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# THE POLITICAL PHILOSOPHY OF DR. Nnamdi Azikiwe
# A CRITICAL LOOK

DR. J. I. OMOREGBE

Dr. Nnamdi Azikiwe, the first president of the Federal Republic of Nigeria is not just a politician, he is also a political philosopher. In his most recent book, Ideology for Nigeria: Capitalism, Socialism or Welfarism? Zik has given expression to his political philosophy. Both intellectually and in practical life Zik has amply demonstrated his preference for the via media, that is, the way of compromise. His preference for the via media has led him to embrace eclecticism in his political philosophy. The dialectics of eclecticism, he believes, leads to the harmony of opposites.

Having critically examined the major political systems – capitalism, socialism, welfarism – Zik finds each of them wanting. But none of them, in his view, is totally bad without some good elements. He therefore works towards a harmonization of these systems by combining what he believes to be the good elements in each of them. The result of this is what he calls "neo-welfarism".

## CAPITALISM

Dr. Zik describes capitalism as a system of government characterized by private ownership of capital goods "whose production, distribution and prices are determined by him, motivated solely by the profit he envisages to make in the bargain, in a free market and without unreasonable state interference."[1] In a capitalist society, capital goods may be owned either by individuals or by groups of people who form limited liability companies. This is one of the essential features of capitalism. Another essential feature is the fact that prices of manufactured goods are freely fixed by the manufacturers without official control. Thus the goods are sold in a "free market". In a capitalist society the means of production – including land, factories, machinery and natural resources – are owned and controlled by individuals, and not the State.[2]

The advocates of capitalism contend that it has the advantage of creating an atmosphere of free competitition, and this acts as an incentive to efficiency. This leads to better products, lower prices, better services and higher standards of living. They also contend that since the profit motive is inherent in human nature, capitalism is more in keeping with human nature. "Thus it is felt that a free market economy is much more natural and more preferable than a common market economy. The one is voluntary and democratic; the other is mandatory and authoritarian."[3]

Critics of capitalism, however, argue that it is an unjust system which encourages the exploitation of man by his fellow man. While some people work, others enjoy the fruit of their labour. The workers under the capitalist

system are being enslaved; they are not paid their due reward for their labour. On the contrary, they are paid just enough wages to keep them alive while others enrich themselves from the fruit of their labour. A few powerful individuals in the capitalist system manipulate and monopolise the means of production to exploit the vast majority. Another criticism of capitalism is that human beings are selfish, inordinately ambitious, vicious and vindictive and by allowing "such an unethical being to live in a society which encourages individualism, it accentuates man's weakness and gives full play to his dishonest motivations."[4] Finally capitalism renders intelligent planning impossible with the result that extreme wealth and extreme poverty, enomous waste and scarcity exist side by side in capitalist societies.

## SOCIALISM

Finding capitalism unsatisfactory Zik turns to Socialism, which he describes as "a system of society in which there is no private property."[5] In a socialist State the means of production are owned and controlled by the State. Socialism aims at owning, managing and controlling the means of production, distibution and exchange. "It seeks to extend its activities to all undertakings with the objective of promoting equality and social welfare. It is altruitic in its content in that it desires expansion of State activities not for aggrandisement but in order to assure freedom and justice to the individual."[6] Because socialism regards the State as a fraternal, cooperative commonwealth it seeks to remedy injustice and wastefulness created by capitalism. It seeks to eliminate injustice by eliminating social inequality which is the root of pverty. Zik quotes the Soviet Union's delegation to World Social Economic Congress held in Amsterdam in August 1931.

> Socialism is a system of society in which all the means of production belongs to the society as a whole. . . The socialization signifies the abolition of classes and of all class distinctions. Production is carried on for the purpose of satisfying the needs of the separate members of the society. . . Under socialism the whole economy of the country becomes one huge single enterprise . . . It can be asserted that social economic planning is an essential prerequisite for the existence of socialist economy, just as anarchy of production, and competition are the essential forms of the existence of capitalist economy.[7]

Critics of socialism, however, argue that the collective ownership of property is contrary to human nature and this explains why the change from capitalism to socialism is usually carried out with force. They also content that the State is generally not efficient in business management, and that any business managed by the State is usually inefficient. This is due mainly to the bureaucratic nature of State machinery. "In the Nigerian situation" says Zik, "this argument can be easily sustained if we consider the inefficient way and manner some statutory bodies have operated with all the spate of charges of tribalism, nepotism and corruption polluting the atmosphere and enshrouding

those instruments of government policy in a cloak of suspicion and distrust",[8] Another weakness of socialism, according to Zik, is the multiplicity of its schools of thought, resulting in various brands of socialism. "There are utopian socialists, christian socialist, Marxian socialists, guild socialists, Fabian socialists, democratic socialists, and what have you".[9] There are also revolutionary socialists, evolutionary socialists, scientific socialists, and so on. Zik contends that this "confusion" in socialism adversely affects its effectiveness, so that even when socialists are given the opportunity to practice socialism they are usually unable to maintain stability and win the confidence of the people. "The history of socialism in England is a classic example of ineptitude. Besides, socialism is unsually very critical but hardly ever constructive. Finally, Zik contends that because socialism is by its very nature altruistic, it demands such a high standard of discipline that its successful implementation requires the use of totalitarian methods because "human beings do not voluntarily serve with a spirit of altruism. The degree of element of force necessary to maintain law, order and good government will be the determining factor of the success or otherwise of a socialist democratic government."[11] Thus, socialism too is unsatisfactory, and Zik turns to communism.

## COMMUNISM

Zik says communism is one of the oldest and universally practiced philosophies of life. One wonders what Zik means by that, and why he even considers communism as a political system along side socialism and capitalism. As a political doctrine, he says, socialism is based on the revolutionary ideas of Marx and Engles, expounded in the *Communist Manifesto*. All human thoughts and activities are motivated by economic factors which are manifested through conflict of economic interests. It is this conflict that leads to the class struggle between employers and employees, the exploiters and the exploited. This class warfare will eventually end in favour of the working class who will overthrow their exploiters and establish a classless society in which the means of production, distribution and exchange will be owned by all. "As a political doctrine communism is a totalitarian system of government in which the State owns and controls all sectors of the economy, including agriculture, trade, commerce, industry, shipping, banking, insurance, mining, transport, etc. The instrument of power in a communist State is a single authoritarian party through whom the economic, social and cultural life of the society is channelled and directed."[12] Knowing fully well that those who control power in the capitalist society will not voluntarily step down, communists realize that their only alternative is the use of revolutionary and violent means to overthrow the exploiters and establish an egalitarian society. Zik says there are at present about thirty States all over the world which practice communism (!), and these include fifteen African States, one American State, six Asian States, and nine European State. Zik repudiates the use of force

and "totalitarian methods" in both socialism and communism (the difference between the two or how they relate to each other does not seem to be clear in Zik's mind). He also rejects the prohibition of private property in these systems. He therefore finds both unsatisfactory and he turns to Welfarism.

## WELFARISM

A welfarist State is according to Zik, a State which prescribes minimum standards of living, and provides equal opportunities in education, health, housing, pensions, rehabilitation, etc. "When any State protects and promotes th social and economic well-being of its inhabitants, through systems of laws and institutions establishing national insurance against unemployment, industrial accident, ill-health, old age, and destitution, it may be regarded generally as a demonstration of welfarism."[13] In a welfarist State free education and free health care are made available to all the citizens. When fees are charged for certain expensive medical treatments, such fees are minimal. Unemployment benefit is paid to the unemployed who have made some contribution to a social insurance fund. Certain services like "paramedical services", such as "nursing, midwifery, radiography, physiotheraphy, and laboratory technology are also available for little or no charges."[14] Thus the welfarist State aims at bringing the greatest good to the greatest number by providing essential services to its citizens virtually free of charge.

Zik commends welfarism for its goal but warns that it has its inherent problems arising from its provision of essential services free of charge. Once it becomes known that these services are free, he points out, there is bound to be a mad rush of people to take advantage of these free services. This would make planning and budgetting very difficult since the number of people rushing to avail themselves of these services will always exceeds what one expects. Zik says this was his experience when, as Premier of Eastern Nigeria, he introduced free primary education. "As soon as news was disseminated that primary and elementary education would be FREE, and fees would no longer be paid, a deluge encompassed my government in the form of widespread surge. . ."[15] It is part of human nature, Zik contends, to seek to reap where one has not sown. This is a frailty of human beings. "Any social service which is free is bound to be innundated with drop-outs, idlers, adventurers, apart from the genuine sector of the population concerned."[16] The more such free services are provided, the higher the hopes and expectations of those benefitting from them will be raised. Demands and expenses will continue to mount both in terms of expansion as well as in terms of quality. There will be increasing demand, for example, for more expensive kinds of medical treatment to be made available. While old problems are being solved, new ones will be springling up, and there will be no end or limits to these demands. Thus welfarism is a very expensive system, but in spite of the huge cost of running it it is unable to eliminate social evils. "Experience in Europe and the U.S.A. has shown that in spite of welfarism taking out some of the stings of capitalism, poverty, ignorance, ill-health

and destitution still stalk us. Thus we are back to square one."[17] Zik thus admits that welfarism, does help to solve some of the problems created by capitalism, but it cannot eliminate these problems altogether. The problems are still there, and so we "are back to square one." He therefore finds welfarism inadequate and unsatisfactory, and he turns to neo-welfarism.

## NEO-WELFARISM

Each of the political systems examined above contains certain good elements as well as undesirable elements. It is these latter elements that render them inadequate and unsatisfactory. Following the principles of eclecticism and pragmatism, Zik proposes a harmonization of the good elements in capitalism, socialism, welfarish and the traditional Nigerian political system which, according to Zik, is a combination of elements of capitalism and socialism. The outcome of this eclectic "harmonization of opposites" will be known as "neo-welfarism". Since this idea of combining elements of capitalism and socialism was practiced by our ancestors and it *worked* for them, then it is practicable. All we need to do is to update it to suit the contemporary complex society. The important thing is that it *worked* for our ancestors; as long as it works, it is alright. Zik describes his political philosophy as pragmatic and eclectic. "Eclecticism is a term used in philosophy to identify a composite system of thought which incorporates ideas selected from other systems. It does not modify but blends opposite views. . . It is not a syncretism because it does not attempt to reconcile or combine irreconciliables. Its merit lies in the fact that by applying this method, any person or group of persons can add, subtract, multiply or divide any idea and adapt it to suit their situation or historical circumstances."[18] Human experience as well as common sense shows that life can, practically speaking, be more meaningful and more satisfying when we are willing to take the path of compromise, the via media. Thus for example, instead of sticking uncompromisingly to idealism or realism, common sense shows that we are in a better position to approximate the truth if we compromise the one with the other. What we need, says Zik, is not speculation but practical efficacy. "What we need as a cure is a system of philosophy which works to the advantage of the many, and not that which speculates to the disadvantage of the many when assessed by its practical results."[19]

Zik wonders why some people in the recent past have repeatedly called for a specifically Nigerian ideology, thereby giving the wrong impression that Nigeria does not already have an ideology. There is no people or culture without its own ideology, no ethnic group is "culturally naked". If our fathers had no ideology how did they form political societies? How did they survive? On the contrary, our fathers had an ideology which they conceived, propounded, and practiced. And it worked for them. Politically they were democratic in their institutions economically, they were welfarists since they owned and shared land in common and regarded themselves as

their brother's keepers, thereby avoiding the situation in which some members of the community are extremely rich while other members are extremely poor. Thus our traditional ideology is a pragmatic ideology "in that it is a blending of capitalist with socialist systems. But it was primordial and was not intended for a complex society in a sophisticated civilization. Yet it comes closer to the concept, if not the practice, of the ideal welfare state."[20]

A neo-welfarist society will be made up of ingredients from capitalism, socialism, and welfarism, "but it will not be capitalist ;it will not be socialist, and it will not be welfarist. Rather it will be a harmony of opposites atop of our 'external family system' to further the frontiers of State responsibility for the welfare of all its citizens."[21] While combining the good elements of capitalism, socialism, and welfarism, neo-welfarism will avoid the evils in these systems. Thus, for example, it will avoid the capitalist non-chalant attitude towards social injustice, and the socialist degredation of human beings who are reduced to thoughtless, purposeless nonentities made to function as puppets and marionettes of the constituted authority. Neo-welfarism will allow private onwership of property, and private enterprise, reinforced by State participation in the private sector. It will recognise and encourage the profit motive as an incentive to the development of individual initiative. But it will not allow the official attitutde of laissez-faire which leads to the exploitation of men by their fellow men. The State will assume the responsibility of freeing the citizens from hunger, disease, ignorance, fear and want. Its aim will bé to bring about an *abundant society*, organized on the basis of the economy of abundance "as opposed to an *affluent society*, organized on the basis of the economy of scarcity."[22]

## DIALECTICES OF NEO–WELFARISM

Zik describes neo-welfarism as an ideology which is "a vernal and dynamic interpretation of welfarism and its synchronisation into a social matrix of the last elements in the universally recognized ideologies of capitalism, socialism, and welfarism. . . Simpliciter, neo-welfarism embraces belief in private enterprise, reinforced by State participation in the private sector and State collaboration in management technology for completely and efficently administering on a *profitable basis* statutory coorporations and parastatals, commercial enterprises including Government-controlled and Government-sponsored companies."[23] The neo-welfarist society will, within reasonable limits, adopt an open door policy for free enterprise and unrestricted but regulated competition. Based on a fundamental law (the constitution) the neo-welfarist State shall be a democratic State in which individual liberty and equality before the law shall be guaranteed. To ensure the stability of the State there shall be checks and balances in the system. Consequently the neo-welfarist government shall be made up of four arms, namely, the Electorate, the Legislative, the Executive, and the Judiciary. It will be the prerogative of the Electorate to decide who shall be the members of the legislative assembly

while it will be the prerogative of the latter to enact laws and to approve or repudiate the activities of the Executive. The Judiciary for its part shall have the prerogative of reviewing the acts of both the Legislative and the Executive to ensure that they are in line with the Fundamental law of the land -- the Constitution. But, on the other hand, the Legislative and the Executive shall enjoy the prerogative of endorsing or rejecting the appointment or dismissal of the members of the Judiciary. The foreign policy of the State shall be based on six pivots, namely, pragmatic neutrality, good neighbourliness, positive reciprocity, search for world peace, zonal or continental cooperation, and international fellowship based on fairplay, legal equality and mutual respect. Without being a military State the neo-welfarist State shall maintain very strong armed and security forces consisting of an army, a vavy, an air-force, prison services, service corps, a militia, an intelligence agency, a fire service and a legion. The members of these ten categories of forces shall be well-disciplined, highly educated and well-equipped.

In the neo—welfarist State, the government shall not be above the law, and the fundamental human rights shall be guaranteed. These shall include the right to life, the right to human dignity, the right to personal freedom, the right to privacy, the right to education, the right to own private property, the right to fair trial, freedom of expression, freedom of thought, freedom of conscience, freedom of the press. The government shall have no right to deprive any citizen of his private property "unless such property is required by the State for clearly defined public purposes absolutely and on condition that a fair and adequate compensation shall be paid to the owner of the property."[24] Natural justice shall be the over—riding factor in the legal system of the neo—welfarist State. Nobody shall be condemned, reprimanded or punished without being given the opportunity to defend himself. Nobody shall be prosecuted in court for committing an alleged offence "unless a case has been stated for the person concerned to answer, under due process of law."[25] Nobody shall be a judge in any case in which he is in any way involved. Nobody in the neo—welfarist State shall be ostracized as an outcast, and nobody shall be denied access to justice in the courts of the land. If within a month a case is not brought against any suspect who is detained, such a person shall be discharged. Everybody shall be presumed innocent until proved guilty. No ex post facto law shall be allowed in the State. In other words the backdating of laws shall be forbidden. Nobody shall be punished for an offence committed by another person. There shall be no trial in camera in the neo—welfarist State; all trials must be in public and they must be free and fair. Finally, except during an emergency period, nobody shall be detained involuntarily. In other words, there shall be no preventive detention in the neo-welfarist State, except during a declared period of emergency.

