral rationality in terms of its supposed 'reproductive value'.

What is wrong with it, is that when we come to discuss what norms should govern our actions in a particular situation – because we do not agree – there is no standard we could hold in common and from which we could derive ideas about how to solve the problem. Discussion, in fact, amounts to rhetorical influence only.

> As a result Gibbard owes us an explanation of why precisely the norms that prove to be the best from the functional perspective of their 'survival value' for a particular species should win agreement under the pragmatically privileged conditions of communication. (p. 20).

Ernst Tugendhat avoids the problematic detour through a functionalist explanation of morality, and consequently understands rationality to transcend or to be different from 'what gives survival value'.

> 'That we want to belong to a moral community at all…is ultimately an act of our autonomy for which there can only be good motives, not reasons'. (..) For example, it is rational for me to enter a moral community because I prefer the status of subject and adressee of rights and duties to the status of an object to which reciprocal instrumentalisation would reduce me; or because balanced friendships are better for me than the structural isolation of a strategically acting subject; or because I can experience the satisfaction of being respected by persons who are worthy of moral respect only as a member of a moral community, and so forth. (p. 21).

But having made rationality dependent on choice, there is no rational reason for the choice of rationality. Hence Tugendhat's theory does not work, as there is no rational reason for entering the social contract, no reason to stay in it, and no reason to keep it (if

one has an interest in not keeping it and is able to escape undesired consequences). What is presupposed by this theory, but not accounted for by it, is the symmetrical and equal consideration for everyone's interests. By presupposing this in moral argument, we in fact transcend instrumental reason.

We do so by taking into consideration the other person's point of view, and because the other persons point of view is taken into consideration right through our growing up, we acquire a culture of shared expectations – we become ethical beings.

> Because we have intuitive knowledge of what is attractive and repulsive, right or wrong, and in general of relevance, the moment of insight her can be distinguished from a corresponding disposition or preference. It consists of an intersubjectively shared know-how that has gained acceptance in the lifeworld and has 'proved' itself in practice. As the shared possession of a cultural form of life, it enjoys 'objectivity' in virtue of its social diffusion and acceptance. Hence the practical reflection which critically appropriates this intuitive knowledge requires a social perspective that goes beyond the first person singular perspective of somebody acting on his preferences. (p. 26).

This criticism is directed toward the value-orientations present within the ethical community of which I partake or which I attempt to understand. Such criticism is undertaken from the ethical point of view. But it can also be directed towards the obligations of the same community (to adopt certain value stances, for example, and hence to cultivate a certain ethos), and such criticism is undertaken from the moral point of view.

The ethical point of view

> does not imply an egocentric restriction to sheer preferences; rather it points to an individual life history that is always already embedded in intersubjectively shared traditions and forms of life. The attractiveness of the values in light of which I understand myself and my life cannot be explained within the limits of the world of subjective experiences to which I have privileged access. From the ethical point of view, my preferences and goals are no longer simply given but are themselves open to discussion. (p. 26 – 27).

However, within the ethical perspective, justice is reduced to one value among others, there being no absolute requirement that one should be just (if it is not in the interest of ones community, or if justice towards a particular kind of person is not ethically justified within a particular ethos. The option for justice and hence for concrete egalitarianism must be rational itself and hence rely on a rationality that transcends the ethical one. This rationality is moral rationality.

Value-theory
What it is to consider something appropriate

To consider something appropriate, according to Stein, is an attitude motivated by values. It is therefore, according to her, our values that determine what we consider appropriate. Of these values we may or may not be directly conscious, but they exercise their influence over us, whenever we take an attitude to something, and sometimes it is only through the study of our own attitudes that we find out what our values are. When we become conscious of them, we also must take an attitude to them (even if it is one of indifference). Hence our ultimate values – the values that determine the structure of our personality, and which decide our attitudes to all our other values, motivations and actions – are, to the extent that we are rational and hence can be understood, what defines us. Stein understands there to be four types of ultimate values, corresponding to various depths of the person, so that the 'deeper persons' are those having chosen the 'higher values', and the higher value-complexes being able to integrate the lower, but not vice-versa. She also understands values to 'require' a response, and rationality to be the type of response required by values. So that for example, if one recognises the value of justice, one also does so whenever it appears and one has perceived it. Moral rationality has therefore for Stein to do with acceptance of the claims that the values chosen lays on one. We could express it this way: when one has chosen one's values, one must conform to them. (If not, one chooses in stead others, and conform to them: this is what makes one's actions intelligible). **Moral rationality is therefore the conditions of intelligibility of personality, motivation and action**. (We will see it also is the condition of the intelligibility of community).

