

THE ROOTS OF VALUE

1. *Preliminaries*

The philosophical study of goodness in all its varieties is a part of general axiology. G. H. von Wright brilliantly classified the varieties of goodness, and anatomized them severally. He distinguished with unparalleled refinement between medical goodness of health, organs and faculties; instrumental goodness of artefacts; technical goodness of skills; the goodness of the useful and of the beneficial; hedonic goodness; and the good of man. In a masterly analysis, he traced the conceptual connections between these forms of goodness. In the following investigation I shall be standing upon the ladder he built. The questions I shall raise are not the same as concerned him, although they are in the naturalist spirit of his enterprise.

All value arises from life. In worlds that lack life, there is no value. Nevertheless, there is no mystery about ‘the existence of values in a world of facts’ – only logical positivist mystification. The world does not consist of facts, rather true descriptions of the world consist of statements of fact. It is as much a fact concerning the world that there are things that are of value *to* living things, that human beings value things and possess valuable characteristics, perform valuable deeds, stand in valuable relationships to others, as it is a fact that there is life on earth. There is no ‘gap’ between fact and value, and we don’t ‘jump’ across a logical gulf when we judge some things to be good or bad for the roses, some artefacts good or poor, some people good or incompetent at doing things, and some people virtuous or wicked. But we have to take into account the needs of living things and the preferences of sentient animals, human abilities and their cultivation, human relationships and activities, human societies and their histories. And these have to be seen in the presupposed framework of the nature of the world we live in, on the one hand, and in our nature as social beings, on the other.

Human nature is the source of many kinds of value. The need for the various concepts of goodness is readily intelligible. The concept of medical goodness is altogether natural for the characterization of the state of health of living beings in general and the identification of what is conducive to ameliorating, protecting or advancing it. It is also needed by language users to ask for help and advice for themselves, for other people or for other living things, to explain why they can't do something or to excuse another who can't, and to express sympathy for other suffering creatures, human or animal, to whom they are attached or whose suffering touches their heart. The concept of the technical goodness of skills is, as it were, thrust upon any language-using social beings who can acquire and practice skills. For where there is division of labour, there is a need to select the best from among a group of people with a certain skill for a given task at hand. Any language-using creature that has the skills to make and to use tools, instruments and other artefacts is going to need the concepts of artefactual goodness and its sub-category instrumental goodness. For instrumental goodness too is essentially connected with preferential choice. A salient use of the concept is in commending and recommending tools or instruments. All beings with perceptual sense and sensibility take pleasure in feeling and perceiving things from time to time, and enjoy activities of various kinds; all language users find the categories of hedonic goodness both expressively and descriptively indispensable. Since all developed forms of life have a good, the different categories and concepts of the useful and the beneficial will readily find a place in the conceptual scheme of any language user.

Morality is essentially a social phenomenon – it is an aspect of the form of life of a community. In evolved societies, it overlaps with and fades into law, on the one hand, and social mores, on the other. Virtue, or moral goodness, as well as the virtues, are attributes of social beings who are, and who identify themselves as being, members of a community, a people, or nation. This does not imply that there are no self-directed moral principles or duties to oneself. Nor does it imply that the unfortunate Alexander Selkirk-s (or Robinson Crusoe-s) may not live virtuously in their enforced solitude, exercising the self-regarding virtues in adversity. But even these self-regarding virtues are

intelligible only in so far as they can *also* be exercised in the service of others (often to the detriment of the agent's welfare).

Von Wright observed that moral philosophy can be seen as the domain of the intersection of the general theory of values, the general theory of norms, and the general theory of action and preferential choice. I think that one may also say that morality as such can be viewed as consisting of

(a) Moral values that are respected in a community and acknowledged in its practices. They are pursued by human beings, and can be cited, as Aristotle put it, as being among the things ‘for the sake of which’ one ultimately acts. Unlike contingent goals, they are final termini of justification. Such are the right and the good, justice and fairness, honesty and trustworthiness, generosity and compassion. There are, of course, other final goals that are not moral values.

(b) Moral norms or rules that specify what one ought to do or refrain from doing in recurrent situations. These are duty- and obligation-imposing rules, primarily concerned with prohibitions and agreements. As von Wright sapiently observed, the path of duty is laid out in advance (although often defeasibly so). It is these norms and conformity to them that enable mutual predictability and determine the sphere of protected individual liberties.

(c) Virtues: intrinsically valuable character traits exhibited in action intended to serve the good of human beings, to display respect for their nature, and to manifest solidarity with them. A list of moral virtues specifies not what one ought to do, but what one ought to be. The path of virtue, and hence the exercise of the virtues, is not laid out in advance, but is determined from occasion to occasion by good judgement concerning what is good and what is right. That is why the master virtue is practical wisdom.

The theme I shall address is how this complex social phenomenon and its individualization in the lives of moral agents should be viewed. Is morality the content of divine ordination? Or is it the result of intuitive insight into eternal truths? Kant viewed it as the result of the exercise of pure practical reason – of the rational will. Utilitarians viewed correct morality as the upshot of a maximizing calculus of felicity. Like von Wright, I shall repudiate all of these.