## SOCIAL SERVICES

The neo–welfarist government shall aim at fair and equitable distribution of the country's goods among the citizens and avoid the situation whereby some citizens are extremely rich while others are extremely poor. The State shall assume the responsibility of providing the citizens with the essential social services, while the citizens on their part shall be obliged to contribute "a fairly computed tax" to the State. The right to health care shall be a "categorical imperative" in the State, and it shall be free. "Under neo–welfarism, hospital treatment should be free, including the supply of drugs, physiotheraphy treatment, etc., but excluding the supply of dentures, optical and other surgical appliances. Physicians and paramedical staff should be deployed to be available in all hospitals twenty–four hours of day and night."[26] The citizens shall enjoy the right to shelter because "shelter is coterminous with human life. Just as water, food raiment are essential for healthy living, so is shelter."[27] It will be the responsibility of the government to provide the citizens with shelter. Education shall be considered as a birth right and it shall be free. But it shall not be the monopoly of the State; private ownership of schools by voluntary agencies, charitable organizations, and invididuals shall be allowed. The state shall accord great importance to religious education because it plays a vital role in inculcating moral values. Vocational education and continued education shall be encouraged because the former enables citizens to acquire skills with which they adjust themselves and earn a living "in the struggle for the survival of the fittest", while the later inculcates in them the idea that education is a continuous process throughout life.[28] However, although private ownership of schools shall be allowed in the neo–welfarist State, the Government will set guidelines and standards which anybody or organization wishing to establish schools will have to meet. The State shall assume the responsibility of providing employment for every citizen that is capable of working, and of rehabilitating the handicapped, the impoverished, and the destitutes in the society.

Zik claims that the political system of our ancestors was democratic. For their customary laws and sanctions were by consensus and not by imposition. Besides, they allowed minority views to co–exist with the majority views. This, Zik argues, is irreconcilable with the ideal of one–party which, for him, is dictatorship. The system was also a socialist system because "they co–operated with the other members of the community as their brother's keeper". They owned land in common while at the same time they encouraged private enterprise. "Here", Zik claims, "we have the genesis of a socialist society in structure but capitalist in content."[29] Neo–welfarism is based on this traditional African society which is a combination of socialism and capitalism. And if our ancestors established and operated such a system, and it worked for them why should we now swallow wholesale any doctrine which purports to indoctrinate us with ideas which are definitely contradictory to our own tried and tested native philosophy of life? ... My

point is that our ancestors, in spite of their heterogeneous languages and culture, bequeathed to ur a legacy of political, social economic, legal, philosophical and religious ideologies, which had sustained and enabled them to survive. Now that we are confronted with problems of co–existence and are esconced in a wilderness of alien ideologies, which are making a terrific impact on our ways of live ... we must dig deep from our roots to discover this secret of successful co–existence."[30] We must therefore go back to our roots for our authentic ideology, and Zik believes he has found this in neo–welfarism.

## A CRITICAL LOOK

Zik should be commended for his effort to find a via media between capitalism and socialism, an eclectic harmony of opposites, which he believes he has found in neo–welfarism. Unfortunately, however, such a via media does not exist. For there is no via media between capitalism and socialism any more than there is any via media between injustica and justice, between egoism and altruism or between vice and virtue. Contracy to what Zik thinks, welfarism is not a political system different from capitalism and socialims, nor is it a via media between them. On the contrary, welfarism is an adulterated socialism, that is, socialism vitiated with capitalist egoism. The same applies to Zik's new–found neo–welfarism which, in fact, turns out to be an old wine in a new bottle. For it is in no way different from the welfarism we all know. Perhaps the only new thing about it is Zik's claim that it was practiced by our ancestors. But it is inaccurate and even anachronistic to say that our ancestors combined capitalist and socialist elements in their political system, or that their political system was socialist in structure but capitalist in content.

There are two main questions that serve as the dividing line between capitalism and socialism. The first is the question as to how the common goods of the society should be distributed. Should the goods be distributed equitably or inequitably? Should the society allow a few powerful and greedy people to have more than their fair share of the common goods at the expense of others who are thereby deprived of their fair share? Capitalism allows this while socialism rejects it as injustice. Capitalism believes in ruthless struggle for existence and the survival of the strongest and the fittest. Thus it allows a few strong and powerful members of the society to grab most of the common goods (which belong to everybody) to themselves alone, thereby leaving the vast majority of the members of the society with little or nothing. Capitalism therefore encourages greediness, ruthlessness and calousness. Socialism rejects all these as social injustice and refuses to allow any member of the society to have more than his fair share of the common goods. It therefore discourages greediness and egoism, and encourages altruism and equitable distribution of the common goods. The second cruicial question which separates capitalism and socialism is the question as to whether indivi-

dual members of the society should be allowed to own and control the main sources of the society's revenue. Capitalism allows individuals to do this, while socialism refuses to allow it since it leads to the exploitation of men by their fellow men. Now it cannot be said that traditional African societies answered these questions either in the capitalist way or in the socialist way for the simple reason that such questions never arose within the context of these societies. Apart from land which they can arguably be said to have had in common, they had no common revenue. Consequently the question as to whether individual members should be allowed to own and control the main sources of the non-existent common revenue just did not arise. Nor was there any question as to how such non-existent common revenue should be shared. It is therefore anarchronistic to say that traditional African societies were capitalist, socialist, or a combination of elements from both.

Zik defines socialism as "a system of society in which there is no private property". But neither socialism nor any other political system prohibits the ownership of private property. Man cannot but own private property and no low or political system can prohibit it because it is an essential aspect of human existence. The clothes one wears, the pen with which one writes, the money one uses for feeding and for daily needs, etc are all private properties and socialism does not prohibit the ownership of such things. It is therefore a question of *what* can be owned by an individual as a private property. What can an individual own and control as his private property, and not a question as to whether or not an individual can own private property. What can an individual own and control as his private property? The means of production? The main sources of the society's revenue? How much of the society's common goods can an individual own without depriving others of their fair share? These are the crucial questions the answer to which draw the dividing line between socialism and capitalism.

Why are political societies formed? In other words, why do men come together to form political societies? How best are societies to be organised so that the purpose for which they are formed could be realized? These are the central questions of political philosophy. In order to see how best political societies are to be organized, i.e., whether as socialist or as capitalist societies, we must first of all find out why in the first place human beings come together to form political societies. The reason why human beings from political societies is that they are social beings by nature. They cannot survive or develop their potentialities outside a society. No man is an island, no man is self-sufficient. The formation of political society is therefore a demand of human nature and a necessary condition of human existence. Hence men feel compelled by their very nature, to come together, join hands with others, work together, coordinate their efforts and produce the goods they need for their survival and well-being. The goods so produced from the joint and coordinated efforts of all the members of the society are common property of the whole society. Common sense and justice demands that such goods be equitably distributed to all the members of the society,

and that no selfish and greedy members be allowed to deprive others of their fair share by greedily grabbing too much for himselves alone. It is the responsibility of the society to prevent this from happening and to ensure justice. This is what socialism is all about.

If men are compelled by their very nature to live together and work together for their survival, then their life together and all their activities must be guided by justice and altruism. These are the fundamental principles of socialism, and it is with reference to these two principles that the crucial question as to *what* an individual member of the society should be allowed to own as his private property can be answered. Justice and altruism are the fundamental principles of life-together, the principles on which political society by its very nature is founded. It can be seen then that by its very nature and purpose political society is *essentially* a socielist society. Capitalism is a degeneration of political society and a negation of its goals and objectives. For men do not come together to live and work together only for the benefit of a few greedy ones among them.

Zik's objection to socialism is that it demands such a high standard of discipline that nothing short of force and "totalitarian methods" would be needed to successfully implement it because it is based on the principle of altruism, and "human beings do not voluntarily serve with a spirit of altruism."[31] But the implementation of socialism does not necessarily demand the use of totalitarian method. If the members of the society are educated to see the true nature of life-together in society they will strive voluntarily to cultivate a sense of justice and altruism. Once they are convinced that that is the way things ought to be they will endeavour voluntarily to meet the demand. Once they understand that it is in their own interest, the use of totalitarian methods will be unnecessary. They will come to understand that selfishness, greediness, and injustice (which constitute the foundation of capitalism) are socially destructive and inimical to the objectives of political society.

Zik does not seem to be quite clear about the relationship between socialism and communism. Are they synonymous or are they different political systems which can exist simultaneously, side by side? Zik, on the one hand treats them as two distinct political systems that can exist simultaneously, side by side while on the other hand he calls all the countries practicing socialism all over the world "communist States", which seems to imply that socialism and communism are synonymous terms. The fact, however, is that no country in the world *today* practices communism. So, there are in fact no communist States in the world today. Communism is the goal of socialism; it is the classless, Stateless, happy society characterized by abundance of material production which will be distributed to all the members of the society, "each according to his needs". This is not yet a reality in any part of the world today, if it will ever become a reality.

Finally, Zik uses the terms "ideology" and "philosophy" interchangeably thereby giving the impression that idoelogy and philosophy are synonymous

terms. Thus, for example, he refers to capitalism, socialism and welfarism both as "system of philosophy" and as "Ideology". But philosophy is not ideology, and ideology is not philosophy. These are not synonymous terms. Ideology has to do with the interest of a group or class of people in a society. The aim of ideology is to protect the interest of a particular class or group of people in a society. Any thinking influenced or guided by such interests is ideological. Philosophy, on the contrary, has to do with the natural and the universal. In other words, philosophy is concerned only with what is natural, and since what is natural is necessarily universal, philosophy is thus concerned only with the universal. Political philosophy is a philosophical investigation of political society as a demand of *human nature.* Thus it investigates the *nature* of political society only as a demand of *human nature.* For man is by nature a social being, or, asAristotle puts it, "a political animal". This means that political society is a demand of human nature and it is only as such that philosophy investigates it. While idoelogical thinking is guided by the interest of a particular group or class of people in society, philosophical thinking is guided by nothing other than the search for truth about the real nature of things, seen as natural and universal phenomena Hence the conclusion of a philosophical thinking is essentially of universal application.

Although it is open to criticism on many points, Zik's political philosophy remains a commendable effort.

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# THE RATIONAL BASIS OF YORUBA ETHICAL THINKING*

*Dr. S. B. Oluwole*

There is little or no arguments that religion and philosophy are two different attempts to provide solutions to some fundamental problems about how nature relates to man and his existence. Today, many people draw the basic distinction between these two approaches by stating that while religion gives mythopoetic and supernatural solutions to these problems philosophy aims at providing rational answers to them. The separation of philosophy from religion is generally seen as an emancipation of thought from its emotive and hence primitive bondage and its movement into the rational and consequently civilized era.

A corollary separation as almost simultaneously effected between religion and morality. The Greek tradition was basically secular because it contained several attempts to ground morality either in human reason or on the facts of experience. The Judaeo - Christian approach was distinctively religious. Moral ideals were founded on righteousness before God. Today, neither God nor Reason nor human experience is regarded as a philosophically adequate basis on which to structure morality. The existence of God and of human reason as sources of insights into infallible moral principles have been discredited. The facts of experience, it is claimed, offer no rational basis for inferring the existence of objective moral laws, more-so since the belief in the rationality of nature has been denied. Morality consequently finds itself resting on a vacuum. A meaningful discussion of what moral values should guide our global life together so as to give room for social cohesion cannot take off until a sound foundation is laid for morality.[1]

In presenting an argument in support of a secular yet religiously coated system of morality. I rely mainly on the fundamental features of my cultural heritage as a Yoruba. First, there is an analysis of Yoruba moral evaluation of the act of reporting in general. A whole gamut of possible rational justications of the moral view behind the canon of evaluation is examined. The conclusion is that the Yoruba separate the secular from the religious in their moral thinking. Yet they uphold a value-system which I see as of a universal relevance in resolving today's global social problems.

There is no gain-saying the fact that the identification of the rational foundation of the moral system of a society is not an easy task. The problems take on enormous dimensions when such a society has no codified system of norms. Even in cases where the norms are recorded, an identified system may be incapable of rationally encompassing the mutually incompati-

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ble norms that exist in that society; another may give insufficient allowances for accepted exceptions. Worse still, the Yoruba people are of such diverse sub-ethnic groups that it is very easy to over-generalize the moral beliefs of a particular section under the suggestion that they command universal consensus among the Yoruba as a whole. [2]

Without claiming any special authority on Yoruba ethics in general therefore, my analysis draws from what most people generally regard as the tripartite bearers of a philosophical substratum of a people's thought. These are the maxims, the proverbs, and the ideals of the educationa system of a society.

*(I) Yoruba Norms.*

Unlike the ancient followers of Hammurabi and Moses, the Yoruba has no written moral laws. Their norms are expressed as maxims. I shall therefore list four maxims which express the Yoruba attitude to reporting They are:—

1. Ika ko ye omo eniyan
2. K'á s' òtító ka kú, o san ju ka s' ebita ka wa laaye.
3. Inú rere ki i pa ni, wahalà ni o nko ba ni.
4. Ş'òtító, se rere
   Ş' òtító, se rere;
   Ẹni ş' otító
   N' imàlẹ ẹ gbe. [3]

*Approximate translation:*

1a Wickedness is abominable in man
2a It is more honourable to die for the truth than to live on fraud.
3a Kindness is not fatal, although it does bring problems.
4a Be kind, be honest
   Be kind, be honest
   He who is honest
   Receives the blessings of the gods.

*(II) Yoruba Proverbs.*

Here again I shall list four proverbs which bring out the uniqueness of the Yoruba attitude to reporting.

(i) B'oju ba rí, ẹnu a dákẹ.
(ii) Olófofó o gba egba a, ibi opẹ lo mc
(iii) A ri t'eni mọ o wi, o fi apàádi fẹẹrẹ boo tirẹ mọlẹ.
(iv) Olóotọ ilu ni òsika ilú.

*Approximate translations.*

(ia) Let the eyes see, but keep the mouth shut.
(iia) The tale-bearer earns nothing but thanks.
(iiia) Others' lapses are always told, but ours are always kept under cover.
(iva) The honest citizen is the wicked citizen

## *(III) Yoruba Folklore:*

The traditional method of teaching morals in Yorubaland is mainly through folklore and folktales. The Yoruba story-teller usually concludes his story by drawing out the moral lesson that it is meant to teach. For the sake of brevity here, I shall just relate two of such stories that have the same lesson to teach about the act of reporting. There are of course others intended to teach the same moral lesson.[4]

### *A. The Toothless Queen.*

There was a society where it was morally demanded that the existence of a toothless person be reported so that he or she would be killed since it was taboo for such a person to exist. It happened that one of the king's wives discovered that one of her mates was toothless. She brought this to the notice of the people and a date was fixed for the revelation. On hearing this, the toothless queen became restless and spent most of her time roaming about the bush, moaning her impending death. On one of such roamings, she met the spirit of her dead mother which told her to rub some herb in her mouth. When she did, she found to her great joy and utter surprise one of the best sets of teeth in her mouth. She kept this to herself until the date of the exhibition when nobody was found toothless. Her reporter was consequently labelled a liar and executed, for that was the price for telling that type of falsehood.

### *B. The Adulterous Queen.*

The penalty for a queen having a secret love affairs is death. Once a royal wife confided in one of her mates the fact that she has a concubine. Early one morning, she left her small baby in the care of this trusted friend while she went to see her lover. Before she returned, this care-taker deliberately left the baby alone to cry. And it cried so much that it became a concern for the whole compound. On interrogation by the King, the woman revealed that her mate was gone to visit her lover and would soon return with yam tubers and a lot of different kinds of foodstuffs.

Meanwhile, the adulterous queen was hurrying home from the visit to her lover. She had collected some yam tubers, maize, cassava and other food items. Suddenly she heard a strange bird chanting her name. When she listened carefully she noted that the bird was telling her to throw away the

food stuffs she was carrying home; instead she must pick up camwood. She was also instructed by the bird to tell people at home that she had gone to collect that same wood for the care of her baby. This queen obeyed and was surprised on arrival to find the whole village already assembled. The village executioner was ready with his dagger and sword. But the queen told her story as she had been taught by the bird, it was her "lying" and wicked mate that was executed.