To consider something appropriate, according to Habermas, may be motivated by three kinds of rationality: **pragmatic, ethical and moral rationality**. Pragmatic rationality relies on the goal of action being already determined as self-interest (whether in neo-Darwinism or liberal contract-theory). Ethical rationality relies on acceptable ways of acting already being laid down by a community's tradition. But moral rationality relies exclusively on the willingness to communicate and therefore on the implicit need to find common denominators and standards acceptable to all parties involved. Whereas all these forms of rationality makes action intelligible (namely as action motivated by self-interest, community-pressure or justice), only the last one makes fully sense of communication and of moral argument, as arguments such as 'because I want to', and 'because they think so', obliterates one party to the discussion. **Moral rationality is therefore what makes sense of communication as such.** (We will see what problems this give rise to in the withering nation-state, exposed to the winds of globalisation).

What we have therefore so far is the possibility of considering something appropriate according to four types of models (hedonist, hero, genius and saint) and three types of rationality (pragmatic, ethical and moral).

If we look at the question: 'What values of the Irish Muslim immigrant community favour integration?' we could presume that the types of models and of rationality are the same for them as for us. Then we could start comparing. We could also presume that the types of models and of rationality that they accept is nothing like ours, and give up understanding their behaviour at all. Then we would not understand them.

The problem with hostility and presumed hostility (including fear, distorted representations, disdain, and ignorance) is that it breeds hostility and presumed hostility. It is by understanding **ethical rationality** that we can counteract the spiral of violence. When there is a 'them' and an 'us', we use *ethical rationality* to identify the traditional rules, values and way of life of a community, of which the community is only half-aware. These values become visible when compared the traditional rules, values and way of life of other groups. They often may be understood in terms of the history of the group as the customs that enabled the community to survive and prosper. It is knowledge of the values that structure the personalities of the community that will enable us to understand the way the community and its members view the world. But we must rely on **moral rationality** to hope that hostility and presumed hostility may be overcome in **mutual** understanding – presupposing some kind of reciprocity or equality.

The problem with kindness and presumed kindness (including the sharing of goods, space, time, favours and understanding) is that it leaves one open and vulnerable to pretension. The desire to take over and dominate, by changing, ones or one's groups, way of life, including ones traditional rules and values, is the desire for power, and people desiring to use others or (other) communities as means to their own end always abound. They respond to **pragmatic rationality**. Such people will take others as means. Sometimes co-operation is for mutual benefit, and the best one can get. It is bewaring of the self-interest of others that enables us to steer clear of the abuse. But we must rely on **moral rationality** to share meaning beyond mutual exploitation.

What we mean by 'integration' can differ. It can be the sharing of surface values (money, pleasure and comfort = the values of the **hedonist**) and the corresponding acceptance of the rules of exchange (such as buying and selling). It can be the sharing of deeper values (bravery, glory and historical events = the values of the **hero**) and corresponding acceptance of a common history and story (in jokes, buildings, history-books and institutions). It can be the sharing of yet deeper values (know-how, knowledge, technology and skill = the values of the **genius**) and the corresponding acceptance of what activities are of importance (in education, wages and social organisation). And it can be the deepest values (wisdom and love = the values of the saint) with its corresponding acceptance of what counts as expressions of love and wisdom.

The sharing of all values depend on communication. This means that integration as such depends on it. Hence the value of communication as such (with its implicit moral rationality) expresses a will to co-exist which is not surpassed by any other value and must be relied upon on all levels.