2. The presupposed framework

I shall begin the investigation with *reminders* of very general empirical facts about the world we live in and about ourselves in it. For it is against these background facts that moral phenomena exist. The statements of these facts are truisms known to all, but readily overlooked. They are contingent.

The world might have been friendlier: the rivers might have flowed with milk; the trees might have produced honey; the climate might have been warm but never too hot or too cold; there might have been no disease-producing viruses and bacteria – and the lion might have lain down with the lamb, and the wolf with the sheep. But that is not how things are. The Garden of Eden is not on the map. In most parts of the earth in which human beings live, the climate imposes extremes of heat and cold, rains and storms, against which we seek to protect ourselves by means of clothing and dwellings. Nature, for the most part, is not over-generous in supplying us with the means of livelihood. Food is commonly difficult to come by and has to be wrested from nature. Disease and injury are common. The decrepitude of old age is unavoidable save by early death.

As for the human world – we might all of us have been benevolent creatures, with no will to power, without possessive drives, with no aggressive instincts, and no fierce competitive desires. But we aren't like that. We are sexually driven, predatory and possessive, violent, fiercely competitive, given to sexual jealousy, envy, anger, aggression, and vengeance. We are social animals with deeply tribal instincts, afraid of non-conformity, susceptible to peer pressure, and prone to be intolerant of strangers, of deviant behaviour and beliefs.

On the other hand, we have an innate proneness to sympathize, an ability to empathize, a need for, and tendency to form, friendships. We have an innate second-order ability to acquire a language. Mastery of a language endows us with the ability to reason and with sensitivity to reasons. Everything that distinguishes us from apes, including our morality, is a consequence of the fact that we are *homo loquens* rather than *homo sapiens*. Morality is the result of the fusion of our emotional nature with our ability to reason and to act, feel and think for reasons. We are highly emotional creatures. The emotions essentially involve caring about something or someone. What we care about is what matters to us. Caring about something involves valuing it. Animals that have to rear their

young care for them and care about them – were that not so, the species would not have survived. Human young take an exceptionally long time to mature, and need to learn far more than any other species to live in their social groups. Maternal love is the norm among humans.

It is within this factual framework that morality finds its place.

3. Moral goodness

Moral goodness is an attribute of human beings, of what they do, and of their intentions in doing what they do. We speak unhesitatingly of a good man or woman when estimating their character. We characterize such people as, for example, kind, thoughtful and considerate, truthful, honest and reliable, compassionate and charitable. It is *good*, admirable, *to be* a kind, generous, honest, and compassionate *person*. These are moral virtues, *character traits* of good human beings. Some are *other-regarding virtues*, expressed in acts of benevolence done in order to ameliorate the lot of others. Some are *self-regarding* virtues, such as courage, fortitude, tenacity, industry, temperance, and prudence. These are only contingently at the service of the good of others. When they are, it may be at the expense of the good of their possessor.

Human beings are good or bad, virtuous or vicious in as much as they are persons. The concept of a person is not a substance concept. It is a qualification upon the substance concept of an animal of some kind or other *with the powers of rational agency*. Persons are free beings with two-way abilities to act or refrain from acting, with powers of reason and rational will, with reflexive and reflective powers of self-consciousness, with knowledge of good and evil, able to explain and justify their acts by reference to goals and reasons, and hence answerable for their deeds. In origin a Greek theatrical concept (*prosopon* – the mask of an actor indicating his role in the play), it was transformed in Rome into a legal concept (*persona*) signifying a legitimate legal role in the agonistic procedures of the Roman law courts. So the concept of a person was a status concept. It has remained so, although the character of the associated status has been detached from the law courts and transformed over the ages. Persons not only have moral virtues and vices. They are also subject to moral duties and obligations, and are bearers of rights. (Virtue ethics and deontological ethics are

not alternatives between which we must choose. Each misleadingly presents only one side of a complex whole.) I doubt whether one can usefully *define* a (morally) good person. But it is evident that a good person, for the most part, fulfils his or her moral obligations (e.g. to keep their word) and duties (of omission and of role), and possesses the virtues associated with benevolence (kindness, compassion, considerateness, generosity, and so forth) as well as self-regarding virtues (courage, industry, tenacity, and so forth) willingly exercised in the service of others or of their community.

We speak similarly of *good deeds*, of acts or activities that it is (morally) *good to do* (by contrast with being *hedonically* good or *useful* to do) and which it is *good* (praiseworthy) of the agent to have done. We must distinguish between the goodness of an act and the rightness of an act. The rightness of an act is often a matter of its conformity with an obligation- or duty-imposing norm. Then its rightness is independent of the intention in the act. One may do the right thing for the wrong reason, but that does not derogate from its rightness – although it may derogate from its merit. Fulfilling one's humdrum moral obligations, for example: doing what one agreed or promised to do, and duties – for example: not to kill, steal, lie – are not usually morally good or praiseworthy, although their non-fulfilment may be morally bad and blameworthy and in some cases wicked. It is merely granting to others what is their due as fellow human beings.