What lessons are these stories supposed to teach? "Let the eyes see, but keep the mouth shut", says the first proverb on our list. It would then appear that the crucial lesson to be learnt from the two stories is that a man should never be a witness - truthful or untruthful against his fellow creature. Yet those of us who have listened to this type of story would remember that what the storyteller usually says is:

"It is not ALL things your eyes see that your mouth should report".

The question that therefore arises is, when are we and when are we not permitted to tell what our eyes see? Apparently what the storyteller does is to look into the motive of the reporter. Does the reporting originate solely from a sense of responsibility to the societal interest or from malice and hatred? Is it in obedience to the norms of society or from an attempt to ger rid of a rival; or is it from the mere act of rejoicing at the downfall of an enemy as somehody one does not like?

It is quite easy to see that the second story illustrates the evil end of a traitor, of an unreliable confidant and possibly a jealous mate who may have wanted at anytime to see the fall of a rival. None of these attitudes would be normally regarded as morally justifiable. What the Yoruba story teller frowns at then is not the mere act of reporting an event involving a social deviant, but a report that stems from some calculated movement towards wickedness, a report that is an act of untrustworthiness which results from jealousy or greed. It is something which the Yoruba people call "ilara" or "etanu".

But then, what of the first story? For if it is morally wrong not to report a toothless person, it is however ironical and even morally unreasonable to execute someone who apparently reported this in an attempt to safeguard the interests of human society. This is especially perplexing when one considers that, although the Yoruba would say that "the tale-bearer does not earn anything", yet one may hesitate to call the queen here a tale-bearer. He conduct is quite different from, for example, that of someone who says: "Do you know Mr. X is a eunuch?" or "Madam Y quarrelled with her husband yesterday" or "Chief Z has been eating lunch in our house for the past one month", and so on.

If the reporter here must be condemned, it must be for a reason other than mere reporting which makes her action wrong, more so since there is no evidence that she is an untruthful reporter. One possible reason may be that toothlessness, for which her mate had to be punished, is not a moral offence; at least, we do not see this as an act of commission or omission.

Furthermore she is even powerless in effecting a change. This means that the queen, strictly speaking, did not commit any moral offence. So if we ask the question, "what has she done?" Perhaps the right answer is "NOTHING" However, a deep consideration will reveal that toothlessness is not as morally neutral as this explanation suggests. This is so because the Yoruba regard the contravention of a moral norm as something of importance, something that receives concern from all good members of a society. A moral ritation is something that everybody must attempt to understand so as to shun the evil that it is generally believed to bring on the whole society. Anyone who therefore fails to report the act of a social deviant is to be regarded as an enemy of the society.

This being the case, it cannot be rationally held that the very act of reporting toothlessness is to be morally condemned. The motive alone cannot provide the only basis of a moral condemnation. There is even another aspect of Yoruba thought which makes this kind of blame philosophically unacceptable. It is well known that the Yoruba, like many other societies in Africa, hold that the interest of the society has priority over that of the individual and cannot therefore be subjected to any conditional treatment. The norm that stipulated the execution of a toothless person in the society under consideration was therefore unconditional. In fact, it is akin to what Socrates took to be the nature of social norms. For him, moral norms must be obeyed under all circumstances even if the norms need to be reviewed. This was why he refused to agree with his friends when they tried his escape from jail. It was not that Socrates believed that he was guilty of the offence for which he was condemned; but for him, escaping from jail means breaking one of the norms of his society; and this he, as a good citizen, would not do. In a similar way, if it is morally obligatory for all the citizens of a socity to report the existence of a toothless person, it cannot be morally right for that society to execute one who reports the existence of this taboo. There is an inconsistency in holding that the existence of a toothless person be reported, and at the same time that it is morally wrong to report someone for carrying out this moral obligation.

It may be, then, that the justification of the condemnation of this particular reporter is founded on the general belief of Yoruba people that a wrong moral deed brings evil only when people know of it. This is a possible implication of what they mean when they say that 'Enu omo araye l'ebo', which literally means 'Nothing is sacrilegious but man makes it so'. There is even a story that tries to substantiate this. A man killed a chicken and ate it. But he told his neighbours that it is the forbidden vulture that he cooked and ate. He became so sick in the night that he had to bring out his pot to convince the people that it was a chicken that he ate not a vulture. Later when he indeed killed and ate a vulture, nothing happened because this time he kept this to himself! Here then one can advance a possible justification for the condemnation of the reporter of the toothless queen. It could be claimed that, had the reporter kept her knowledge to herself, nothing would have

happened to the entire society. It is her report that makes the taboo public knowledge and hence a danger to the people.

This explanation again sounds reasonable from a sociologist's point of view, but it raises a logical problem about Yoruba ethical thinking in general. Looking back at the point where we started, the Yoruba people do not believe that a divine punishment of a moral deviant depends on human knowledge of the offence. Professor Bolaji Idowu testifies to this when he writes:—

> Olodumare is the 'Searcher of Hearts' who sees and knows everything and whose judgement is sure and inescapable.[5]

This shows that the Yoruba hold that even if nobody knows of the existence of a moral offence, the goods actually do. There is a proverb that explicitly states this:—

> Amóòkùnsolè, bí ojú ọba ayé kò ri ọ t'ọba oke nwo o[6]

This again literally means you who steal under cover, if the eyes of the earthly king cannot see you those of the heavenly one do'. It cannot be consistent to move from this premise and argue that divine punishment depends solely on the human knowledge of a moral offence.

Why then should the Yoruba morally condemn someone who apparently has made efforts to ward off evil from society? Now there is another proverb of the Yoruba which states:—

> Bi a bá b'ẹ́gi n'igbó, a fi ọ̀ràn ro ara ẹni wo.

What this really means is that one must, whenever one acts, imagine oneself in the position of the receiver of that action. Put in its popular phrasing, it states the well-known moral norm generally referred to as the Golden Rule, unto you'. Applying this maxim to our story, there appears a possible justification for condemning the reporter of the toothless queen. For, even if our reporter defends herself on the claim that she was trying to safeguard the public interest of men in society, the question could be justifiably put to her;

> "Suppose you were the toothless one, would you have thought it right for someone to report you?"

Or, we may put the same question more directly and ask:

> "Suppose you were the toothless one, would you in fact have reported yourself?".

Even if the answers to the questions are in the affirmative, some philosophers would take such with a pinch of salt. Professor R. M. Hare, for instance,

holds that no one can SINCERELY prescribe an action which he knows is against his interest unless he is a fanatic. Hare's claim may be true of some cases of moral assent, but it cannot be true of all possible cases. Nothing, in the first instance, prevents a moral agent from being such a devoted member of his society. But more important perhaps is that there is nothing logically contradictory in someone sincerely assenting to the two conditions stipulated above. Many would not deny the actual experience of coming across such moral agents who cannot be reasonably regarded as fanatics.

The application of the Golden Rule does not therefore solve our problem. At this juncture we must concede an apparent impasses in the ethical thinking of the Yoruba. We have seen that neither the claim testified to by many authors, that the Yoruba uphold a kind of utilitarian morality provides a rational justification of the condemnation of this particular reporter. Now is it true that the Golden Rule which Professor Idowu has identified as the "central all-governing norm of the society" can fully solve our problem.

A close look at other aspects of Yoruba traditional thought indeed shows that the Yoruba are themselves aware of the difficulty of distinguishing between an honest reporter and someone who reports for morally unjustifiable motives. This awareness is epitomized in one of their sayings which goes thus: "Olooto ilu ni osika ilu", (the utterance on our list of proverbs above). The problem in the case before us is to find out whether the reporter of the queen did so purely in the interest of her society (in which case there would have been no justification for codemning her), or whether she had some other ulterior motives which could make her action morally unjustifiable. The proverb just quoted testifies to the Yoruba awareness that as humans, we have no indubitable test which will always enable us to identify the real aim of the reporter without mistaking good intentions for bad ones. But then the gods would make no such mistakes since no facts, are hidden from them.

What appears to be at the background of our storyteller then is this fact that, although the principles of utilitarianism and the Golden Rule are both reasonable moral laws they cannot be absolute or ultimate. The Yoruba man is aware that a moral agent can easily hide his real intentions under the canopy of general interest; somebody may act only in a bid to get rid of a foe or a friend because of malice or jealousy. In such cases moral principles are important in establishing such mischevious motives. But even then the Yoruba man is equally aware of the futility of leaving moral canctions completely in abeyance, whenever the facts on which he can justifiably do this are beyond his reach. The invitation of the gods is meant to fill this inevitable vacuum in their otherwise secular moral system. There is the need to identify a means of catching up with the cunning and deceitful moral deviant. As human beings, we have no direct access to the motives of moral agents even though motive is an essential ingredient of moral evaluation. All we rely on are the testimonies of moral agents. But since these can be deceitful the only way to ensure that justice is done is to bring in a theoretical entity to perform

the role of social sanction. This entity must be such that it has all the qualities which human beings lack - beings who can see where human eyes fail, beings who are the searchers of human heart. Such are the African gods who, although may not be omniscient, nevertheless have the capabilities necessary to play the role of a final arbiter in moral matters where man's efforts are of no avail.

The assumption of the existence of gods in Yoruba morality is not a premises from which a moral system is logically derived or the axio in terms of which a moral theory is rationally justified. The existence of the gods is not logically entailed by man's incapability to search the depth of others' minds. This incapability does not make the assumption of the existence of gods logically inescapable. The philosophical issue involved here is not that the Yoruba must create the gods but that a philosophical solution to the problem at hand cannot consist of scientifically proven judgements. It is precisely at the juncture where all factual knowledge provide no satisfactory answers to our human problems that man goes philosophizing; it is then that, as philosophers, we have to make up our minds not whimsically or arbitrarily without any rational restrictions, but by putting all our instuition and reasoning ability into action to suggest the theoretical entity that plays a role which man by his very nature is incapable of plahing because of a factual impasse.

It is at this juncture that Immaneul Kant appeals to Reason as the final arbiter of moral actions. Others become anarchists and decree that man is free to pursue any moral principle he deems fit, since there are no logical rungs,from the facts of experience to moral demands of society; nor an effective method of sanctioning undetected moral faults. Yet some other give up in despair and declare: "Nothing is sacrilegious, but man keas it so". For the Yoruba, man is the penultimate measure of all things, absolute justice rests with the gods. For them it is more rationally consistent to go from the premise that man is physically limited in probing into man's motives to the assumption of the existence of beings which are not so physically limited. Again, the question is not that the Yoruba must have the gods but that the philosophical problem that arises is one which a full knowledge of empirical facts cannot solve. This is what naturally leads us to make "rational ocnjectures". The Yoruba man does not throw morality to the dogs at the blind end of our empirical knowledge. He does not despise secular ethics as an irrational endeavour as some Western authors do, neither does he regard any moral law as abosolute. What he does is to push moral reasoning to the end of a rational process and exclaim at the dead end of a moral dispute: "Ọlọ́run á da a" or "Ojú Ọlọ́run tó o", the meaning is that "God will dispense justice", and that "The eyes of God see it all".

The important distinction to be drewn here is between proving the existence of the gods and rationally justifying the assumption of an empirically non-provable existence made to play a theoretical role at a point when all relevant facts provide no demonstrable direct solution. This is the all-important distinction that most authors fail to draw when they describe African morality as religious. There is world of difference between basing

morality on religion and accepting a religious element within a moral scheme. To found morality on religion is either to claim that moral norms are of divine origin as the Hebrews did, or to justify them in due reference to the gods. While it is quite true that a Yoruba man may tell you that Ogun does not allow him to steal, or that Oya forbids him to tell lies, if asked WHY he thinks stealing is wrong he will advance factual reasons why one ought not to steal. The gods sanction moral norms not because they are divine. Stealing is for the Yoruba essentially wrong not because Ogun or Oya says so. Ogun and Oya do not sanction the act of stealing because it is morally unacceptable to the rational mind. Yoruba gods are rational beings.

The Yoruba endeavour with morality is first and foremost philosophical. His main concern in morality is not with the where from or norms but with their 'why'. His primary ambition is to provide a rational solution to the problem of moral sanctioning when man's efforts come to naught. He does not hold that all moral sins will be punished at the purgatory or in hell. As a matter of fact, social cohesion will elude the African society if he identifies the authority of morality with the gods. This is because his is a coeity which grants the freedom of religion. The practical implication of making morality a religious concern is therefore unthinkable in a society where there are almost as many gods as there are families. It is very unusual for there to be any arguments among the Yoruba as to whether or not adultery, stealing, or lying are social evils. This, contrary to general view, is not because Africans are uncritical and hence religious but mainly because their morality is kept distinct from their religion. It seems obvious to them that reason does not justify the refusal to give due cognisance to human interest in moral matters. Professor Kwasi Wiredu testifies to this secular basis of African morality as one that we must jealously cherish and retain in our modern culture.[8] It is worthy of note that there is hardly any African society where one group of religious believers preach their religion as the only true one whose morally divine laws must be universally accepted. There is no record of the kind of moral or religious absolutism which accounts for almost all crimes committed in the names of Christianity and Islam even up till today in traditional Yoruba society. It is the Yorubaman's awareness of the relativism of moral norms that leads him to say: "Bayi ni a nse nibi, eewo ibo miran". The meaning is: "The norm of one people is taboo in another". For the Yoruba, the gods are agents of moral sanction rather than authorities whose moral prescriptions man must obey. The Yoruba assume the existence of gods as non-empirically verifiable beings and equip them with the necessary qualities to play the moral role which man cannot effectively play because he lacks these same qualities. Some traditions in the West talk of Nemesis others believe in natural justice.

Both are acknowledgements of an apparent failure of man's ability to dispense absolute justice. The invitation of the gods is indisputably religious and hence unscientific. But it is not for these reasons irrational or unphilosophical. Nihilism, anarchism and moral absolutism provide no better solution

to this moral impasse. To my mind all these alternatives are less rational than the religious invitation of the gods if our morality is supposed to be socially relevant.

## IV. MORAL PRINCIPLES AND THE RULES OF BEHAVIOUR

From the foregoing analysis it is clear that Yoruba moral system incorporates a religious element. My contention is that the acceptance of the gods is not enough justification for regarding their thought system as a religious one, as Professor Sodipo for instance suggests. Morality is a system involving the evaluations of human actions. In societal terms, such evaluations come to naught if there are not provisions for bringing wrongdoers to book. The effect of such a liberal moral system is not difficult to imagine. A social critic recently expressed the view that Nigerians are not necessarily less virtuous than the Americans or their British counterparts. What accounts for the profound difference in our moral attitudes especially in public life is the Nigerian awareness that our malevolent acts seldom come under inquiry and when they do, there is hardly any appropriate social sanction that follows According to this critic, it is the social repercussion of being socially reprimanded that scares the average American or Briton from openly committing the kind of outrageous moral offences that occur so often in Nigeria today.

Be that as it may, a moral system that fails to account for an effective method of social sanction cannot expect to be useful in creating social cohesion. The Yoruba morality is not a philosophical system in the sense in which moral philosophy is taught in universities all the world over today. It is not a dehumanised intellectual gymnastics which aims at formulating absolute moral principles whose factual and logical implications are defined with mathematical precisions such that they become universally valid. The Yoruba ethical system is a social institution which incorporates formulated ideals men are meant to live by. Such moral norms, for the Yoruba, cannot be like Kant's Categorical Imperative which has no room for exceptions. Taking food from another man's farm after having been lost in the forest for days is no stealing in the Yoruba society. But when such a hunter packs a basketful of foodstuffs for home consumption, then the moral laws of the state do not spare him.

To regard Yoruba moral norms as divine in origin is to lump all their rules of behaviour into one group and label them taboos. This will be patently false. As Sophocles illustrates in his ANTIGONE, Aristotle distinguishes between particular and general laws in society. He defines the former as those declared by each state for its own members while the latter express the laws of nature which are universal rules. Antigone insisted that she was just in burying her brother Polynices according to the general law relating to the burial of the dead. She therefore despises Creon's particular decree to the contrary.

Three types of rules of behaviour usually exist side by side in most Yoruba societies:—

(a) *Rules of Etiquette.* These consist mainly of rules which express formalism in human actions; they bestow dignity and grandeur to people's actions in both private and public life. For example, the Yoruba male prostrates to his elders, the women kneel in greetings. Professor Wiredu hints that greeting a row of people from the left to the right is conclusive evidence of Ghana. Although these rules are rules of behaviour they are not moral norms in the strict sense.