Political Theory: About who 'we' are

Stein's Theory of Community

Our definition of ethics:

'what we consider it appropriate to do'

has now been analysed for its first two elements: What it is **to do** something (treated of in action-theory) and what it is **to consider something appropriate** (treated of in value-theory).

We now have to analyse the remaining element: **who 'we' are**.

In Stein's *Second Treatise* of *Philosophy of Psychology and the Humanities: Individual and Community,* Stein is comparing individual experience with the experience of the community. From within pure experience she is analysing appearance as it appear – within phenomenologically reduced experience she discerns two types of experience – that of the individual of which the I is the bearer, and that of the community, of which the community is the bearer. The first is 'subjective', the second 'intersubjective', so it is clear from the start that she does not understand the two to be independent of one another, but rather the first to constitute the second and the second to be experienced precisely in and through subjective experience.

The experiential current of the community or the experience of the community can be represented in two ways.

Stein is adamant that the two types of experience interpenetrate one another, and this is how the individual (and hence our understanding of ourselves) must necessarily be conceived of in relation to the community (our understanding of 'us'). There is, in fact, various degrees of distinctness of the individual in relation to the community, so that the person may experience more or less individually and be more or less conscious of the degree of individuality.

This is partly due to the phenomenon of life-power.

We all get tired. This we attribute to lack of sleep, depression (i.e. bad experiences) or over-stimulation. We know from this experience that experiencing takes a certain degree of aliveness – of life-power. If we do not possess it, we cannot make it. If for example we want to comprehend something, we must apply our minds to it according to its degree of difficulty: we cannot understand it if we are too tired. If we have a good nights sleep, we may be able to comprehend it without difficulty. Sleep 'loads up again' our energy-reserves. But other things do too. Being with good friends, for example. Talking about a problem we have. Seeing or hearing a marvellous performance. Contemplating a peaceful landscape, breathing fresh air, noticing spring. This illustrates that we are not only dependent for our energy on the physical world (providing us with refreshment and sustenance), but also on the social world. The dependence here, however, is mutual: the community depends on us, and we on the community. That is how it can drain us, and we can drain it for power, by using up the energy available.

Life-power is a property of the community. Its main source is the lifepower of the individuals. But others, i.e. outsiders (slaves, women, scapegoats, marginals, other communities, heros and God) also can be sources. The level and quality of communication also affect the life-power of the community: successful communication replenishes the whole community, lack of communication does not 'get the help through in time'. A community, therefore, in which there is love and trust, generates energy. A community in which there is not, consumes it. The third source of life-power for the community is the objective one, the material and personal values.

> Besides those 'subjective' power sources, we've already become acquainted with 'objective' ones that also are of significance for the life of the community: the material and personal values. As we saw, an invigorating influence can still emanate from personalities – individual or super-individual – even when there's no life currently within them themselves, when they are no longer existing or never possessed more than a fictive existence at all. Persona as well as their properties and actions, and indeed their stirrings of life in the widest sense, are carriers of values. And these personal values, like all values in general (the existential values excepted) have substance independently of the existence of their carrier. They can be experienced in fictive carriers just as well as in real carriers, and either way they deploy their full efficacy in the experiencing individual. Those values correspond to attitudes whose contents have an invigorating power intrinsic to them. The beauty of a figure that I behold ignites in me the enthusiasm that spurs me to artistic creation. The hero of an epic poem fills me with admiration, and out of that admiration the urge wells up to emulate him. In both cases the experienced values are not only motives that prescribe the direction of my deed, but at the same time they furnish the propellant powers that it requires. (*Phil. of Psych. and Hum.* II.II, p. 216).

Values therefore invigorate (when they are positive), and negative value drains or consumes or wastes energy. It is possible for me to profit from this energy through someone else or others. I.e. I do not have to consciously adopt the value myself (and let it structure my personality), to profit from its energy, if others share their energy with me.

This is how mass contagion can take place. Many people can be infected with the energy of the few, without necessarily adopting the values of these few. In associations I make a contract about power-exchange, whereas in genuine community, I actually share the value and is structured by it in who I am.