For the most part, it is good to benefit others – but not always. It is not good to benefit the wicked by helping them evade justice (as members of the Vatican helped Nazi war criminals escape to Argentina). Furthermore, there are morally good (admirable, praiseworthy) acts that do not benefit anyone. They may be purely expressive acts, e. g. commemorative acts, either collective or individual. They may be self-sacrificial acts done out of solidarity or fraternity, even though no one benefits from them. It is not only deeds that may be morally good. One's *intentions* may likewise be morally good – the goodness of intentions being determined by the goodness or rightness of the planned act. According to Kant, intentions are the only thing capable of being morally good without qualification. I see no reason for accepting this view.

It is a common error to suppose that human behaviour is either moral or self-interested, either altruistic or selfish (as many evolutionary socio-biologists assert), either free or causally determined

by desires and inclinations (as Kant argued). These are false dichotomies and misleading categories. There is much that we do that is neither morally right or morally good to do, nor selfish. Very often, it is good (for example, enjoyable, beneficial, or useful) to do such acts or to engage in such activities. There is nothing selfish in spending a Sunday afternoon reading a book, going for a walk with a friend, gardening, enjoying a discussion, or a thousand other ways of spending one's leisure time. It is selfish only if one ought to be giving a helping hand to another, doing one's duty or fulfilling an obligation previously undertaken. The Utilitarian thought that at every single moment there is something that is the best thing to do and the Kantian thought that there is always a duty (if not to others, then to oneself) that has to be fulfilled are distortions of our lives, of morality, and of our freedom to pursue our freely chosen projects. There is nothing self-interested in pursuing one's interests in bird-watching, studying philosophy or writing poetry, for *being* interested in something does not imply *having* an interest in it (as when one has a vested interest or a financial interest in something). Nor is doing something out of self-interest (a bachelor earning his living, for example) necessarily selfish. It is selfish only if there are other pressing claims upon one that override one's self-interest. Moreover, acting well may often benefit one, and that need not derogate from the goodness of one's deed or intention – it depends upon one's reason for doing what one did. Finally, it was a grievous fault for Kant to suppose that doing something to satisfy a desire, want, or inclination is to be causally determined and unfree. To act in order to satisfy a desire or to obtain something one wants, to do something one wants to do or to do something because one feels so inclined, are only in the exceptional case *being caused* to do what one does. That is so primarily in cases of satisfying or aiming to satisfy irresistible appetites, urges, and addictions, or succumbing to uncontrollable phobias. More typically, one has reasons for one's desires, wants and inclinations, and one is free in acting for those reasons, and answerable for what one does in so acting.

Von Wright argued that moral goodness, unlike instrumental, technical and medical goodness, the goodness of the useful and beneficial, is a derivative form of goodness. By this he meant that there is no special moral sense of the word 'good', but that its conceptual nature has to be explained in terms of some non-moral form of the good. He proceeded to give an account of the moral

goodness of an act in terms of the good of man. For an act to be morally good, he suggested, depends upon its being intentionally beneficial – it must benefit and be intended to benefit another. I do not think this is quite right. Although morality is logically bound up with the the good of man, there are acts that are morally praiseworthy even though they neither benefit anyone nor are intended to benefit anyone. Among these are acts whereby the beneficial is repudiated for the sake of solidarity with others, or where, in accordance with Democritus' principle, one chooses to suffer evil rather than to do evil. Moral goodness is exhibited in one's attitudes towards other people (and towards other living beings) and in the respect one accords them as free, autonomous human beings. One's attitude is, as Wittgenstein observed, 'an attitude towards a soul' (PPF §22).

It is mistaken to present morality as a device to 'ameliorate the human condition' (as Geoffrey Warnock once argued¹) or to present the moral virtues as merely instrumental in attaining the good of man (as von Wright argued) and so instrumentally or externally related to being a good person. Possessing the virtues, on the one hand, and fulfilling one's duties and obligations in the right spirit, on the other, are *constitutive* of being a good human being.

4. *The roots of moral goodness*

Following the pathways hacked out of the jungle of axiological concepts by von Wright, we must endeavour to do more to uncover the roots of moral value in human nature. We are subject to passions. We like certain things and dislike others. We are attracted by some things and are averse to others. We have goals and engage in projects about the achievement of which and about the engagement in which we care. We are subject to powerful emotions that exhibit what we care about and whom we care about. We naturally feel sympathy for others, and we have empathetic powers to understand other people – their affective states (emotions and moods), their wants, their behaviour, and their sufferings.² Were that not so, there would be no such thing as moral concern, moral reasons for action, or moral commitment.

¹ G. J. Warnock, *The Object of Morality* (Methuen, London, 1971).

² I distinguish between sympathy, which is an emotion and emotional attitude, and empathy which is an intellectual power (see *The Passions: a Study of Human Nature*, chap. 12).

Perhaps we can imagine intelligent social creatures who care nothing for the good of others save when it benefits themselves. They would, to be sure, require no less elaborate social norms than we do, since forms of purely self-interested cooperation within a competitive framework require regulation. But such creatures would enjoy no reciprocal relations of affection within the family, no loving friendships, no feelings of comradeship – but only ‘business’ partnerships; they would feel no compassion, no remorse or guilt, but only regret. This, I think, is conceivable, but perhaps only as a limiting case. Be that as it may, it is patent that human beings as a species are not such creatures and that individual people who approximate such a condition are profoundly defective or deeply corrupt.