(b) *Taboos.* The taboos is a common feature in most African societies. They are usually of divine genetic origin. The worshippers of Obatala do not drink palmwine; those of Sango do not eat a particular species of beans. Members of my family do not eat the flesh of the tortoise except at the funeral of a dead member. On the other hand, twins do not eat the monkey. Taboos are therefore either the prescriptions of the gods, dead ancestors or those based on the conditions of the birth of some particular members of a society. They are not moral laws applicable to all members except in rare cases.

(c) *Moral Norms.* The Yoruba society accepts both Utilitarianism and the Golden Rule, as Professor Bolaji Idowu testifies in his book. The rationality of the Golden Rule precludes it from being a divine law. Jesus sanctioned it not on religious basis. He did not list it as one of the two divine laws on which all the prophets and other laws hang. Utilitarianism is no doubt a secular moral thesis.

Once we draw these clear distinctions between the different rules of behaviour in societies, we will discover that the Yoruba moral system is basically a secular one. The point is that gods are made to play a theoretical role in Yoruba Ethics. This does not make their morality a religious system, it does not throw it out of the coffers of philosophy either. What determines the philosophical nature of a thesis is not the absence of an assumption of a non-observable existence. The demand of philosophy is that such an assumption be arrived at through a rational process; we must be able to advance empirical reasons why its existence is supposed to be implicated in the problem to be solved. The latter does not imply that we must empirically demonstrate the existence of the non-observable entity as it is generally required in science. Lastly, let me warn that my thesis does not entail the claim that the Yoruba do not believe in the existence of gods. The relevant point here is that they do not see their moral norms as their (gods) prescriptions.

## CONCLUSION.

My main contention is that the Yoruba moral system is a philosophical system and not a religious one as it is generally wrongly held. I see it as a rational system not because of an *apriori* necessity that morality must have

a religious element but that a moral theory which makes not adeguate provision for social justice in cases where human knowledge is inadeguate is philosophically irrelevant as a solution to an important moral problem of human existence. The Yoruba heritage is that man leaves only what is beyond his human capabilities in the hands of the gods. He does not because of this leave God to dispense justice in hell and heaven – in matters which he himself can settle here on earth. The Yoruba have no divine moral norms yet they do not make man the final arbiter of moral justice. Their religion starts where their philosophy ends – at the dead end of man's rational abilities to solve an important problem of man's existence.

## FOOTNOTES

1. See, for example, G.E.M. Anscombe, "Modern Moral Philosophy" in W.D. Hudson (ed) *The Is/Ought Problem*, London, Macmillan, 1969.
2. The Yoruba tribe spreads from South–Western Nigeria Westwards into the now Republic of Benin. Although they all speak the same language, there are local variations in moral attitudes and beliefs.
3. Bolaji Idowu, *Olodumare: God in Yoruba Belief* London, Longmans, 1968, p. 161.
4. We have tales like (i) Three playing kids. (ii) The Queen who cooks with feaces, etc.
5. Idowu, *op. cit.*, p. 154.
6. Ibid, p. 162.
7. Ibid, p. 146.
8. Kwasi Wiredu: *Philosophy and an African Culture*, Cambridge, Cambridge University Press, 1980, p.6.

# PROGRESS IN SCIENCE: A CRITIQUE OF KUHN'S "IMCOMPATIBILITY THESIS" OF SCIENTIFIC CHANGE

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The theories of scientific change formulated by Thomas Kuhn have been most influential in the shaping of novel attitudes about the nature of scientific investigation both by the philosopher of science, natural and social scientists, historians of science and sociologists of science.[1] The theories of Kuhn have engendered a certain kind of literature which necessarily makes constant reference to terms like "paradigm," "anomaly," "normal science," "gestalt shift," etc. And it is because of the influence of Kuhn's writings that the ideas of Feyerabend, Popper and Lakatos assume further importance.

In general, one might discern from Kuhn's writings the following: (1) an adequate study of the formulation of scientific theories requires not only analyses of their logical content but also inquiries into the non-ligical determinants which help shape the modes in which they are formulated[2] and (2) a sufficient analysis of the progress of science cannot eschew the fact that the path of science in history cannot be regarded as cumulative.[3]

Progress in science is often punctuated by revolutions in the theoretical assumptions of the particular sciences themselves. As a result of this, science as a human activity would tend to demonstrate features similar to the methodologies of research in other academic areas. This point is made with the recognition that the historical path of science demonstrates less of the subjective and ideological concerns that determine the formulation of theories in the social sciences and the humanistic disciplines. Thus, scientific research has traditionally been regarded as an activity in which the dictates of rationality are given foremost consideration. Kuhn's thesis, on the contrary, raises questions about the role of rationality in the history of science.

Some theorists have raised questions about the validity of Kuhn's thesis on the grounds that the history of science is not characterized by the radical discontinuities as Kuhn's thesis claims.[4] The claim has also been made that the Kuhnian idea of normal science is more myth than reality in the sense that there is sufficient evidence for lively debates within the scientific community.[5]

Perhaps the most controversial aspect of Kuhn's thesis is that concerning the rationality of the scientific enterprise. If scientific revolutions really occur in the sense of some new theory B replacing an older theory A with which it is incommensurable, then the Kuhnian case for epistemological relativism would appear to be sustained. But to accept epistemological relativism would be to prepare the way for the acceptance of the idea that "truth" or "objectivity" ought not to demand epistemological consensus or unanimity.

As mentioned above, there has been a substantial number of critiques of Kuhn's thesis that scientific progress is noncumulative. But most analyses have been concerned with the implications of a noncumulative theory of scientific growth than with pointing out genuine epistemological flaws in the Kuhnian program. There has not yet been a persuasive response to Kuhn's thesis that, for example, the Copernican and Ptolemaic theories are incommensurable, or that there is a clear qualitative distinction between the Aristolelian theory of motion and that of Galileo. In other words, according to Kuhn, one cannot argue that the Ptolemaic theory of the universe is a special case of, say, Newtonian theory; nor can Aristolelian dynamics be regarded as a special case of Newtonian mechanics. Genuine intellectual revolutions were required before the theories of Copernicus and Galileo could be accepted. In fact, much of the criticism centers on Kuhn's usage of the term "paradigm,"[6] yet some theorists express concern about the main issue; whether the scientific enterprise is inherently rational or not. Laudan, for example, writes:

> Having observed, quite correctly, that the Popperian model of rationality will do scant justice to actual science, they (Kuhn and Feyerabend) precipitately conclude that science must have large irrational elements, without stopping to consider whether some richer and more subtle model of rationality might do the job.[7]

Laudan's thesis attempts to establish a compromise between those theorists who espouse the view that the aftermath of scientific revolutions is characterized by incommensurable theories and those who argue that a novel theory always includes the older theory as a special case. Laudan's focus is on the problem-solving capacity of theories. In this regard, it is "possible, at least in principle and perhaps eventually in practice, to be able to compare the progressiveness of different research traditions, even if *those* research traditions are utterly incommensurable in terms of the substantive claims they made about the world.[8]

But the problem concerning the growth of knowledge is of great importance, as Laudan himself points out, given the stances of eminent theorists like Popper and Lakatos.[9]

Laudan argues that estimation of the growth of science is determined by the importance or number of problems which a given theory hopes to solves. Thus, although some novel theory B may fail to solve some problem that its precusor A solves, B is still judged more progressive than A because of the importance and range of problems that B solves. Yet granted the spectacular progress of science in the last decades, it is difficult to see how Laudan's thesis could be sustained unless one were to to argue that theories A and B complemented each other. It seems to me that Laudan's thesis, which states that the goal of scientific research is primarily that of problem solving as distinct from the goals of

theory confirmation, verisimilitude, etc., cannot be sustained because the idea of solving a problem implicitly entails that of theory confirmation genuine explanation and the like. Laudan's thesis attempts to support Kuhn's argument that progress in science is not necessarily cumulative yet claims at the same time that such a thesis is not inherently incompatible with the idea of rationality.[10]

II

I should want to present now the fairly radical thesis that both Kuhn and his critics have accepted an erroneous conception of science which explains (1) why Kuhn is justified in arguing for an evident non-rational element in the enterprise of science throughout its history, and (2) why Kuhn's critics have not been able to offer satisfactory criticisms of his thesis.

The erroneous conception of science is that it is proper to regard the explanatory theories of the universe and its constituent phenomena offered by Greek and medieval theorists, as being scientific. Thus, the Ptolemaic conception of the universe and the Aristolelian theory of motion are to be regarded as equally scientific as, say, Newtonian mechanics. But evidence garnered from contemporary scientific research demonstrates that the purportedly scientific theories of the pre-modern era are not acceptable in their analyses of the empirical world. Clearly, if the Ptolemaic thesis has been shown to be erroneous then the question arises as to why theories of this caliber are to be regarded as scientific, and theories of, say, astrology not. Or, why shouldn't any metaphysical theory which seeks to explain the universe be granted scientific status?

But consider Kuhn's comments on this issue:

> The more carefully they (historians) study, say, Aristotelian dynamics, phlogistic chemistry, or caloric dynamics, the more certain they feel that those once current views of nature were, as a whole, neither less scientific nor more the product of human idiosyncracy than those current today. If these out-of-date beliefs are to be called myths, then myths can be produced by the same sorts of methods and held for the same sorts of reasons that now lead to scientific knowledge. If, on the other hand, they are to be called science, then science has included bodies of belief quite incompatible with the ones we hold today. Given those alternatives, the historian must choose the latter. Out of date theories are not in principle unscientific because they have been discarded. That choice, however, makes it difficult to see scientific development as a process of accretion.[11]

The above passage is addressed to historians of science but the implications of Kuhn's observations have been important for the philosophy of science. It is instructive to note though that given the importance of

the epistemological issues raised above, it is surprising that Kuhn does not spend much time discussing the concept of scientific theory. In this connection, Kuhn argues that Popper's requirement that falsifiability rather than verification be a necessary and sufficient criterion for the confirmation of the proposition "S is a scientific theory," is not adequate. Kuhn argues instead that "it is in the joint verification-falsification process that the probabilist's comparison of theories plays a central role. Such a two-stage formulation has, I think, the virtue of great verisimilitude, and it may also enable us to begin explicating the role of agreement (or disagreement) between fact and theory in the verification process."[12]

Kuhn's reluctance to engage in much discussion on the theory of science derives, undoubtedly, from his thesis that the philosophy of science and the history of science are disciplines with essentially incompatible methodologies.[13] According to Kuhn, the philosophy of science is concerned primarily with critically evaluating the methodology of science while the history of science is more concerned with describing the career of science in history. Yet Kuhn's work is of particular interest to the philosophy of science because his writings though referential to the history of science interprets historical events in such a way as to be of interest to the epistemologist of science. In this regard, Kuhn's writings leave some important questions unanswered since they do not demonstrate a clearly articulated theory of science.

## III

In order to evaluate Kuhn's thesis properly, it is now necessary to discuss criteria appropriate for establishing the proposition "S is a scientific theory." Though there has been much discussion on appropriate criteria for establishing that "S is a scientific theory," there exists a core set of beliefs both in the scientific and philosophy of socience communities as to what constitutes a scientific theory.

The practicing scientist would most likely agree that a major purpose of scientific inquiry is to explain experienced events and phenomena in the world in terms of unambiguously identifiable antecendent phenomena. This approach to science is also endorsed by the lay public. The lay public expects the science of biochemistry to explain, say, "why individual X developed lung cancer," or "why individual Y suffered from a sudden coronary failure." Physical science is also expected to explain why such basic events like the transformation of water to ice or vapor takes place. Furthermore, science derives some of its popularity from the fact that it can explain better experienced events than alternative modes of explanation.

But the methodological question remains as to what constitutes a scientific explanation as distinct from one which is non-scientific. It appears that it is the capacity of experimental science to make repeatable predictions from within the context of strictly controlled, hence variable conditions that gives it an advantage over other modes of explanation.

Furthermore, the capacity of experimental science to manipulate the variables of a theory in order to obtain desired predicted results tends to convince even the skeptical of the explanatory power of the ideal scientific theory.

This is not to deny that many scientific theories do not fully explain what they purport to explain, yet incomplete or unsuccessful theories do not vitiate the scientific ideal which is "explanation," and its derivative "prediction." It is because of a failure to live up to this ideal that the social sciences are not generally regarded as true sciences. Clearly, the discussion above is implicity concerned with appropriate criteria of demarcation between science and non-science. Popper, for example, argues that falsifiability is a necessary and sufficient condition for a theory attaining the status of "science." But it seems that the idea of falsifiability assumes the idea of predictive failure which, as was suggested above, also assumes the idea of explanation.

A purely descriptive analysis of scientific theories tells us that any theory in contemporary science may be analyzed as having as major constituent elements the following: terms with assigned meanings proper to the theory itself, i.e., theoretical terms, and general or probabilistic statements which may be explicitly or implicitly stated, usually referred to as laws. These laws describe the likelihood of the occurrence of a given event under controlled conditions. Note too that scientific laws are usually derivable from axiomatic assumptions which obey the laws of deductive logic. A given theory may also appeal to a specific area of mathematics for the formulation of its theories. For example, some theories may place great emphasis on the mathematics of probability, while others may appeal especially to differential equations, say. The above elements consitute what may be regarded as the core of a scientific theory.

But what is of crucial importance though is that the formulation of a theory is not sufficient to determine a theory's scientific status. Contemporary science demands that any theory that claims scientific status must formulate an appropriate set of experimental procedures that could be followed by the relevant members of the scientific community. It should be stressed too that the community of scientific researchers places great importance on the criterion of testability for scientific theories. It is just this criterion that prevents fields of inquiry like astrology and parapsychology from being considered as genuine sciences. Furthermore, the presentation of data or results of tests which are shown to be non-repeatable is sufficient to bring into quick disrepute the research findings of any researcher.

We might amplify the above discussion on the appropriate criteria for a scientific theory by stating the following. (1) a scientific theory should be capable of making predictions, under controlled conditions, which correspond to anticipated results. (2) The manipulation of control conditions would permit the confirmability of explanations of given pre-

dicted events. Similar manipulation of a theory's control conditions would make possible the falsifiability of the given theory. In other words, the set of variables that would falsify a scientific theory should be clearly defined. (3) A scientific theory should demonstrate evident compatibility with other cognate theories. For example, modern theories of genetics are syntheses of macroscopic Darwinian theories and molecular Mendelian genetics. (4) A scientific theory should display projectibility either actual or potential in the sense of being capable of absorbtion by a more comprehensive theory, or capable of absorbing theories which are more limited in scope. Obvious cases are Newtonian mechanics and Einsteinian theory. (5) A well-structured scientific theory should express its explanatory and predictive statements in language which communicates by reference to discrete phenomena. In other words, those predictive statements that could falsify the theory in question should be statable without ambiguity.

But it should be recognized immediately that the above criteria or scientific methodology are modern criteria which reflect a stringency and an investigative protocol which were missing in pre-modern scientific investigations. It should be noted too that the standards of investigation demanded of modern scientific analysis were prompted by the increased effectiveness of modern experimental equipment.[14] Clearly, "science" in pre-modern times does not have the same connotation as "science" in the modern era. Incidentally, the history of science testifies to this qualitative change in scientific methodology in time; investigations of the natural and social world were regarded rather as philosophical investigations than as scientific investigations.

## IV

Given the above discussion, one may legitimately raise questions about the claims made by Kuhn that the history of science is characterized by revolutions according to which old theories and their successors are incommensurable. It is evident that the experimental facilities and mathematical tools available to Ptolemy and Aristotle were vastly inferior to those of contemporary science. The physical theories of Aristotle and the cosmological theory of Ptolemy were not subject to the strict experimental conditions as are the norm in contemporary research. For example, Ptolem's *Almagest* contains observations about the position of the different planets in the solar system, but it is difficult to see how the Ptolemaic theory could be regarded as a genuine scientific theory any more than a flat earth theory could be so considered.