Stein's Theory of Community, continued

In what way am I marked by the communities, I belong to?

The way in which I say 'we' involves me at various levels. If I explain to the garda that 'we had an accident', 'we' refer to myself and to the one with whom I was involved in the accident who may be seriously wounded and unable to speak for himself. Here the accident has caused us to share something – namely to be involved in the same accident. I might be shaking from the impact, and the other wounded, what we share by accident has occurred through causal factors: the two cars hitting each other at full speed. However, by 'we' I refer to the one who is physically structured like I am, i.e. to the human being, not the goldfish on the backseat or the teddy in the window. (Unless I am speaking metaphorically, which is not likely given the seriousness of the situation).

If I explain to the newcomer that 'we are all waiting', when queuing to get a visa, I refer by 'we' to all in the queue, myself included. I did not come in order to wait, nor did the others. I therefore refer to a condition we share, not because the condition has been chosen directly, but because we all have chosen the same thing (applying for a visa). We are therefore all doing something, but this doing is not essentially linked to the doing of any of the others (I can apply for a visa without you also doing it).

If I explain to the intruder that we are members of the association of secondary school teachers, I refer by 'we' to the individuals in my company who are such members and potentially to all such members. I imply that he is not entitled to assist at 'our' meeting, as it only 'concerns us'. Unless, of course, he either is a secondary school teacher or has a special pretext for being there, say as a member of the press or as 'an observer'. I refer to a chosen condition of communality, essentially linked to the choices of the other members (I cannot be a member of the society without there being other members).

If I explain to the foreigner that this is not how we do things, or not what we say, I refer by 'we' to the community with whom I share life and values.

Because the attitudes I adopt are motivated by values (see handout 20/2-2003), which can be shared, it is with my personality (or my personal identity) that I participate in community (the higher the values shared, the deeper I am personally affected). In association I participate only by an act of will, in the mass by doing similar things as others, whereas I may, through sheer causality accidentally be brought into communality with other psycho-physical beings.

Sheer causality	
Sentient contagion	Below the level of intentional willing
Association	Above the level of intentional willing
Community	

The community, according to Stein, is organic. That means it is alive like an individual.

> A nation, for example, as it stands before the eyes of the historian who is writing its history, is a unity analogous to an individual person. It has an 'environment' in the nations that fall with its horizon, and it reveals its distinctiveness in communications with this environment just as [it does] in its 'inner life', its religious and scientific and aesthetic experience and creation, the features of its political and economic relations and so on. Insofar as the behaviour of individual countrymen and women is 'typical', to that extent their belonging to the nation makes itself known within it. And the character of the nation comes to expression through the behaviour of the individuals (*Phil. Psych. and Hum.* p. 262).

An association is in contrast more like a machine: it is 'programmed' in so far as it is willed, its foundations 'laid down', its constitution 'enacted'. The state is an association, with a community as its basis. The nation-state is the 'machinery' a nation gives itself for the sake of its autonomy, identity and ability to act as a super-individual entity in the world of super-individual entities.

We could compare Stein's understanding of the levels of communality to Habermas' levels of rationality.

Sheer causality		
Sentient contagion	Below	Darwinian (Pragmatic) rationality
Association	Above the level of intentional willing	Social Contract (Pragmatic) rationality
Community		Ethical rationality
		Moral rationality

Darwinian pragmatic rationality (Scottish Moral Philosophy/ Allan Gibbard), explaining moral feelings to be due to the survival instinct in fact takes into account only the communality of the mass in which sentient contagion dominates. Social contract pragmatic rationality (Ernst Tugendhat) takes into account only the communality of association. Whereas Aristotelian ethics takes community into account but not the stranger. Only Kantian moral rationality takes everything into account as it also takes into account the stranger, according to Habermas.