Normal human beings have an innate susceptibility to feeling sympathy for others. This is no mystery, since it is a corollary, common to many mammals, of bonding during lactation, of the exigencies of maternal care during prolonged infancy and childhood, and of the requirements of paternal care and protection. However, unlike other, non language-using mammals, human children are normally also *taught* to care about others, to join in celebrations for others, to exchange gifts, to show gratitude for gifts or favours done, and to be sympathetic to and show consideration for the sufferings of peers and elders. Moral education is built upon the natural recognition of others.

Children normally learn that the suffering of others in the family circle or peer group and beyond is *a reason* for commiseration, for offering assistance, for foregoing some things one wants. They learn that manifestations of care, concern, and sympathy are proper objects of approval. (Alas, they also learn who is customarily excluded from the circle of beneficiaries: the stranger in one’s midst who is not ‘one of us’, the heretics or disbelievers who threaten our system of beliefs, the abject poor and crippled, the racially distinct.) Of course, the seeds of sympathy need to be watered and protected from such subjective rapacity, aggression and desire to dominate and from social bigotry and prejudice in the family and society in which the child matures. Natural sympathy is all too easily destroyed, or curtailed to ‘us’ while excluding ‘them’.

The need for friends is deeply rooted in our social nature. Forging friendships comes natural to us. Aristotle remarked that ‘We consider having a friend to be one of the greatest goods, and friendlessness and solitude to be quite terrible’. Indeed, he added: ‘without friends no one would

choose to live, though he had all other goods (*EE* 1234^b32-3). Friendship no doubt serves the good of the friends and is useful; but it is also of intrinsic value – good in itself. For true friends are dear to us. (The Greek *philia* – roughly speaking *loving friendship of those we cherish* – is better suited to capture this form of attachment than the weaker and more general English expression). This natural relation essentially involves a range of moral virtues and excellences: fidelity, trustworthiness, honesty, benevolence, and a willingness to make sacrifices for the sake of one's friend. This relation between people carries its value on its face, so to speak. Enjoying a few such relationships (a few *philoī* is the most we are capable of sustaining) is partly constitutive of a good life for a human being. They are not to be confused with business friendships that are primarily *utile*, or hedonic friendships (with those with whom one goes out on the razzle in one's youth) that tend to be brief and superficial.

Lack of *any* proneness to feel sympathy or having only a minimal tendency to do so is pathological among human beings. So is lack of recognition of the humanity of others. The sentiment of sympathy is virtually ubiquitous, but sympathetic propensities vary from person to person, being partly a function of their imagination. Some people vibrate and reverberate to the joys and sufferings of their fellow human beings more markedly than others. Furthermore, human sympathies are limited, malleable and destructible. They are limited by kinship, acquaintanceship, community, common language, distance, and also by our attention span to the woes of others, and our preoccupation with our own projects and concerns. They are malleable by ideological fanaticism, religious antagonism, racialism, xenophobia and the widespread ‘tribal’ need to ensure one’s own identity by finding ‘the other’ to hate or despise. They are selectively destructible with regard to their object – which is the suffering and humiliation of others – by the demonization and dehumanization of the ‘other’ (as is patent in antisemitism and slavery). They are destructible with regard to their subject by obliterating the subject’s own capacity to feel sympathy by conditions of extreme suffering and degradation (prisoners in Nazi concentration camps, in the Russian gulag, in Japanese prisoner of war camps) in which feelings of humanity may be eroded in all but moral saints and heroes.

Nonetheless, sympathy is an emotional tap-root of moral reasons and a presupposition of moral reasoning. It is an immediate motive for action inasmuch as we may *act out of sympathy* when we aim benevolently to alleviate the suffering or to share in the joys of others. Sympathy is a spring of action for a wide range of acts that are done in good will (benevolence). It is manifest in the exercise of many virtues, such as compassion, kindness, generosity, charity, considerateness, and tenderness that serve the good of man. As Hume emphasized, it is natural with us to approve, commend and encourage such manifestations of sympathy. No explanation of why we do so is called for.

Recognition of the humanity of others is *one* of the roots of fundamental prohibitory moral norms, e.g. not to kill or assault others, not to steal or defraud them, not to tell lies or slander, not to cheat or bear false witness, not to break one's promises, not to abuse or humiliate others. The other root of such deontological norms is that without them, society would not survive, but would deteriorate into a war of all against all. In respecting these norms of conduct, one is also recognizing other human beings *as* human beings, as free subjects of experience and agents pursuing their own projects.

It is, however, moot whether acting out of a sense of duty, even with loving obedience to the moral law, is a necessary condition for acting morally. Acting merely out of sympathy, Kant averred, has no moral merit at all. It may be attractive, but its dependence on the contingency of the agent's subjective character and disposition and on fleeting desires and inclinations that cause the agent to act or make him act deprives it of moral value. For were these features, which are not under the control of the agent and his will, different, he would not do the right thing at all. If an agent does what is morally right out of 'pathological' love (i.e. an emotion one is passive in feeling and cannot feel at will), rather than willing it for duty's sake, then, Kant averred, the deed has no moral worth. It may be beautiful but it is not morally praiseworthy. According to this conception a moral act has to be the product of the will – the rational will, to be sure – not of the sentiments.