Kuhn, for example, argues that the Ptolemaic system was for four centuries "admirably successful in predicting the changing positions of both stars and plants."[15] Yet Kuhn writes later that:

> . . . to be admirably successful is never, for a scientific theory, to be completely successful. With respect both to planetary position and

> to precession of the equinoxes, predictions made with Ptolemy's system never quite conformed with the best available observations.[16]

But the same claims could be made about a flat earth theory. Surely, a flat earth theory could be defended on purely observational grounds, and, from a naive realist point, would seem to conform more to common sense than to a spherical earth theory. The point is that a flat earth theory could be just as predictively successful as the Ptolemaic theory, but no historian of science would want to consider the flat earth theory as a scientific theory. Apart from the capacity to make predictions, a genuine scientific theory must offer explanations that could be independently confirmed under appropriate controlled conditions.

One is thus prompted to raise questions about the appropriateness of the Ptolemaic model as a scientific theory. In the first place, questions may be raised as to whether astronomy is a genuine experimental physics and chemistry. The Ptolemaic theory, on the other hand, was an essentially descriptive theory embellished with propositions in elementary mathematics. Claims in favour of the scientific status of the Ptolemaic theory could just as easily be applied to contemporary astrology given its reliance on geometric charts and elementary mathematics.

Furthermore, it is difficult to determine, in the light of the above, why the prescientific theories of the non-Greek civilizations of Egypt and Babylonia are not generally accorded a methodological status similar to the Ptolemaic and other Greek attempts at empirical science. There is the general belief that Greek science was abstract and theoretical while pre-Greek science was essentially empirical. But it would seem that this distinction is somewhat arbitrary given the stated indebtedness of the Greeks to their non-Greek precursors.[17] In general, I would want to argue that the examination of nature as was carried out by the Greeks and their pre-cursors is best described as pre-science. Of course, it is obvious that man has constantly sought to interpret nature regardless of the technical level of his society. Magical and religious practices, the cultural patrimony of all men, testify to this. Thus, one witnesses in Greek attempts to understand nature elements of empirical analysis, elements of metaphysical speculation, and elements of superstition. In this regard, the Ptolemaic theory of the universe is no more scientific than the helio-centric theory of Aristarchus *et al.* It is important to point out that the geocentric theory of Ptolemy probably enjoyed its long popularity because of extrascientific reasons; the Ptolemaic theory conformed especially with the Christian religious thesis that man's abode, the earth, was the center of the universe as ordained by the Christian deity.

It was stated above that genuine scientific experimentation requires the testing of theories in terms of explanation and prediction under strictly controlled conditions. The testing of the Ptolemaic theory did not conform to the above stated conditions. A possible rejoinder to the above is that the above criteria are perhaps too restrictive since they could not be met by

sciences like astronomy, evolutionary biology and geology.[18] But note that the scientific status of the above disciplines is determined by the fact that they are founded on findings in research in chemistry, physics and experimental genetics.

The same kind of argument could be made against the rejection of the phlogiston theory and the acceptance of the principles of modern chemistry following the research efforts of Lavoisier. Kuhn argues that the phlogiston theory represents a genuine scientific theory. The fact that experimental work suggested that phlogiston must have *negative* weight should have been adequate for the rejection of that theory as being genuinely scientific. The phlogiston theory like theories in astrology contained too many contradictory propositions to be seriously considered as a serious candidate for scientific status. Furthermore, it should be recognized that there was a distinct qualitative change in terms of methodology of research in the transition from pre-modern chemistry to modern chemistry. Lavoisier's usage of new research equipment to make quantitative measurements could be regarded as evidence for the end of the pre-modern period of chemistry. This new development is sufficient to argue that the scientific revolutions to which Kuhn appeals in support of his thesis of "theory incommensurability" represent in reality the qualitative transformations from pre-modern research to modern science. The intent of Ptolemy, Aristotle or the phlogiston theorists was certainly to obtain genuine knowledge about the phenomena under investigation. But the same could be said about astrologers or those who inquire into the paranormal. But intent is not adequate. A necessary criterion for genuine scientific research is that the methodology of research in question conform to the epistemolgically adequate research criteria of modern science.

In his discussion on the phlogiston theory, Kuhn recognizes this point somewhat and admits that the phlogiston theory may be regarded as the preparadigm period of chemistry.[19] But Kuhn would not want to equate the pre-paradigm period of a science with the prescientific period of that science. To do so would be to deprive the Kuhnian theory of its major thesis: science progresses by means of a revolution in which an existing theory fraught with anomaly is overthrown by a novel theory, theoretically incompatible with the old theory.

Kuhn's third example offered in support of his thesis is that concerning the wave theory of light. According to Kuhn:

> If light is wave motion propagated in a mechanical ether governed by Newton's laws, then both celestial observation and terrestrial experiment become potentially capable of detecting drift through the ether. Of the celestial observations, only those of aberration promised sufficient accuracy to provide relevant information, and the detection of either drift by observation measurements therefore become a recognized problem for normal research.[20]

It seems that Kuhn is in error to ascribe equivalent epistemological status to the Ptolemaic and phlogiston theories as to "the late nineteenth century crisis in physics that prepared the way for the emergence of relativity theory."[21] It is true that Newton's corpuscular theory of light later adopted by Maxwell in the formulation of his electromagnetic theory proved to be problematic. But Newton's theories of motion and of light have not been rejected from the standpoint of post-Newtonian science. Closed conditions experiments have indeed confirmed Newton's classical theories. The assumption of a transporting medium referred to as the ether proved to be an error. This is quite common-place in scientific research. But the rejection of the ether theory did not lead to the rejection of Newtonian theory nor to Maxwell's theory. The reason for this, it seems, is that the methodology of scientific research has been made more efficient over time.

Given that scientific research about the nature of phenomena is continuously being carried on, it is evident that theories at the frontiers of research would be incomplete. As a theory matures, there may be certain assumptions or hypotheses that could later prove to be erroneous. But this does not imply that any theory is as acceptable as any other theory. Religious theories or theories of magic do offer explanations and predictions yet such theories are not seriously considered for scientific status. The thesis proposed in this essay attempts to include in the list of non-acceptable theories not only theories of magical and religious explanation but also those pre-science theories which afford Kuhn the basis for his thesis of revolutionary scientific change. Surely, the phlogiston theory, the Ptolemaic theory, and other similar theories demonstrate a structure and methodology closer to theories of religious and magical explanation than to the genuinely scientific theories of the modern era.

But Kuhn would want to make claims for the following: "Let us, therefore, now take it for granted that the differences between successive paradigms are both necessary and irreconcilable."[22] And Kuhn would argue that two of the most successful theories concerning the general structure of the universe are incommensurable, i.e., the Newtonian theory and the Einsteinian theory. Kuhn argues that the Einsteinian notions of space, time and mass are not identical with those of Newton. For example, "Newtonian mass is concerned; Einsteinian is convertible with energy. Only at low relative velocities may the two be measured in the same way, and even then they must not be conceived to be the same."[23] Kuhn claims that fundamental meanings of concepts must be changed before Newtonian mechanics may be viewed as a special case of Einsteinian theory. Kuhn also writes: "Though subtler than the changes from geocentrism to heliocentrism, from phlogiston to oxygen, or from corpuscles to waves, the resulting conceptual transformation is no less decisively destructive of a previously established paradigm."[24]

Kuhn fails to recognize that in the case of the transition from phlogiston to oxygen, or from geocentrism to heliocentrism, one witnessed transitions from prescientific theories to scientific theories. In cases of the relation

between Newton's and Einstein's theories, and the corpuscular and wave theories, one witnesses the case of a new theory introducing qualitative changes vis-a-vis an older relevant theory, thereby widening its scope. The old theory is essentially absorbed by the old theory, thereby vindicating itself.

In fact, Kuhn seems to be making stronger claims for the transition from Newtonian mechanics to Einsteinian theory than can be sustained from the data. Consider the well-known relativistic equation for kinetic energy.

$$KE = MC^2 - M_oC^2 = \frac{M_oC^2}{\sqrt{1 - V^2/C^2}} - M_oC^2.$$

$$(1 + 1/2\ \frac{V^2}{C^2})M_oC^2 - M_oC^2.$$

This statement also equals
But at low speeds $KE = 1/2M_oV^2$, the Newtonian equation. Similar kinds of mathematical manipulation produce similar results for Einstein's theoretical posts concerning the length of object and the passage of time.

Even in the case of contemporary quantum mechanics whose theories are at variance with the theories of classical mechanics, there has been a harmonious accommodation with the latter theories. Kuhn would be inclined to argue that the theories of classical mechanics have been shown erroneous given the claims of quantum mechanics. The Kuhnian thesis would state that since the advent of quantum mechanics classical mechanics has been shown to be false, and that both theories are incommensurable. Yet again it can be shown that Newtonian mechanics is a convenient approximation of the theory of quantum mechanics. The reason why these two seemingly incompatible scientific theories may be shown to be compatible is that the confirmation of a theory is determined principally by whether the theory's predictions conform to the expectations of the observer. In this regard, the predictions of Newtonian mechanics for a certain specified set of variables conform to our expectations. The variables referred to in this case consist of controlled boundary conditions, and an appropriate set of experimental equipment. In the case of quantum mechanics probability estimates concerning the position and momentum of any observed electron is all that is possible at this time.

In this regard, consider the argument that it is logically possible that some theory $T_1$ be improved on by two theories $T_2$ and $T_3$, in the sense that $T_1$ may be construed as a special case of $T_2$ and $T_3$, but that $T_2$ and $T_3$ are neighter equivalent nor commensurable. According to Wolfgang Stegmuller "we have here a juncture at which *ultimate*, not provisional, *value judgments* must decide which route to take, or whether both such paths should be pursued."[25] One witnesses here an attempt by Stegmuller to support Kuhn's thesis of theory incommensurability concomitant with the

idea of scientific progress. But note that the idea of a logical possibility in no way entails a technical possibility. Clearly, if $T_1$ is absorbed by $T_2$ and $T_3$ which are both incompatible, then it follows that there exists some potential comprehensive theory $T_4$ that would incorporate both $T_2$ and $T_3$. In other words, the incompatibility between $T_2$ and $T_3$ is only apparent, not genuine. It is not technically possible that $T_2$ and $T_3$ imply $T_1$., yet not share a similar structure, potential or otherwise. In fact, some proof of this derives from Stegmuller's statement that "The *real* problem here is to explain *why such branching is much more rare than one would expect.* I have only the vague idea that an adequate answer will involve peculiarities of human nature as well as internal factors."[26]

It appears that historical fact does not support Kuhn's program concerning the history of science. All the available evidence supports the claim that science does progress in cumulative fashion. Kuhn, of course, is quite justified in arguing that purportedly scientific theories of the pre-modern era are incommensurate with modern theories. But this incommensurability is not derived merely from the fact that similar terms in some pre-modern theory $T_1$ and some modern theory $T_2$ may have radically different meanings but more essentially from the fact that the methodology of research of modern science is essentially different from the methodology of research of pre-scientific theories.

Kuhn's thesis is that two theories $T_1$ and T2 are incommensurable if different meanings are to be ascribed to the same terms in both theories. According to Kuhn "when such a redistribution of objects among similarity sets occurs, two men whose discourse had proceeded for some time with apparently full understanding may suddenly find themselves responding to the same stimulus with incompatible descriptions or generalizations."[27] But again there is exaggeration here. Kuhn does not take into account the fact that scientific knowledge does not progress by mere accumulation of facts in the manner of Bacon's inductive inference model. The history of science is characterized by researchers in science developing novel ways of explaining the same phenomena. Of course "working things out" in the sense of positing raw hypotheses as new data become available may entail some temporary incompatibilities with respect to the meanings of terms. But there has been progress in scientific research in the cumulative sense within the framework of the scientific methodology of modern times.

The problems to which Kuhn makes reference have been easily resolvable mainly because modern scientific research demands that scientific theories be testable from within a framework of publicly confirmable assumptions. Accordingly, the roles of quantitative measurement and mathematical reasoning assume much importance. Thus, mathematical operations make possible the experimentally operational compatibility of Newtonian and Einsteinian mechanics. It is true that mathematical operations are not adequate by themselves to establish compatibility between two cognate theories. The mathematical justification of the compatibility between the two theories

is determined by the experimental results of both theories. It is difficult to see how Kuhn's thesis could be sustained, given the general consensus that there has been progress in science. Although evidence exists in favour of Kuhn's thesis that there is much diverse hypothesis position at the frontiers of research in the various areas of experimental science, such debates are generally settled as more research is carried out.
This is the basis of progress in science.

This is not the case for research in the social sciences and other areas in which there is no consensus on appropriate methodologies of investigation. There is no general agreement on what constitutes progress in social science or progress in literary research. Some researchers in the social sciences have attempted to solve this problem of progress in scientific research by emulation of the research methodologies of the natural sciences. This entailed attempts at experimental techniques and the formulation of measurement techniques similar to those of the natural sciences. But given that the analysis of human behavior requires reference to private and subjective decision-making states, there is some question as to the applicability of the measurement techniques employed by the natural sciences. Recall that a necessary condition for the applicability of measurement techniques to a given area of research is that measurement techniques and the data they measure be publicly confirmable. Curiously enough, Kuhn argues that the social sciences are now in their pre-paradigm stages of development as an explanation for their incapacity to demonstrate research features similar to those of the natural sciences.[28] It seems rather that social science research is characterized by a poliferation of research paradigms. For exeample, one witnesses in the case of economics a number of schools of thought each with its own research paradigm. neo-classical, Marxian, Keynesian, Austrian, Institutionalist, etc.

In the same context, Kuhn argues in favor of the thesis of theory incommensurability by claiming that the incommensurability of two scientific theories may be compared to the problems involved in translating from one language to another. Kuhn's appeal here is to Quine's thesis[29] on the indeterminacy of translation.[30] But such comparisons are not really apt since the semantic problems naturally associated with the referents of natural language terms are generally avoided in the artificial theories of scientific analysis. In fact, the appeal that scientific theories make to their special language and terms is no doubt, based on an attempt to avoid the ambiguities and lack of precision of natural language terms. A similar criticism may be made of those theories which raise questions about Kuhn's incommensurability thesis from the standpoing of Quine's indeterminacy hypothesis (which is shown above to be irrelevant to Kuhn's thesis) on the grounds that an acceptance of the indeterminacy thesis is tantamount to the rejection of realism, a vital epistemology for any possible philosophy of science.[31]

Kuhn's conception of scientific revolution rests also on the idea of the gestalt switch. This idea entails the notion that each paradigm has its own unique way of viewing the same event. According to Kuhn:

> Paradigms are not corrigible by normal science at all. Instead, as we have already seen, normal science ultimately leads only to the recognition of anomalies and to crises. And these are terminated, not by deliberation and interpretation, but by a relatively sudden and unstructured event like the gestalt switch.[32]

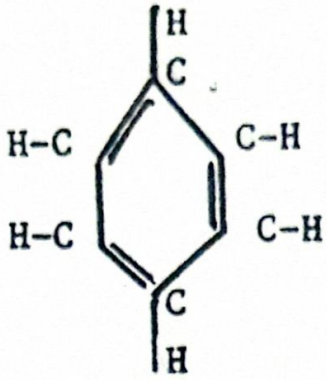
This idea offers support for Kuhn's thesis that history of science cannot be viewed as representing a model of cumulative growth. But here again one witnesses Kuhn's nonrecognition of the fact that the intellectual transition from that between say, chemists Lavoisier and Priestle, or Proust and Bertholett. The crucial difference between the comparison of the research methodologies of Aristotle and Galileo is that the experimental method of Galileo was fundamentally different from that of Aristotle. In the case of Galileo, the appeal to "scientific method" as is understood by contemporary science is recognized. This is not the case with Aristotle's theories. And despite initial differences between the views of Proust and Bertholett, the research methodologies of both chemists were essentially similar. What is evident here is the case of competing research efforts both sharing the same paradigm. Proof of this derives from the fact that Proust's hypothesis concerning the question of the proportionality of the elements of compounds, was eventually shown to be more acceptable than that of Bertholett.[33]

A similar point may be made concerning the current definitions of "acid" and "base" in modern chemistry. Consider the following three definitopms: (1) classical: an acid is a compound which in aqueous solution contains more hydrogen ions (H+) then hydroxide ions. A base, on the other hand, is a compound which in aqueous solution yields more hydroxide ions ($H^-$) than hydrogen ions. (2) Bronsted Lowry: an acid is a proton ($H^+$) donor. A base is a proton acceptor. (3) Lewis definition: an acid accepts a share in an electron pair. A base donates a share in an electron pair.