> The possibility of community formation reaches just as far as the zone of reciprocal understanding by individuals. Wherever subjects enter into transactions with one another, you've got the ground for a unity of life, a community-life that's nourished out of *one* source. And this community of life comes online when and as long as the individuals are naively given over to one another, 'opened' for one another, without having any of the disingenuous orientation towards 'association' in which the one regards the other as an object and shuts himself off from him. Just such a 'naïve' posture even exists in combat between hostile parties. Here the one is taking the other simply as a subject, and is leaving himself open to all the influences that are emanating from the other. Thus they form a unity of life in spite of the chasm that exists between them, and it can be that one [party] fills the other with the power which then is directed against itself in the attack (*Phil. Psych. Hum*. P. 207).

Habermas' Theory of Community

In Chapter 4: "The European Nation-State: On the Past and Future of Sovereignty and Citizenship", Habermas investigates whether there is a future for the European Nation-State. To do so, he distinguishes between the development of nations and the history of states, and claims the two never coincided, except by accident. But the accident of the Nation-State is basic not only to the United Nations, but to the social order we know. It solved historically two problems at once: it legitimated the republic and provided an abstract form of social integration. It gave laws unto a people united on a territory irrespective of their religion, and hence it gave peace.

But in war, the nation-state reveals its weaknesses. This is because it is not clear whether it is the nation or the state that one must defend. Nationalism claims it is the nation, and hence lives in people's sense of genetic and pheno-typical relatedness, their shared culture, religion and ethics. Republicanism claims it is the state, and hence appeal to people's sense of law and order.

If, when, or as the nation-state disintegrates as societies absorb large quantities of foreign nationals. Pluralism becomes more and more indispensable for their running.

> There is no alternative to this development, except at the normatively intolerable cost o ethnic cleansing. Hence republicanism must learn to stand on its own feet. The central idea of republicanism is that the democratic process can serve at the same time as a guarantor for the social integration of an increasingly differentiated society. (*The Inclusion of the Other*, p. 117).

So Habermas is convinced that statehood, in the form of the democratic process itself can – or will have to – replace the sense of community given by common nationality, given the drift towards pluralism and the challenge of immigration. Hence the constitution of a state and its apparatus for insuring the democratic process comes to have to play the role of being that which unites people.

> My sense is that multicultural societies can be held together by a political culture, however much it has proven itself, only if democratic citizenship pays off not only in terms of liberal individual rights and rights of political participation, but also in the enjoyment of social and cultural rights. (Ibid. p. 119).

If the welfare state recedes for reasons of competitiveness and third world conditions arise in the hearts of the European cities, the resulting tension will eventually erode the universalistic core of republicanism, and with it the procedures and institutions of the democratic constitutional state. With the decline of the nation-state, there therefore may be an abdication of politics. The rise of supra-national organisations such as the EU and the UN must be seen as attempts to amend this situation. But:

> The optimistic vision of supranational agencies which would empower the United Nations and its regional organisations to institute a new political and economic world order is clouded by the troubling question of whether democratic opinion- and will-formation could ever achieve a binding force that extends beyond the level of the nation-state. (Ibid. p. 127).

With Stein's theory of the various levels of communality, we can see the tension between nation and state as a tension between community and association. But we must remember that whereas the community exemplifies a higher form of communality, because it connotes the isomorphy of the personality structures of the members of the community, it may not be better (in an abstract sense) than an association. A band of robbers, for example, may have banded because they all were dedicated to stealing, whereas the university is an association (originally *universitas* was the 'trade-union' of which both teachers and pupils were members), based on people factually studying. The examples illustrate that the tension between association and community is present in all higher forms of communality. An association relies to a large extent on values held in common by its members, and a community, in so far as it is organised, introduces hierarchy, distribution of tasks, introduction-rites, developmental stages etc.. An association regards its members not only as objects, but also as subjects, whereas a community sometimes regards its members not only as subjects, but also as objects.

This is brought to the fore in Habermas' Chapter 8: "Struggles for Recognition in the Democratic Constitutional State". Here Habermas is treating of Human Rights, in their global dimension and in their relation to the state, and shows that struggles for recognition takes place at the heart of community: a struggle to be in community and to be recognised as 'one of us'. We struggle for recognition because we feel (or are) discriminated against. We may be kept out of the community because we do not have the objective features required for the association dressing up as community; or because we do not have the subjective features (values) required for membership of the community. Irish American may value 'being Irish' as much as the 'Irish', but the 'Irish' are unlikely to say simply that they are Irish. Whereas a person of ascendancy decent may well 'be' Irish, but not value very much being it. Whether or not such persons are accepted as 'one of us', will depend on 'who "we" are'. The struggle for recognition therefore in fact involves a struggle to make other people identify themselves so as to include the one they recognise. It is therefore a very delicate and dangerous process, involving the recognising every bit as much as the ones being recognised.