My objections to this are threefold – two in the small and one in the large. First, the naturalist contention that I am advancing is not that sympathy provides the motivating force of all moral action. Nor am I claiming that one's sympathetic inclinations may not lead one into acting wrongly –

as when one's sympathy for a charming rogue or *femme fatale* leads one to protect them from their just deserts. My claim is that without a proneness to sympathy there could be no moral reasoning at all, and no recognition of moral reasons. That we are prone to sympathy, I suggest, belongs to the presupposed framework of morality.

Secondly, sympathy *can* be a moral motive, and acting out of sympathy may be morally praiseworthy. A person who unreflectively comes to the aid of others in appropriate circumstances, unhesitatingly assists those who need assistance, has natural sympathy for the distress or suffering of another, is *morally* admirable. That one's natural sympathy can also lead one astray in other circumstances does not show that it is therefore morally worthless when it does not.

Thirdly, there is such a thing as *natural* moral goodness in action and in personality that is quite independent of considerations of the moral law and of the motivation of duty. Tolstoy depicted such a character in *War and Peace* in the person of Platon Karataev, Dostoyevsky in *The Brothers Karamazov* in the person of Alyosha Karamazov. It would not occur to such a person to act out of selfishness or self-interest when someone else needed help or solace. Nor would the thought that *this* was what duty demands cross their mind when acting. And *ex post actu* they would not justify what they have done by reference to the demands of a universalized maxim, but only by reference to the needs of another in the circumstances. Benevolence is part of their nature, part of their character and personality. Such a person, it seems to me, is good without qualification and needs neither the spur of a categorical imperative valid for all nor the accolade of doing one's duty for duty's sake. It is indeed rare to encounter such goodness, but if one does, it is this, and not the moral law, that strikes awe in one's heart. Very, very few of us are like that. Nevertheless, most of us, from time to time, do something right or good spontaneously and without reflection on principles or duties, and would not, if asked why we acted as we did, cite universal maxims of action. This is morally admirable, not merely attractive.

Positive and negative reactive attitudes are natural to mankind. It is intelligible that character traits such as truthfulness, honesty, reliability and trustworthiness should be praised. It is equally obvious why lying, dishonesty, unreliability and untrustworthiness should naturally call forth

resentment, indignation, and disapprobation. Such vices are harmful to individuals and to society. Their manifestation shows lack of solidarity with ‘the party of humanity’ as Hume put it. Their proliferation is a mark of a corrupt society. For social creatures with the powers of reason and subject to the passions it would seem unreasonable *not* to respond with resentment and indignation at unwarranted injury, humiliation, unfairness and injustice, free riding and failures in reciprocity.

To be sure, a great moralist advocated turning the other cheek to such evils. This is a matter for rational debate. But it is clear that both positive and negative reactive attitudes are highly sensitive to the intentions and motives of the offender. These conjunctively constitute an *attitude to a person*, or recognition of the humanity of others. Other things being equal, we consider each other able to do or refrain from action at will, to know what we are doing, to have reasons for doing what we are doing that are themselves subject to evaluation, and hence to be answerable for our deeds and responsible for what we do. This is part of our nature as human beings, although the realization and clear articulation of personal act-responsibility was evidently slow to emerge in Western civilization, as is evident from the *Iliad*.

This fundamental attitude – an attitude towards a person – is no less elemental than natural sympathy and empathy. It is patent even in childhood and early youth in our natural reactive attitudes and our sensitivity to the intentions and purposes of others with whom we interact. For the sensitivity to the intentions of others, the ready recognition that if the harm done to us was not meant then resentment is not warranted, and that benefits bestowed on us for the sake of the interest of the bestower requires little gratitude, carries within it the inarticulate recognition of others as free agents. These patterns of natural recognition of the humanity of others and the sensitivity to their intentions, are the roots of the moral idea of *formal respect for persons*. However, the full and *explicit* emergence of *that* idea and its integration into moral reflection was even later in the history of western civilization.

The notion of respect as such is as ancient as the existence of social hierarchies in human society. It is a paradigmatic status concept and bound up with the notion of the dignity of one’s station. One’s position in the social hierarchy demands recognition from one’s inferiors in the form

of respect, manifest in their deferential attitudes towards one. Non-recognition is an offence against one's station and against the social order. Respect for social status is linked to the idea of dignity. Tasks that are *beneath one's dignity* are those that should be performed by one's social inferiors. To force someone to do or undergo what is beneath their dignity is to humiliate them and to undermine their self-respect. Respect for one's parents, prominent in most societies and in monotheist religions, is not determined by social status but by familial order and parental authority. Respect for God, prominent in monotheistic religions, is not social-status respect, but reverence.