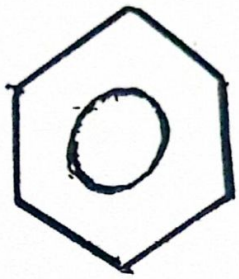
According to Kuhn, to understand each of the above three definitions would require gestalt switches in each case. But the beginning student in chemistry does not experience much conceptual difficulty in accepting simultaneously each of the above definitions. The reason that this is possible is that the cumulative thesis of progress in science is well borne out by the available evidence. The three above–mentioned definitions of "acid" and "base" are simultaneously acceptable since a more comprehensive theory including all three definitions is in no way inconsistent with the results of empirical analysis.

It is also possible that researchers may posit a novel theory which may turn out to be erroneous yet not conceptually so. The correction of the erroneous theory is not sufficient to support the incommensurability thesis as suggested by Kuhn. Historical cases in point are the Bohr theory of the atom and Kekule's hypothesis concerning the structure of the benzene molecule. The Bohr theory of the atom was able to predict the spectral series of hydrogen but was unable to correctly interpret the spectral of atoms having more than one electron. The weakness of the Bohr theory derived from the

fact that its scope was severely limited, that is it could not give a sufficiently general theory of the atom. Improvement on the idea suggested by Bohr was later had from the work of Schrodinger and Heisenberg from the new field of quantum mechanics. Kekule's initial model of the benzene molecule was as follows:




and its mirror image, but a more developed model based on resolving the discrepancies in the lengths of the carbon bonds dealt with the inadequacies as the Kekule model and is now represented as



in the modern literature.

The above examples demonstrate that in the case of ongoing research, suggested theories may appear incompatible and given the impression that discussions are being made from two distinct sets of assumptions. But generally, such debates do not proceed indefinitely since the different research theories may be different aspects of one comprehensive theory. And invalid theories are generally rejected in the final analysis. Consider as examples of the above the two dominant theories in cosmological physics: the big bang theory and the steady state theory.

## V

This paper attempts to show that the Kuhnian theory on the historical development of science could not be sustained given an adequate empirical evaluation of the progress of science in history. Kuhn's thesis is that progress in science has been characterized by revolutionary change in which an accepted paradigm is overthrown by another with which it may be theoretically incompatible. Kuhn's views in this regard are not unique, they are shared to a certain extent by Feyerabend, Lakatos et al. Kuhn's critics point to the cumulative progress that Kuhn's thesis has not been adequately questioned since his critics generally accept the same model of science as Kuhn himself: scientific theories were first formulated by the Greeks.

According to this thesis, the research efforts of Aristotle, Ptolemy, and later Descartes et al. are to be regarded as equally scientific as those of Newton, Einstein and Darwin. But the discussion in this essay showed that thr research efforts of the pre—modern researchers mentioned cannot be genuinely regarded as scientific since their methodologies of scientific research differed qualitatively from contemporary methodologies of research Areas of non—science consist not only of fields of inquiry such as astrology, magic, parapsychology, etc., but also the preliminary attempts at scientific research on the part of Aristotle, Ptolemy et al.

It is of interest to note that the view that scientific inquiry distinguished itself from other modes of inquiry because its results represented reliable knowledge which accumulated over time, is not a novel one. The nineteenth century researcher Auguste Comte argued that scientific knowledge progressed in cumulative fashion, and that scientific research as we know it did not develop its special characteristics until the nineteenth century. Comte would have characterized the research effrts of Aristotle, Plato, Ptolemy and others of the pre-modern era as metaphysical and nonscientific. Other authors sharing this view are the highly influential George Sarton, E.J. Dijksterhuis, Alexandre Koyre and Gaston Bachelard. But in recent years one has witnessed much questioning of the belief that science progresses in cumulative fashion. Consider the following observation on the views of Gaston Bachelard:[34]

According to Bachelard, one can distinguish particular epochs by levels of abstraction, and particular developments within each of these epochs by epistemological obstacles which the scientific spirit must surmount. Bachelard's concept is informed by the thesis that there exists no continuity between pre-scientific knowledge and science. Rather, the transition from the former to the latter is made difficult by the obstacles which must be overcome each time. Hence, Bachelard views all prescientific conceptions not as a foundation of science but more as something contrary to science - as an error.

The scientific optimism underlying this statement is hardly likely to be shared by many today. Thus, Bachelard's disciple, Michel Foucault, propounds an epochal theory from which any idea of progress has been carefully eliminated.[35]

Faucault's general theory of progress in science would no doubt evoke intellectual sympathy from Kuhn, Feyerabend and others. Yet this decline in the belief in the cumulative progress of science is somewhat puzzling given the great progress of science in the latter part of the twentieth century. For example, the sciences of genetics and molecular biology are practically burgeoning with new findings, explanations, and vigorous research efforts. One author who refers to the theories of Kuhn, Popper, Feyerabend and Lakatos as irrational, believes that the popularity of the non-progressive view of science derives from the breakdown of the classical Newtonian

model in the early twentieth century.[36] This is an odd explanation since the practitioners of science themselves have not abandoned their enterprise; on the contrary, research continues unabatedly, and the message of science and the fruits of its efforts are continuously sought after.

It seems rather that the influence of Kuhn and others derives from the fact that the formal models of scientific explanation, given their atemporality cannot really do justice to the actual historical path and practice of science. Thus furher efforts to develop models of scientific explanation which would not only capture the historical progress of science but retain the formal rigor of the atemporal models could lead to some abandonment of the notion that science progresses only along a linear path of strict logic and rationality. Kun's incommensurability thesis attempts to present a model of scientific progress bereft of objective rationality; an externalist model of progress in science. A more accurate description of the historical career of science cannot ignore the fact that although science does not follow the strict linear path of the formalist, it must be recognized that the final product of scientific investigation is defensible only by appeal to the dictates of reason as it attempts to capture the workings of nature.

It is just on this point that Kuhn's thesis of theory incommensurability is somewhat deficient. Kuhn's thesis of theory incommensurability is perhaps more applicable to those areas of research where there is still much controversy as to a proper definition of progress: the social sciences and the humanities where human interests and bias continue to greatly influence the acceptability and success of a theory. In such areas of research, there may be genuine disagreements as to the ontological content of empirical data.

## NOTES

1. See Robert K. Merton, ***Sociology of Science*** (Carbondale and Edwardsvillae: Southern Illinois University, 1977) for the influence of Kuhn on theories in the sociology of science. Merton also makes the claim that Karl Popper is cited two-and-a-half times as often as Kuhn in philosphy of science journals, while Kuhn is cited one-and-a-half times as often as Popper in history and sociology of science journals. The assumption here is that both Popper and Kuhn are to be regarded as the two most important figures in the sociology of science in the last decade or so. See Merton, ***op. cit.***, pp. 68–69.

2. The point made here is sometimes referred to as the Internalist-externalist debate. See Roy MacLeod, "The Social History of Science," in ***Science, Technology and Society*** (Beverly Hills, Ca;: Sage Publications, Inc., 1977), pp. 151–158, for a post-Kuhnian historical survey of this debate.

3. Kuhn's views on this point are rather ambiguous. Kuhn claims first that "Each new scientific theory preserves a hard core of the knowledge provided by its predecessor and adds to it. Science progresses by replacing old theories with new". Kuhn, *The Copernican Revolution* (New York: Vantage Books, 1959), p. 3. Yet there is the Kuhnian argument that "though the achievements of Copernicus and Newton are permanent., the concepts that made those achievements possible are not. Only the list of explicable phenomena grows; there is no similar cumulative process for the explanations themselves. As science progresses, its concepts are repeatedly destroyed and replaced, and today Newtonian concepts seem no exception. Like Aristolelianism before it, Newtonianism at last evolved-- this time within physics-- problems and research techniques which could not be reconciled with world view that produced them". *Ibid.*, p.265.

4. See Dudley Shapere, "The Structure of Scientific Revolutions" in *Paradigms and Revolutions*, ed. Gary Gutting (Notre Dame: University of Notre Dame Press, 1980), pp. 27–38; Alan Musgrave, "Kuhn's Second Thoughts", *ibid.*, pp. 54–74; Imre Lakatos, "Falscification and the Methodology of Scientific Research Programmers", in *Criticism and the Growth of Knowledge*, e.d. Imre Lakatos and Alan Musgrave (Cambridge: Cambridge University Press, 1970), pp. 91–195; and David Stove, *Popper and After* (New York: Pergamon Press, 1982).

5. See, especially, Karl Popper, "Normal Science and Its Dangers", in *Criticism and the Growth of Knowledge*, pp. 51–58, and Larry Laudan, *Progresse and Its Problems* (Berkeley, Ca: University of California Press, 1978).

6. See Dudley Shapere, *op. cit.*, pp. 27–53.

7. Larry Laudan, *op. cit.*, p. 4.

8. *Ibid.*, p. 146.

9. *Ibid.*, p. 147.

10. See Hussain Sarkar, "Truth, Problem-Solving and Methodology", in *Studies in History and Philosophy of Science*, Vol. 12, No. 1, 1981, pp. 61–73, for a trenchant critique of Laudan's thesis.

11. Thomas Kuhn, *The Structure of Scientific Revolutions* (Chicago: The University of Chicago Press, 1962), pp. 2–3.

12. Thomas Kuhn, *op. cit.*, p. 146.

13. See Thomas Kuhn, "The Relations between the History and Philosophy of Science," in *The Essential Tension* (Chicago. The University of Chicago Press, 1977), pp. 3–20 and Review Article, "The Halt and the Blind: Philosophy and History of Science," in *British Journal for the Philosophy of Science* 31, 1980, pp. 181–192.

14. See Derek Price, *Science Since Babylon* (New Haven: Yale University Press, 1961), for an interesting study of the relationship between technology and the level of scientific analysis throughout history.

15. Thomas Kuh, *op. cit.*, p. 68.

16. *Ibid.*

17. Marshall Clagett, *Greek Science in Antiquity* (New York: Abelard-Schuman, Inc., 1955), p. 230.

18. In fact, one of the strongest counter-criticisms that could be made against those who dispute the scientific status attributed to evolutionary biology and claim that evolutionary biology and creationsim are equally valid as hypotheses, is that evolutionary biology rests firmly on controlled laboratory experiments in Mendelian genetics, molecular biology, and biochemistry. There are no publicly known controlled experiments which could serve as foundational support for the creationism hypotheses.

19. Thomas Kuhn, *op. cit.*, p. 72.

20. *Ibid.*, p.73.

21. *Ibid.*, p. 72.

22. *Ibid.*, p. 102.

23. *Ibid.*, p. 101.

24. *Ibid.*

25. Wolfgang Stegmuller, Accidental Theory Change," *in Paradigms and Revolutions* (Notre Dame: University of Notre Dame Press, 1980) p. 89.

26. *Ibid.*

27. Thomas Kuhn, "Reflections on My Critics", in *Criticism and the Growth of Knowledge* (Cambridge: Cambridge University Press, 1970). p. 276.

28. Thomas Kuhn, *Structure of Scientific Revolutions,* pp. 159-160.

29. W. V. Quine, *Word and Object* (Cambridge, Mass.: M.I.T. Press, 1960).

30. Thomas Kuhn, "Reflections on My Critics", in *Criticism and the Growth of Knowledge* (Cambridge: Cambridge University Press, 1970).

31. W. H. Newton-Smith, *The Rationality of Science* (Boston: Routledge and Kegan Paul, 1981), pp. 179–182.

32. Thomas Kuhn, *The Structure of Scientific Revolutions,* p. 121.

33. It is interesting to consider Carl R. Kordig's response to Kuhn's claims that different research paradigms entail different and often incompatible ways of interpreting relevant phenomena. Kordig argues that any "talking through" one another at "cross purposes" on the part of Bertholett and Proust "would be due to the men themselves, and not to the nature of *science, qua* science, as Kuhn would have it. Kordig's claims seem justified since it does not seem possible that science could make any progress without the possibility that conceptual differences between cognate theories be resolvable. See Carl R. Kordig, "The Theory –Landenness of Observation", *Philosophical Problems in Science and Technology* (Boston: Allyn and Bacon, Inc., 1974), p. 339.

34. G. Bachelard, *La Formation de l'esprit scientifique--une contribution a une psychanalyse de la connaisance objective* (Paris: Vrin, 1972).

35. Gernot Bohme, "Models for the Development of Science", in *Science, Technology and Society,* eds. I. Rosing and D. Price (London: Sage Publishers, 1977), p. 335.

'6. David Stove, *Popper and After – Four Modern Irrationalists* (New York: Pergamon Press, 1982).

# RESPONSIBILITY AND PATERNALISM

Dr. R. J. PARKES

## INTRODUCTION

Problem:

The problem of paternalism is 'on what grounds, or by what manner of justification, may a person act for or decide for vicariously for another?' in matters which can be presumed to be significant for the interests and welfare of the person so acted and decided for. The problem is taken to obtain beyond the bounds of primary paternal and filial obligations; from which, indeed, the notion of paternal authority is drawn analogously. This derivation by analogy is the source of the problematic nature of the issue.

"Now it is certainly true that in the case of the abnormal, though not in the case of the normal, our adoption of the objective attitude is a consequence of viewing the agent as *incapacitated* in some or all respects for ordinary interpersonal relationships ... we cannot, as we are, seriously envisage ourselves adopting a thoroughgoing objectivity of attitude to others as a result of the theoretical conviction of the truth of determinism[1] ... when we do in fact adopt such an attitude *in a particular case* (my emphasis), our doing so is not the consequence of a theoretical convinction which might be expressed as 'Determinism in this case', but as a consequence of our abandoning, for different reasons in different cases, the ordinary interpersonal attitudes."[9] The severity of the disjunction from existing discourse and encounter is further summed up, "the participant attitude and the personal reactive attitudes in general, tend to give place, and it is judged by the civilized should give place, to objective attitudes, just in so far as the agent is seen to be excluded from ordinary adult human relationships by deeprooted psychological abnormality – or simply by being a child. But it cannot be a consequence of any thesis which is not itself self–contraditory that abnormality is the universal condition ... The human commitment to participation in ordinary interpersonal relationships, I think, too thoroughgoing and deeply rooted for us to take seriously the thought that a general theoretical conviction might so change our world that, in it, there were no longer any such things as interpersonal relationships as we normally understand them". I am accepting Strawson's insistence on the normality of autonomous individual or personal agency, such that there cannot be a general ground upon which it may be denied, or in practice be properly evaded.[3] The problem of paternalism arises in respect of particular cases (or in restricted collective cases). The agency of some is proffered in substitution for the diminished agency of others.

Furthermore, in our ordinary conception of men we see them as subjects of growth, change and improvement; built into which notions are further notions of increasing or developing autonomy and capacity – for internally, or personally generated change and improvement, etc. Growth and improvement and even restoration, from enhanced internal personal resources is implied in the concept of person. It is difficult to see how we might manage the transformation from infancy to adulthood in a wholly objective way except that the facts of human relationships as we know them are transformed too, and of course, the discourse in which they are articulated. Infant and child training are never wholly objective or wholly participant, but are a leavening of both: "Rehersals (of adulthood) insensibly modulate towards true performances." (strawson)

Apart from the transformation from infancy to autonomous adulthood we treat particular cases of diminished agency with a view to restoring participant capacities. Psychoanalysis is PAR EXCELLENCE the treatment of loss of agency and autonomy. Intersubjective attitudes and encounter are disturbed and even broken down. Disturbance and breakdown prompt an objective approach and participant and interpretative attitudes give way to 'causal' explanation. But the point of psychoanalysis and the mark of its success is precisely in its exposing casual (or supposed or illusory causal conditions); 'uncovering the unconsious'. The cooperative expose, between patient and clinician, launches new and restored intersubjective relationships. And rearely, if ever, is this a case of transformation from a totally determined state into a new autonomy.