Being recognised, for example, as a French-speaking community, the French minority in Quebec is campaigning to forbid their people and immigrant members of the community to send their children to English-language speaking schools. They also want to prescribe French as the language of business, compulsory in every firm employing more than 50 employees.

But what do we in fact have a 'right' to be recognised as? Or as what is it right to recognise us? The strength of the human rights tradition is to claim that it is as human beings that we have a right to be recognised. And surely, that is what 'we' are?

Conclusions

Defining ethics as what we think it is appropriate to do, we have investigated what it is to do something, what it is to consider something appropriate and who 'we' are. We have done so under the headings of action-theory, value-theory and community-theory, and by examining texts on the subjects by Aquinas, Arendt, Stein and Habermas. The example we have taken to illustrate the workings of ethics has been immigration. What have we found?

Community Theory

We are as we identify ourselves. We can do so in different ways. We can identify as:

Human beings
Rational beings, social beings, moral beings…
Men, women, children, gay, 'straight', transsexual, lesbian…
Christian, Catholic, Protestant, Methodist, Presbyterian, C. of I., Muslim, Jewish, Atheist…
Black, White, Hispanic, coloured, Asiatic, Aryan, Negroid, Indian, Arabic…
Irish, Anglo-Irish, English, British, Danish, European, Irish-American, Kurdish, Iraqui…
Celtic, Norman, Anglo-Norman, Norse, Viking, Saxon, Jute…
'from Northern Ireland', 'from the UK', 'from the Republic', 'from Scandinavia'…
'from Cork', 'from Dublin', 'from Clontarf', 'from the Liberties'…
'a painter', 'a carpenter', 'a student', 'a mother working at home', 'an asylum-seeker'…
'the author of', 'the one who did such and such', 'the one who thinks such and such'…
'Mother of', 'son of', 'husband of', 'friend of'…
working-class, middle-class, upper-class…
'a golfer', 'a fisherman', 'a football-player', 'a swimmer'…
a lover of arts, poetry, fish, wine, Guinness, fashion, coffee-bars…

We recognise ourselves to be of the 'we' who are e.g. students, because I am (i.e. identify myself as) a student. Being a student obliges me to recognise the values of students; the values that makes students students – I feel this pressure upon me, yet I do not always know at first in what it consists. Being 'from Dublin' obliges me to recognise the values of Dublin – I cannot cheer Cork without having to face serious questions concerning my Dublin identity.

Hence it is by who I am (i.e. how I identify, with whom I identify) that I am an ethical or moral being, is open to or closed for relationships and solidarity. Because I recognise the other *at the same level* as I recognise myself. If I identify primarily as Irish, I identify the other primarily as either Irish or not Irish. If I identify myself primarily as Presbyterian, I recognise the other primarily as either a Presbyterian or not a Presbyterian. I consider the other as I consider myself – the thief thinks that everyone is a thief, a Danish saying goes. And it is by who I am (i.e. by how I identify, with whom I identify) that there is justice, as justice is to give everyone their due, and due is to those I recognise as equal or comparable to myself. Justice therefore reposes on recognition.

Value Theory

To consider something appropriate, therefore, is a result of how I identify myself as well as the others. I can think it is appropriate to drive while drunk for three types of reasons (as analysed by Habermas):

1. because it is good for me in the circumstances (pragmatic rationality)
2. because it is generally done in my group (ethical rationality)
3. because it is good for all involved (moral rationality).