Although the concept of a person is a status concept, the conception of respect bound up with the mere idea of a person has nothing to do with position in a social hierarchy. Indeed, formal respect for a person is owed to all human beings, no matter what their status in society is. The concept of a person is essentially linked to the notion of freedom, but that is not the freedom before the law that is contrasted with being a slave (and hence a mere chattel) and that was made prominent in Justinian's *Institutes* (AD 533). It is the notion of freedom intrinsically associated with the idea of a *rational being* as such, i. e. with possession of two-way powers, with the ability to deliberate on and to choose goals, with forming intentions, and with being answerable for one's deeds. Formal respect for a person qua rational being is quite distinct from the *personal respect* that one may have for someone on the grounds of moral stature, quality of leadership, or great achievements, and it is equally distinct from the notion of *respect for social status and office*. The formal respect due to a person is owed independently of any characteristics a human being may have, other than those characteristics that are constitutive of being a person.

It is surprising that the conception of *formal respect* for a person as such and the associated idea of *the formal dignity* of a person emerges so late in the history of human thought and morals in the west. It might, after all, be thought to be but a short step from Boethius's (AD 480-525) definition of a person as an individual substance of rational nature to the idea of respect for and dignity of human beings *qua persons – qua* moral beings. But it took until the renaissance for the idea of the dignity of man to emerge. It is only with Kant in the late eighteenth century that the notions of the formal respect for man as such, irrespective of his social status, and of the essential

dignity of man as a rational agent, irrespective of his moral standing, emerge fully into the light and become a major theme in moral, legal and political reflection. Why that should have been so is a matter for speculation. I am inclined to think that it was a consequence of the dominance of Christianity from the fourth century until the deism and subsequent agnosticism or atheism of the Enlightenment. In Christian thought, respect, i. e. reverence, for God the Father was paramount, and within the family order respect for the father and (to a much lesser extent) the mother are prominent. This family metaphor dominated Catholic religious thought, and the notion of dependency rather than that of autonomy dominated the Christian conception of man's place in the world. We are all children of God, who is our father in heaven, hence we are all brothers and sisters in the shared faith; we are all born sinners and can achieve felicity in the afterlife only through the loving grace of God and the redemption of our sins through Christ. The notion of the dignity of man qua rational autonomous being has little place in this framework of thought.

Kant, more than any other thinker, put the idea of respect and dignity on the philosophical, moral and political agenda in the modern era. However, Kant's argument in support of a requirement of equal formal respect for human beings as moral agents is problematic. It is linked to his distinction between ourselves as noumenal beings subject to laws of practical reason and ourselves as phenomenal beings subject to causal law. But that distinction is not viable. Moreover, he offers two apparently distinct reasons for respect. The first is that the moral law as such is the object of respect, and that respect for a person is parasitic on that:

The *object* of respect is therefore simply the *law*, and indeed the law we impose upon *ourselves* and yet as necessary in itself. As a law, we are subject to it without consulting self-love; as imposed upon us by ourselves it is nevertheless the result of our will; . . . Any respect for a person is properly only respect for the law. (*Groundwork of the Metaphysics of Morals*, 402n.).

But this is in effect to *deny* that a human being is worthy of respect simply as a person, a free rational being with intellect and will, answerable for his deeds. Moreover, there is surely something awry in suggesting that what is wrong with slaughtering innocent people or committing genocide is that it is 'against the moral law' or that it offends the principles of practical reason.

The second explication depends on the idea of treating persons also as *ends in themselves*. ‘Act so that you treat humanity, whether in your own person or in that of another always as an end and never as a means only’(ibid. 429, cf. 420). To speak of persons, human beings, as ‘ends in themselves’ is anomalous. An end or goal is something for the sake of which one acts, something which is not a means to some further goal. Items that are said to be ends in themselves are signified by abstract nouns, such as ‘the true’, ‘the good’ and ‘the beautiful’ (the three traditional transcendentalia). But it was an innovation to speak of persons or human beings as ‘ends in themselves’, and it is clear enough that to say that one stayed at home for Jack’s sake or went for a walk for the dog’s sake has nothing to do with treating Jack or the dog as ends in themselves, unless that means no more than merely *not* treating them merely as means. But if that is all it amounts to, then it is not only persons that are ends in themselves but also dogs. Similarly, it can be argued that the sublime in nature deserves both respect and awe, and is not to be treated as a means (for fracking, or laying oil pipelines and electricity pylons). But that does not explain the sense in which human beings merit formal respect and dignity simply because of their status as rational persons. However, mercifully, the niceties of Kantian exegesis are not our concern here.

The fundamental thought that *is* of concern to us is that human beings as persons deserve respect in virtue of

- (i) being free – possessing two-way abilities to do or refrain from action at will
- (ii) belonging to a moral community, a society woven together out of a common language, common morals and mores, knit together by common narratives, which presupposes
- (iii) being rational – able to reason, and being sensitive to reasons for thinking, feeling or acting, which is presupposed by
- (iv) having powers of deliberation and decision – being able to consider reasons for acting, to weigh reasons, and to decide on future action on the basis of reasons, which is presupposed by
- (v) being able to form intentions in advance of acting, which is presupposed by
- (vi) having the power to set ends for themselves on the basis of deliberation on values, and on their past histories or ‘autobiographies’,

(vii) being responsible for their deeds (act-responsibility) and consequently having liability-responsibility for their moral misdeeds, subject to justifying or excusing conditions (non-culpable ignorance, accident, mistake, lack of somatic control, insanity).