On the level of human community (foregoing fine issues of meaning here) too notions of change, effort, improvement, etc. appear to be intrinsic to the fact as we know them. To qualify this with 'as we know them' and with 'as *we* know them *now*' would be both historically correct and it would reinforce the point that once biologically and historically acquired, self–awareness and control in the human kind cannot be lost without responsibility[5]. Historical man is qualitatively different from his anthropoid progenitors, no matter how bio–chemical and whatever accounts may speak of imperceptible change and evolutionary shifts. As with attributes and capacities. *That* he has them, not when he acquired them, or that once–upon–a–time he did not have them, is all that matters to man now so possessed. The genetic fallacy occurs whenever it is assumed in some way that continuity between animal kinds and over the development of an animal kind in some sense 'reduces' the latter developed stages to the same terms (of nature or concept) of the earlier primitive stages.

In the case of men as social creatures, this is all the more apparently so as the possibilities for sufficiency, welfare, equality, etc., as these are inevitably self–conceived, increase consequently upon greater control of the

environment and of men themselves. So far as it becomes more and more the case that mankind might be a subject of considered and of planned change in both an objective sense and a participant sense, so long as apparent option among these is open, so objective change etc. can never be self–evidently right, or overriding, and must logically be subordinated as a choice to considerations of participant or interpersonal kinds. An assumption of the overridingness of objective change is unavoidably associated with assertions of will or power, on the grounds that while a man or some men may be induced to submit as subjects of 'objective' –inspired change, it may be taken as paradigmatic (not ideal) of the moral agent that he should wish to preserve (and expand where he might believe it possible) his own rationality and ethical autonomy, and that he should not invade or destroy that of others.[6] And it may also be supposed that where, as a matter of fact, a man willingly surrenders his own intelligence and affectiveness,or might appear to be a willing candidate for inducement so, it is exploitative in a third party, or at least neglect of obligation, to neglect the possibility of improving this man's self–recognition, or stimulating it where it is latent in juveniles or in those who are in a state of possible mental restoration.

There are numerous kinds of cases where what Strawson refers to as 'partial withdrawal' of interpersonal attitudes may take place and be justified. Justification will often have to take place within the complexities of justifying the policies and practices of modern welfare and otherwise considerate communities. We may think here of some compulsive aspects of social welfare legislation (the use of juvenile services and the training and care of the young), limitations on choices and inducements (drug trafficking and trade in female pleasures), and the painful and paradoxladen self-protective laws of erstwhile open societies. A man may be put beyond, or may put himself beyond, 'ordinary interpersonal relationships' other than by extreme illness of loss of rational capacity, and when 'no other civilized attitude is available than that of viewing him simply as something to be understood and controlled in the most desirable fashion.' (Strawson)[8]

The general grounds for exemption from normal intersubjective attitudes are two; that the present health and capacity of an individual make these attitudes incomprehensible to the individual and unworkable, and that an individual has himself invaded or renounced these attitudes such as to fracture them whatever the intentions of other parties. Both situations are compatible with, indeed I would say within the total position put forward here, both imply policies and practices of restoration of inter–subjective relationships where reasonably conceivable – by which last must always be meant significantly more than an evasive 'anything is possible'.

Wholesale adoption of objectivity in the regard human individuals show each other may be possible – though I do not find it evidently easy to formulate, and affectively less easy still to contemplate. But this would

not be consistent with any life remotely similar to our present manner of life. It would, indeed, be conceptually so different as to be quite alien to us. Intersubjective relationships provide a minimum framework of standards within which considerable variations of culture may and do occur.[9] In wholly objective conditions relations between human beings (we could not speak of human relationships in accordance with present meanings) might be taken more, or even fully, rational, with the stress and uncertainty taken out of them. But as Strawson says, "... it would have to be added ... that if such a choice were possible, it would not necessarily be rational to choose to be more purely rational than we are".[10] We live by a broad 'way of life' which reflects what some moral philosophers have come to speak of as the 'human condition' (Hart, Foot, Warnock – and Hobbes before), and more important expresses the exsisting phase of human conceptual and moral endowment. We cannot get away from this, or outside of it, by recourse to standards external to it; at least without some account to morality and intersubjectivity which *we* have and apparently cannot but have. An attempt to get away from *ourselves* into some more rational or other condition would be unthinkable in the sort of way that an attempted emancipation from our inductive belief system would be unthinkable.

PART 1.

*Reasonability and paternalism.* There are no A PRIORI means for deciding in a general way what facts may or may not be relevant to valuative appraisals, say of a person's condition or of his claim on intersubjective relationships. But neither is it the case that such appraisals have or must have no empirical content, as apparently Kant thought was implied in his notion of a 'Kingdom of Ends' of the equality of moral subjects.[11] Nor is it obviously the case that deciding between facts, or factual characteristics, is itself some such appraisal. The abstraction of moral attributes and associated moral claims among men from empirical characteristics and capacities, from that is, contigent factors in the make--up and condition of persons, is accomplished in Kant by rendering moral attributes transcendental. The moral worth of moral agents is made equal by abstracting it from whatever might or could distinguish between such agents. The essential point emerges from Williams' Idea of Equality. "It seems empty to say that all men are equal as moral agents, when the question, for instance, of man's responsibility for their actions is one to which empirical considerations are clearly relevant, and one which moreover receives answers in terms of different degrees of responsibility and different degrees of rational control over action.To hold a man responsible for his actions is presumably the central case of treating him as a moral agent, and if men are not treated as equally responsible there is

not much left of their equality as moral agents."[12] The central importance given to the concept of responsibility is correct and extends from criticism here of the idea of equality of moral agency.

The equality, of regard and treatment due to moral agents is due not on account of their equality *as* moral agents, and more particularly as moral *agents*, but on account of the respect due to them as persons. As moral *agents* men clearly are not equal. As persons men are the proper subjects of moral appraisals and moral consideration. As persons they are the bearers of moral attributes and capacities. Men are not on one side moral agents and on another persons. They are persons and their .person(ality) is expressed, among other ways, in their moral agency, or let us say, their articulation of their moral capacities. The identifications[13] here of moral agency and subject with person might well, I think, be revealed by tracing the terms of common discourse which remark on a man's person and on his personality. There is a great deal that might be said here, but we do perhaps extensively mislead ourselves about the nature of, or at least the range of, morality by a dominant interest in rule, principle, duty, and in agency and character in which these are articulated, rather than in what it is about an individual that makes him morally acceptable and an agreeable personality, in those intersubjective relationships in which person, or personality is expressed.

"The ground for equitable treatment and regard for a subject is his person ... the point has been wrongly put[14] that 'the consideration and treatment to which any person is entitled should be commensurate with his potentiality' as a moral and rational agent. There are no degrees of person (may this not better express Kant's intention?); there are degrees of flourishing or suffering of person. Commensurability of treatment and consideration cannot be with respect to whether and to what degree respect shall be shown, but only in the manner in which it shall be manifested in the light of particular human person conditions – a recurrent and commonly difficult issue in politics and in the administration of welfare."[15] We comment here on the logical primitiviness of such attributions of our subject; in this case *person*, as diminished, potential or actual moral agent perhaps, but always as claimant on moral considerations. This last is the demand for intersubjective relationship. To say that all men are persons, logically primitively so, might be thought to take the matter to the level of triviality, in the same way that Williams remarks that to speak of the equality of all men as men is apparently trivial.[16] But then, as Williams also says, the appearance of triviality might be reduced; by reflection on what is claimed when we say that 'each man is a person.' "For there seems to be a characteristic which might be called 'a desire for self–respect'."[17] This is right; and it is implicit in this 'desire for self–respect' that the claims of other persons may not supervene over it in any manner that may violate the first person's actual

or presumed *self*—respect. Alternative claims must be presumptive, invasive (and probably sustained by power) or in need of justification.

Responsibility: To establish what it is about human beings that makes them the proper subject of consideration, sympathy, respect, of regard for them as persons, is not so much a matter, as conventionally conceived, of rationality as of responsibility. These are associated notions, of course, but not to be conflated or synonymised. Indeed, I wish to establish that it is important to see the one as *ground* for the other. The one (rationality) is an empirical attribution or judgement (albeit not nicely bounded) while the other is an appraisal based on this. To be responsible is, perhaps, most obviously to be reasonable, to be one of reasoning capacity and disposition. At this point the association appears very close. Both concepts have secondary or derived meanings bearing reference to mental and to moral qualities.

That our judgement of person and so of respect is appraising in nature and not characterising may be seen in reflecting on how the notions of 'reasonable' and 'responsible' operate in ordinary discourse. The reasonable man is the man of good reason (A), or sound mind, able to think of himself, etc., and the man who decides, acts and behaves reasonably (B), according to canons of sound reason. We are apt to think that the first is exemplified, perhaps even proved, by reference to the second. (Compare the notion of the 'reasobable man' in English Law.) A man who never or rearely behaved reasobably would be questionable as to the soundness of his mind. However, this is not so in all particular or restricted possibilities. A sound mind may be applied perversely, and in particular instances may be overtaken by other considerations, drives, desires, etc. 'Reasobable' (rational) may refer to the mental quality or to the rational quality of the results of mental activity. A man may be 'not reasonable'; not of sound mind, unable to think for himself, etc. He may be 'unreasonable'; unfair, unjust, acting etc. not in accordance with what reason suggests, not sensible, and so on. Persistence in the second might come to be taken to indicate the first. Where the second comments on occasional decision, behaviour, etc. it is likely over considerable but not indefinite ranges and courses of behaviour not to take away from assessments of reasonableness in the first sense (A). A man may be unreasonable without being without reason. However, what will be prompted now will be judgements of a moral kind. A man who in spite of being of sound mind behaves out of accord with reason will be made subject of moral appraisals. Being capable of reason and failing to be guided by it he becomes blame—worthy, he is held to be culpable, held up to disapprobation and even contempt. 'I did not think' (although I could have) is an excuse of limited fertility. 'He cannot think' (generally third party — 'I cannot think' probably dubious or ironical) excuses; indeed, more strongly exculpates.

The responsible man is he who is of sound mind, aware, conscious and considered in his decisions and actions. He is also one who acts, etc. responsibility,' according to what is reasonable, sensible, just, fair, etc. The second operates substantially as evidence of the first. Responsibility is closely associated with reasonableness, but it is not just an alternative or substitute location. 'Reasonability' speaks more of psychological states; awareness, consciousness. Responsibility (A) – he knows what he is doing (even if he didn't think it out for himself). 'Responsibility' also draws the moral implications of the state of responsibility (B). A man who is responsible (A) may be held to be 'responsible for' what he decides, does, and so on, and so be accountable, culpable and blame–worthy, and so to be Reasonable (B). But a man may be non–responsible; that is, of such psychological state or formation as not to be aware or conscious of what he does. Such a man or formation as not to be aware or conscious of what he does. Such a man cannot properly he held responsible (B). A man may be irresponsible. Such a man is he who decides, acts and behaves in wilful abandon of reason (reason B), of just and considered judgement, who flouts expectations due of the reasonable man. Only a man who is with reason can be irresponsbile and so only he can be irresponsible. Whereas the non–reasonable man may not be held responsible (B) this man is culpable, blameworthy and so on. The man without reason is not responsible and so he cannot be irresponsible. To the first (non–responsible) man we cannot attribute duty, liability, and so on. To the second (irresponsible) man we can and so he may be held accountable. If a man is not responsible in that he does not know what he is doing, etc. then there is nothing for which he may be held accountable, nothing for which he can properly (reasonably) be penalised, discriminated against, and so on. To say that X is irresponsible is to say that he is capable of reason and is aware of what he does, but is guilty of dereliction, defiance, disregard, contempt, etc., etc. To say that X is non–responsible (not responsible in ordinary parlance) is to deny or refute that he is able to think for himself; as a child, or a mad man, or someone in his dotage may not be able to think for himself; or it is to deny that he is aware of what he is doing, or is conscious of the true import of it.

Were it not that difficulties are apparently found on the way it might have been thought that this is all straightforward enough. "On the one hand, our concern for the mentally disturbed is largely less they be treated too easily as irresponsible when their behaviour may, in fact, be only socially eccentric abberant."[20] Maybe society should not be too pernickery with the boistrous, the outlandish, and so on, as well as with the mildly insance. But this evades the important point. It does so, I believe, because of this writer's preoccupation with a characterising approach. To say of a man that he is mentally disturbed is to say of him that he is not responsible, and if he is not responsible he cannot be irresponsible. Let his behaviour be

off—beat or uncomfortable, or even outrageous. There is an equal danger that we may treat the mentally disturbed as responsible, as would be implied in regarding their behaviour as irresponsible. It is evasive to fall back on forebearance. This implies that the test of intersubjective relationship should be our own resources for this. It also neglects the claim it might be presumed the subject would make for himself; that he could not help it, was not incontrol of himself – was not responsible. To say of a man that he is irresponsible is to say that though he behaved in such—and—such a way, irresponsible, he could have behaved otherwise (and can be held accountable for not doing so). But when we speak of him as insane we say that he is not in command of himself, a victim of delusion, and so on, and thus could have behaved otherwise, except perhaps from some alternative insane whim.

The claim on our 'respect' may be in a subject's *not* being responsible, and so in his not being properly the subject of penalizing treatment. If our subject's claim obtains notwithstanding the absence of, or lapse in, one or another characteristic normally taken to identify an individual as a proper party to intersubjective relationships, then this claim must lie in some logically primitive attribution. Subject X, who is the same as a similar to other human beings towards whom the extension of respect is not a problem except in this regard, that he is an imbecile or is insane, is not (being *so* different) a proper subject for the withdrawal or withholding of respect, or moral consideration. Non—responsibility, derived from such imbecility, etc., is not a proper cause for such withdrawal or withholding.[21]

There might be an appearance in what I say of taking all cases of rational inadequacy as of a common and perhaps extreme degree. This would be a mistake. (I am also conscious that in my treatment of 'responsibility' there is a neglect of nuances that could be taken very far indeed.) There clearly are degrees in the diminishment of personality, in the common acceptance of the term – of the autonomous individual as bearer of peculiar and distinguishing qualities of mind, attitude and disposition. Personality is the stylistic expression of 'person'; what marks off one person from another. Personality is shown in mental capacities and in sensibilities. A person florishes in personality. Favourable connations commonly attach to 'personality', but these are not exclusive. But still, failure or incapacity to flourish in one's personality is the form of suffering, perhaps becoming total deprivation, peculiar to the human being. Psychotherapeutically it may be important (in corrective treatment from respect) to demonstrate to a 'patient', as an afflicted or diminished personality, his responsibility (A) extremer cases is in this being the most difficult point at which to demonstrate the ultimacy of the claims of humanity, of person; and so if successful, the most impressive.

The significance of a man's rational qualities, or rather assessments of these, is that they support, qualify, authorize judgements about his res-

ponsibility (B). It is these latter judgements that provide the grounds for determining the proper and due relations between men and the treatment of person – when these last become in any way problematic. What is important about the man who is non–reasonable (non- rational) is that he, by virtue of this, is non--responsible. It is this second, derived, degree of default that is the critical one. A human being who is in all or most respects like any other human being, except that he is mentally deficient, sub–normal, etc., may be said to be a person who cannot be held responsible (B), and in the overriding weight of cases is not to blame; he is diminished person he is 'through no fault of his own.' 'Through no fault of his own'; from which we may sometimes, especially in the absence of any contrary record prior to lapse in personality, be inclined to extend that we have no right to assume that he would wish (having not suffered diminishment in his personality) less than considerate, generosity or considerateness in others as for himself. Such presumptive generosity or considerateness in himself reinforces his own claim. In these circumstances to deny the status of person then becomes an equivocation or semantical quibble. Society has no right to treat any of its members in a penalizing way or unfavourably discriminatory way on account of conditions in them for which they are not responsible. Such intersubjective solicitude apparently tends to grow as community resources for considerateness increase. The clarity of and delinquency in effectively penalizing treatment will be proportionate with the conceptual and material resources available to a community.