We took Aquinas' and Stein's understanding of rationality to involve 'taking everything into account', but also saw that it is radically possible not to take everything into account. Aquinas would understand an action to be evil when it is performed on a deliberately uninformed basis. Stein would say that values *require* a response, and that omitting such response is irrational. She also said that preferring a lower value to a higher was irrational, because the higher value requires by its importance to be preferred. Our personality structures (the value-hierarchy we accept) makes it intelligible what values we take to be higher and lower. The value-hierarchy is perhaps ultimately determined by the degree of necessity with which we must accept the values. It is more important that we identify with being human than with being Irish, as Ireland is dependent on there being human beings, while human beings could exist without Ireland. It is more important to be human, than to be a golfer, as one could not be the second without being the first, but could be the first without being the second.

For Habermas also it is built into the rationality of pragmatism and particularistic ethics that they are partial, and hence that they do not take everything into account. This is because they cannot play the role rationality has to play – that of peacefully negotiating a conflict and making people live together. Hence they are defective in rationality, though they can be understood.

Action Theory

We act on the values we have, and identify ourselves as members of a community by these acts. But the sense action has may be understood in two contrasting ways. Aquinas understands our intention to ultimately determine whether our action is good (or rational): it is good it intends to conform to the Eternal Law, i.e. what is truly just and good. Arendt claims that the action is, what it is seen to be, and that the intention also is what it is seen to be, because she does not se any possibility for affirming the existence of an Eternal Law. However, the action is never seen as good, as the good action has a tendency to hide from being seen. Therefore the space of power thrives on marginalising the innocent.

What our action is depends on who we are and what we consider appropriate. It confirms it, effectuates it or corrects it. This is why we do moral philosophy: to get right how to act in conformity with what we think, so that we become who we what to be.

Exam Tips and Study Questions

You need not study Habermas' Chapter 8 (in contrast with what is announced on the plan of the course) – it will not, however, do you any harm.

The exam questions are rather general. Therefore they depend on you being able to give an account of different aspects you find relevant. You have freedom, but you must also yourself structure your answer. Thinking about and knowing the texts are equally important. You must answer two questions. The date of the exam is 16 May. You have three hours to answer four questions on two topics, so approximately 1,5 hours to answer the section on Moral Philosophy I.

There are questions on **Aquinas' and Arendt's Theory of Action**. You might wish to study with the following questions in mind:

1. What is it to act?
2. What is it to act, according to Aquinas?
3. What is it to act, according to Arendt?
4. What is it to do something?
5. Is to do something and to act the same thing? For Aquinas? For Arendt?
6. What are you doing right now?
7. Does what you do differ according to the perspectives of Aquinas and Arendt?
8. What would you do, if you were an asylum-seeker?
9. Is that what asylum-seekers are doing?
10. What difference does the intention of the asylum-seeker make to his or her act of seeking asylum?

There are questions on **Stein's and Habermas' Theory of Values**. You might wish to study with the following questions in mind:

1. What is a value?
2. What is a value, according to Stein?
3. Are values hierarchically organised?
4. Are your values hierarchically organised?
5. What does Stein mean when she understands values to be hierarchically organised?
6. What is the relationship between value and feeling, for Stein?
7. What is the relationship between value and rationality, for Stein?
8. There are three types of moral rationality, according to Habermas, which?
9. Are they hierarchically ordered? Why?
10. Are persons bound to be moral, for Habermas?
11. What values favour integration of different communities?

There are questions on **Stein's and Habermas' Theory of Community**. You might wish to study with the following questions in mind:

1. What is community?
2. What is community, for Stein?
3. There are four types of communality, according to Stein. Which?
4. How or why is it possible to share values?
5. What is the value of being Irish?
6. What is the relationship between nation and state?
7. What is, according to Habermas, the relationship between nation and state? (Habermas' theory of community concerns the relationship between nation and state)
8. What is, according to Stein, the superior kind of commonality: nation or state? Why?
9. What can you do to favour integration of foreigners in Ireland? Why would you do it?
10. What can the state do to favour integration? Why would it do it?
11. Why would anyone want to become Irish?

If you have studied so that you can answer these questions, you will be well prepared for the exam. Structure you question at the exam, so that you include your answer to some of them. Good luck.