To possess these powers is to be a person, to have a mind and a soul.³

It is noteworthy that respect for persons, for human beings with intellect and will, and knowledge of good and evil, is a far deeper and more fundamental notion than the recognition of human rights. To suggest that what was evil about the Armenian genocide, the Jewish holocaust, the Soviet gulags, the Cambodian terrors of Pol Pot, was that *human rights* or natural rights were being violated is, as Simon Weil wrote in a different context, ‘ludicrously inadequate’. Nor can one decently say that the millions of victims were treated *unjustly*. Rather, they were not treated as human beings should be treated. They were tortured, subjected to unimaginable physical and mental suffering. They were humiliated and degraded, subjected to unlimited terror. What was being violated was not human rights, but the very humanity of people – their moral agency and autonomy.

The formal respect for persons is owed to all human beings irrespective of their social status, their merits, and their iniquities. All human beings are owed *equal respect*. They must enjoy equality before the law, with an equal right to a fair trial, and with equal rights to the protection of the law. This places substantive restrictions upon the way they may be treated. To grant people the respect due to them is to recognize their dignity as human beings. Again, the notion of dignity here involved is formal. It is detached from the scalar dignity of social roles, since people all have equal dignity. This imposes an irrevocable prohibition on humiliating them and on assaults on their dignity. So it is also linked to preservation of their self-respect as human beings (but not to their self-esteem, for it is altogether appropriate that those who have done evil should be brought to feel remorse, to be ashamed of themselves and to repent).

The explicit emergence of the idea of formal respect is, I believe, one of the great advances in our evolving understanding of human nature and our conception of ourselves. It is one of the fruits

³ They are characteristic of all human beings, save small children, the mentally ill, and those suffering from dementia. But such human beings either *will* grow to maturity and acquire these powers (children), or *would* possess these powers but for brutal accidents of fate. The latter are defective, damaged, human beings, not non-human beings. Respect is due to them too (contrast Bedlam – a place to visit for entertainment in the eighteenth century – with a mental hospital in a civilized society today).

of Enlightenment thought and it is as fragile as all Enlightenment ideas. It can easily be destroyed. It is deeply disturbing that despite the notion's being familiar today, it is so readily disregarded to a greater or lesser degree, virtually everywhere, by state organs, by bureaucracies, by law enforcement agencies and penal systems. It is mindlessly swept aside by religious intolerance, racialism, and bigotry. And it is trampled on in warfare, in the treatment of enemy civilians and of prisoners of war.

5. The scope of morality and its relative relativity

Although any human society requires complex regulation of familial relationships, interpersonal violence, economic transactions, ownership and transfer of property, and so forth, in order to survive at all, it does not follow that any human society must have a morality. To have a morality a minimally effective concern with the good of man must be manifest, as well as approbation of other-regarding virtues that serve the good of man, and a publicly acknowledged conception of the qualities of a good person. That is inextricably interwoven with public recognition of common values of truth and honesty, of justice and fairness, of generosity and compassion. One may stipulatively define the notion of a morality so that it severs any connection with goodness and the beneficial and signifies merely a set of rules and values that is the cement of a society. But there is no good reason for doing so and many reasons for not doing so. Among other things, it is likely to diminish our sense of evil and to enhance our modern propensity to suppose that morality is wholly relative and instrumental. It is equally prone to delude us into justifying present evil for the sake of a glorious future and to hold that the goal of a perfect society justifies the means – as was done in communist regimes, or to condone present evil for the sake of other-worldly recompense after death. And it facilitates the self-deception involved in advancing mono-valued consequentialism as a form of morality.

It is striking that although different virtues have dominated western societies over the past three thousand years and the rank ordering of the virtues has changed (partly in response to social change), the list of virtues, as far as I can see, has hardly changed since the days of Socrates. Christianity, to be sure, *reordered* the virtues and vices, placing more emphasis on compassion, pity, mercy, and humility than before, but these had been recognized as virtues long before. We have

neither discovered nor invented a *new* virtue in the *modern* era, despite very considerable changes in our conceptions of the right and the good. The character traits that are essentially at the service of the good of others, such as kindness, considerateness, compassion, charity, generosity, trustworthiness, reliability, truthfulness, honesty are, it seems, unlikely to become obsolete no matter how much they may conflict with the desire to gain and maintain power or wealth (unless they are forced underground and destroyed by a ruthless police state as in *1984*). Similarly, as Anthony Kenny pointed out, the virtues are not likely to sink into desuetude with the advance of science, technology, and the ever increasing powers of government (save in a totalitarian state). Even when the welfare state takes over the functions of charity in the form of welfare payments and social services, or of prudence in the form of compulsory national insurance, that does not render charity and prudence obsolete or make them lesser virtues. Even when technology takes over the functions of fortitude in facing physical pain (by analgesics and anaesthetics) that does not diminish the value of fortitude in the face of the manifold misfortunes of life. Finally, the master virtues of self-control, integrity, and practical wisdom are not likely to be eroded by time. The virtues have intrinsic value, and they are constitutive of what it is to be a good human being.

There are constants in certain aspects of human nature – constants that may not be noticed because they are taken for granted. They may be suppressed by a wicked ideology and they may be corrupted within the form of life of a ruthlessly competitive society. An overview of western civilization over the last three thousand years does suggest that from time to time radical insights into the nature of the good of man and into the nature of the goodness of a person emerge as different aspects of human nature come into the focus of thinkers and moralists. Such, it seems to me, is the idea of loving one's neighbour and the stranger in one's midst in the Torah; and the idea of the golden rule advanced by the house of Hillel in the first century BC. So too is the extension of certain moral rules and principles (natural law) from the Hellenes to the whole of mankind, as was advocated by the Stoics. The gradual development of the ideas of individual moral responsibility and the principles of excuse and justification too displays deep insight into human beings, their deeds and the limits of rational responsibility. The idea that human beings should not be hounded

and burnt at the stake for their beliefs on matters of opinion and interpretation (advanced by Sebastian Castellio (1515-63) against Calvin) was as deep as it was revolutionary. It was a passionate appeal for tolerance that was not to be repeated until the Enlightenment. But the idea of tolerance of beliefs is a form of respect for human dignity and freedom of thought. The struggle for freedom of thought and for tolerance of disagreement is unlikely ever to cease, but the principles are now evident and perspicuously articulated and defended. The painfully slow recognition in the West of the rights of man and the rights of women has gathered pace since the days of Thomas Paine (1737-1809) and Mary Wollstonecraft (1759-97) and is an advance in moral understanding of the human condition and the nature of mankind. The struggle for the idea of universal human rights began with the Nuremberg trials and continues to this day. The very late emergence of the ideas of formal respect for and the formal dignity of human beings are fundamental insights into human nature, on the one hand, and into the nature of the good and the right, on the other.

Does this mean that despite the horrors of the twentieth century there is progress in morality and in moral standards? Yes and no! The twentieth century unleashed evil on a scale never hitherto dreamt of, and human beings sank to levels of bestiality that give the most savage of animals an excellent name. This continues to this day in one part of the world or another. The human capacity for wickedness is now empowered to an ever greater degree by science and technology, on the one hand, and by state and bureaucracy, on the other. In this sense, to be sure, contrary to the beliefs of the Victorians, there is little sign of individual moral betterment. Despite the huge increase in wealth and prosperity, in health care, in provision for unemployment, and in education – our individual and collective capacity for evil is undiminished.

On the other hand, there has, I think, been progress of sorts in the painfully slow growth in our *understanding of ourselves* and of the place of morality, and of goodness, in human life. I do not mean scientific progress, nor do I mean that this increase in understanding is either linear or cumulative. I should rather compare what I see as gains in moral insight and understanding to gains in philosophical understanding over the past two and a half thousand years. There is no linear progress over generations, advancing ever forward to greater heights and building on the insights of

our predecessors. On the contrary, there are advances and regresses. There is deeper understanding of virtue and the good of man in Aristotle and Aquinas than in neo-Platonists of antiquity, Augustine, and the renaissance neo-Platonists. There are greater insights into virtue and the roots of morality in Hume than in the later views of Bentham and the Mills. Despite the unpredictable tides of fashion and fortune, the great works survive (as long as libraries do) and can be read and studied. But each generation of thinkers, in philosophy and in reflection on goodness and righteousness, must roll their own.

One cannot but ask what grounds there are for favouring some moral principles and conceptions over others. I have applauded the moral insight of the commandment to protect the stranger in our midst. I have expressed admiration for Hillel's expression of the golden rule – which was a great step forward in moral enlightenment. I have lauded ideas of human responsibility and its limits that moralists and jurists slowly struggled (and continue to struggle) to formulate. I have praised the emergence of the ideas of the formal dignity and respect for persons, the notion of the rights of men and women and the recent struggle for recognition of human rights. I have commended principles of toleration and of benevolence in the service of the good of man. But with what right can one justify these in the face of moral relativism? Over most of human history, and in very large parts of the world today, these values and principles were and are not respected in practice, and often not acknowledged at all. Must one not agree that if the heavens are empty, then 'man is the measure of all things', and human beings in different ages and in different places measure differently?

To this, it seems to me, there are three complementary answers. First, that given the constants in human nature, such conceptions of the good, if recognized in a society and pursued with the limited powers we possess, are more conducive to human felicity than any others. The secondly, that in a society in which such general values and principles are recognized, the opportunities for each person to realize their positive potentialities (including their potentialities for valuable human relationships) and to pursue life-projects of their choice are much higher than if they are not. Accordingly each person is more likely to find fulfilment and live a meaningful life. Finally, these

values are not merely instrumental in the pursuit of the good of man, but are constitutive of human goodness. In their recognition and in a life that is guided by them, one may perhaps be able to overcome one's self-centredness, self-interest, and self-concern and to find one's own soul.

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