'Society has no right' to treat its non–responsible members in a penalizing way has logical not just moral force. Non–responsibility is the ground for *not* withdrawing or withholding regard for person and considerate treatment. This is not, however, to say that for any condition of men for which responsibility may be refuted, but which apparently does attract discrimination, the ground lies in this for asserting regard, etc. For some conditions (if this is always the right word at all) the question does not arise properly – because the conditions are irrelevantly alluded to and made issue. This is so, for example, with colour. We have been saying that 'not responsible' excuses. But in this particular case this would be wholly objectionable.

I have maintained that non–responsibility is the ground for not withdrawing or not withholding respect for person. English Law sustains at least a slightly weakened thesis; that is, that non–responsibility is not a ground for withholding respect. All manner of states of diminished or wholly absent responsibility are hedged around and protected by right and duty in English Law; even to the extent that an infant IN UTERO (EMBRYO ANIMATUS, EMBRYO INFORMATUS, feotus quickened, etc. in the tangled canons) is so protected.[22] Not only in the law, however, do we acknowledge that persons may enjoy rights against others to whom they themselves by virtue of diminished personality cannot owe rights and duties. Withdrawal of

demands or claims on another does not imply, as Strawson puts it, 'suspension' of withdrawal of our own 'vicarious reactive attitudes'. We do not, that is, have and recognize responsibilities only to those who have and (can) recognize them towards ourselves. And such failure does not give rise to what Strawson so nicely calls 'resentment'.

I spoke above of persons who in the overriding weight of cases are nor to blame; they are the diminished persons they are 'through no fault of their own.' There are, of course, cases where the issues may not be so simple and straightforward, and so clearly represented. For example, cases of diminished personality through wilful drug addiction. One who wilfully embarks upon a course of drug indulgence, aware of the addictive consequences and of the destructive consequences, is to that degree responsible (B) for his situation. Let us say that we have satisfied ourselves what constitutes awareness – personal maturity and fulfilment by the community of the possiblities of (perhaps social responsibility for) control of trafficking, public information and warning, restrictive promotion. It is then, we may think, for the community, directly by those who are socially adjacent and vicariously by those set up in established authority, to determine, or perhaps even opt for, the intersubjective or objective nature of relations in the situation. Intersubjective relations will be substantially subverted anyway, at least for the present. Personal reactive attitudes will have been put under strain. Even then, is it as simple as that? The importance of judgements of 'responsibility' is the protection and considerate treatment of the blameless, etc. Punitive or some other sort of penalizing treatment, where this may be judged essential to preserve the values and norms of the community, does not have to exclude consideration of the potential for restoration in the individual. Such consideration itself is a mark of respect. In addition to the issues of responsibility cases may fall under 'rule utility' – type arguments. After holding that "capacity for moral personality" is "the sufficient condition for equal justice" Rawls maintains that "even if the capacity were necessary, it would be unwise in practice to withhold justice on this ground. The risk to just institutions would be too great".[23] The restricted altruism of filial ties is likely also to come into play and may be counted among, or at least to reinforce, those 'just institutions' by which considerate community is sustained.

## PART 2

Paternalism: The whole notion of person and so of respect for person argues not only for considerateness in individual cases. There would also seem to be clearly implied considerations for public (community) policy and practice. The notion of person directs us to certain general principles

of intersubjective relations. These general principles might be seen to have been latent in the concept of 'responsibility' as I have discussed it. A person of diminished rationality – by lapse, suspension, under–development–may be one who cannot be 'held responsible' for what he does do; which, of course, is not to say that this is a concern about anything and everything he may do. Such a person may also be one of whom it may be fairly judged that he is incapable of acting responsibly for himself now and in the future. The location 'cannot be responsible for himself' is common and instructive.[24] Hence there emerges a further dimension of intersubjective relationship; that of justifiable vicarious authority, or 'paternal' authority. Respect for persons supposes the maintenance of intersubjectivity of relations, and this in its turn indicates that the exercise of third party authority must be justified and that certain limits must be observed to make its operation acceptable.

Of course not all evercise of third party authority is paternalist. The exercise of authority *over* another which is generally informed by considerations of the convenience and interest of the ascendant party we might call a 'power' relationship. An extreme mode of power relationship is exploitation. Outside of power relationships, where the exercise of authority is generally informed by considerations of the convenience and interest of the dependent party, we may speak of as 'paternalism'. But paternalism is not all of a kind. I shall distinguish what I call 'invasive' and 'non-invasive' paternalism. We are not taking this distinction to any great refinement here, but its general intent should be clear. The inter-subjectivitity of relationships implied in respect for persons admits only non-invasive paternal authority.

Situations in which some human beings (individually or collectively) act for or on behalf of other human beings (individually or collectively) are greatly varied in nature. Some such situations are probably also unavoidable; as with government, even beyond 'minimum' conceptions of this, at least among communities of the sort and scale we are accostomed to. But the general principles governing the maintenance of intersubjective relationships exclude some and indicate other arrangements in the operation of public authority. I have already excluded 'power' and exploitative arrangements. What is involved, however, is more than that authority should be exercised to the benefit and advantage of those over whom it is exercised. Authority which is exercised in the name of 'the dependent, which 'acts for' (takes decisions, makes choices, formulates policies, allocates and distributes resources, and so on) in a manner no matter how careful and solicitous, is presumptive and inconsistent with intersubjective relationships to the extent that it acts in disregard of what the dependant party might conceive for itself to be his or her benefit or advantage. Authority which 'acts on behalf of' the dependant party is consistent with inter-subjective relationships. On behalf of supposes that a dependant party has identifiable interests, and implies that those interests *are* being identified as his own, *and* are interests which, were he in a rational state, he would identify for himself. And prefrerences he may be supposed to have may be drawn from his previous

history, or in the absence of knowledge of this, may sometimes be inferred without prejudice to himself from the preferences expressed and shown by rational persons similarly socially placed.

The exercise of paternal authority is justifiable and consistent with the maintenance of intersubjective relationships when it is 'authorized'. Authorization here comes not so much by way of express delegation, for often it cannot in the nature of the situation of a dependant individual of diminished rationality. Nor can it come from self-subsistent institutional support, for this should be derived from what it is we seek to establish here. Authorization comes by way of the rationally incapacitated and dependant being imagined, without prejudice, to have been in a rational state and to have approved treatment, including protective and restorative care he is made subject to now. He must be imagined to have been asked then to imagine himself, without prejudice, that he is in the rationally diminished state he is now in fact in. "each man is owed an effort of understanding" as Williams puts it so well.

Nothing is foolproof here; there are no guarantees. These are not counsels of perfection. It is doubtful if we could take this much further by imagining a rational acceptance of the authority, institutional or personnel, caring for the convenience, benefit and interests of the dependant party. It is a proper caution, however, that as far as is practicably possible a dependant party should suffer no limitation on the intersubjectivity of his relationships which he would not experience were he in a rational and fully participant state. Participation is in itself a vital ingredient in intersubjective relationships; benefit and advantage alone incompletely meet the requirements of intersubjectivity. But participation is a rational situation, which EX HYPOTHESI we do not have. Hence we can only *approach* it imaginatively by supposing what the subject would accept authority *for* and what authority he would most freely put his confidence in. Some degree of surrogation is inevitable.

It is possible that these largely inferential procedures most often produce exclusions of treatment rather than positive decisions and policies — protections rather than promotions. For example, in a policy of maximising societal interests, or one of maximal distributive justice, it may be, and probably often is, found that particular interests and benefits have to be sacrificed or foregone, or at best have to be treated as secondary and subordinate to the maximal interest. The concept of person supposes that every individual so identified matters and, equally with the rest, has claims on regard and protection. This puts severe limitations on the freedom with which the notion that the advantage of some may outweigh and overrule the (incurred) disadvantages of others may be exercised. This proposition also runs across time, in weighing intersubjective relationships between generations.

In the situation of a community of equally rational men it may be supposed that none would freely sacrifice his own benefit for the sake of the enhancement of others, or the rest, at least not without agreed compensation or requital. Strictly speaking it should be accepted that some might,

but certainly with no great probability would all. Two things follow from this; first, that in a community of equally rational *and* equally altruistic men the weighing, exacting and compensating of advantages as losses would not be conteneded so much as be resolved in foregoing the distribution of increased aggregate benefits, or possibly in distribution by lot. But the problem of 'person' and the principles of intersubjective relationships operate within the postulate of an imperfect world. Secondly, such men that might freely sacrifice their own advantage and benefit to the enhancement of that of others without compensation would not be likely to be men who would demand the same of others. Altruism, properly understood, cannot be conditional upon equal requital. This is not to say that the *principle* of altruism might not be recommended for universal application by the altruistic. In no conditions plausibly hypothesised can we, therefore, impose a burden of altruism on a dependant party now. In such a situation we would have an element of exploitation; inferred involuntary sacrifice.

In situations in which vicarious authority is being exercised over non-rational (non-responsible) and possibly helpless (as well as over helpless but rational) members of the community the temptations of prejudicial and even sacrificial policies and treatment may become very great. As societies have become conceptually and so morally refined in regard to these matters and have become increasingly materially adequate for the accommodation of their weaker members[25] so the argument tends to shift to rule-utility-type arguments. The protection of the weak, or this or that class of weak persons, sustains the whole ethical system inspired by reciprocal considerateness. Callousness is apt to be the increasing feel of hard-headed practices and attitudes and the moral tone of society gets protected from its infection.This is all to the good, perhaps, but I believe that the more formal arguments set out here, incomplete as they are, are the crucial ones.

Paternalism is of a kind only to this extent, that ascendant authority is informed by considerations of the benefit of those over whom it is exercised. But within this very general similarity paternalism can be made to be very destructive of intersubjective relationships. This might even be so much so as to be wilful and to assert 'objectivity' in relations with some members of the community, as in discriminatory treatment of socially and economically classified gruops in revolutionary regimes. We are familiar enough with political authority that is characterised by ideal pursuit and by systematic conceptions of public goals. Such regimes are apt to be strongly futuristic; an aspect of them sometimes of no small consequence. Public goals may be genuinely conceived as of universal (ultimate) good and more generally rationalised as such. It is the certainty of general good that supposedly justifies authority in 'acting for' (that is, discretionary, not delegatory) those who do not clearly conceive their good for themselves. A different

and radical conception of non-rationality comes to justify the exercise of vicarious authority. Non-rationality is now defined in terms of 'reasonable' (B), the rational quality of the results of mental activity, rather than the mental capability itself (A); in terms, that is, of conceptual adherence to goals and ideals. The justification of the exercise of such authority, then, is in so treating the dependants that were they to be imagined as participants in the realized future they could equally be imagined to look back with approval and acceptance on the constraints and limitations they are presently subjected to. This relates in political theory to conceptions of democracy as being to do primarily with results as opposed to democracy of procedures – the first to do with populist satisfactions, the second all too easily derogatorily dismissed as bourgeois. [26] No matter how genuinely paternalistic such arrangements may be they are what I call invasive paternalism; based on a renunciation of the requirments of intersubjective relationships.

Reflection on such situations points up the very serious limitations in the idea that respect for persons consists in crucial part in seeing a man's situation (his desires, wishes, expectations, aspirations, as well as perceptions) from his point of view'. Let us imagine that a man articulates 'his point of view' ever so clearly, and with clear conscientiousness and apparent fervour (which *could*, of course, be told-tale marks). That a man's 'point of view' should be 'his point of view' depends not only on the strength with which he adheres to it, but also on the manner of his acquiring it and the context in which it is sustained. We need to develope around the notion of 'point of view' a concept of rational autonomy, the idea that mentally and institutionally a man can and is permitted to 'think for himself' ". . . men are beings who are necessarily to some extent conscious of themselves and of the world they live in. . . This proposition does not assert that men are equally conscious of themselves and their situation. It was precisely one element in the notion of exploitation . . . that such consciousness can be decreased by social action and the environment; we may add that it can similarly be increased."[27] Torture, the use of drugs, closure of information, and whatever aids to political determination that destroy and distort independent judgement, particularly the more reflexive sort – or course there are problems of the margin, but they are most importantly philosophical-ethical problms nor factual-classificatory such aids are not merely a manipulation of men, they are an assault on their humanity, what humanity is. Humanity here is despised beyond a neglect of philosophical sensitivity. It is not that 'clubs are trumps' (Hobbes), but that all pretence at communication, exchange, discource and encounter, is dissolved. Here we have a restatement of the classical doctrine that 'Man *is* a moral animal'.

Various situations and conditions of men may place some men under the authority of others. If paternalism is to be non-invasive the vicarious authority itself must be demonstrably conformable with what the depen-

dant party would have granted were he possessed of a rational will and were autonomous. Sometimes such a condition must be constructed if it cannot be actually realized. (See page 8 above) In a situation of common humanity (not equally conscious, not of equal rational capacity and moral discrimination) paternal authority never comes to a man or group of men by right, but only by authorization.[28] Such authorization is justified by the real or constructed *self* – idenitification of interests of a dependant party and by attempted restoration of autonomy where this is reasonably conceivable.

Non-invasive paternalism may speak highly of the humane and moral qualities of those who exercise it. But it always, nonetheless, speaks of a less-than-ideal relationship between human beings. The measure of its merit in real situations must generally be in significant part its aptitude for dissolving those conditions which give rise to it.[29] But this cannot be a necessary requirement, for even in a world free of malice and foolishness there will still be misfortune and natural immaturity. And then the humane qualities of altruism, natural sympathy and creative interest in the young, especially in the more dedicated forms relatively rare as they may be, are never wholly free of self-conceit. Characteristically qualities of mental and moral intensity they are apt to demand for themselves their 'proper subject'. Genuine respect for persons is never absolutely immune from the possibilities of perversion. And indulgent compassion which coddles misfortune and frustrates the growth of or reemergence of autonomy may not be too distant from the moral violence which motivates visionary urges and manipulates willing adherence. It adds to the complexity of the human situation that the qualities which sustain vicarious authority at its best are themselves a valid dimension of human expression and experience and so for those endowed with them a legitimate claim for 'respect' of themselves. However, we must never thank God for the unmarried mother, or for her unwanted offspring, or for the malformed or the foolhardy.

This has been, admittedly, a highly schematic approach to the issue of paternalism. Clearly, however, it is a phenomenon common in human relations and one of great influence both conceptually and practically. It's complexities derive in very considerable part from the implications of the concept of 'person', In a world of limited real options much of what I have held may appear to speak of ideals. Humanitarianism, humanistic public welfare, is a real and present phenonomenon. And again, the notion of change and its real possibility are intrinsic to the human situation. The remark of Gellner is appropriate; "Given the manifold possibilities of a world in which people do not starve or want or die or die prematurely, and in

which they are not obliged to slaughter and enslave each other, that world must be obtained".[31]

It is a familiar enough fact of life, public life in particular, that wielders of authority should appeal to the intelligent and affective inadequacy of those placed in dependence on them. The paternalist role, even when self-assumed as so often it is, may not obviously be destitute of logical foundation. 'Ignorant masses' and 'illiterate peasants' and so on are familiar and sometimes popularly accepted subjects and real enough. That they *are* ignorant and illiterate may precisely *not* be the point that justifies, as this is commonly taken to be — the ground for a self-assumed and unargued paternalism. To the extent that it comes to appear that rationality and opportunity can be advanced, so we might be held to have a positive duty to promote autonomy as well as an obligation not to assault it. 'Can' might imply 'ought'. At least the imperative might be clearly recognizable what—ever the limitations of formal entailment. In our modern world, at least in some parts of it, Aristotle's leisuredly and cultivated citizen need not be a wholly aristocratic notion, but cannot be justifiably preemptive or parasitic. The autonomy of rational agents is no more a transcendental thing than the equality of moral agents as secured in a Kantian Kingdom of Ends.

Where possibilities of rational autonomy speak of fact in a situation perhaps contemporary general developmental situations — then we have *grounds* for enlarging our conceptions of humanity in ways that may be made to inform social action and public policy. Given that each person matters and counts for one and no more than one to the exclusion, diminishment or penalty of others, and given (as I take it to be evident) that there can be no rational ground for failing to fulfil all, or more and more, instances of rational humanity when this is practicable, then possibilities of fulfilment present a powerful imperative. A Humean assertion of the formal non-derivability of 'ought' from 'is' might perhaps be upheld, and it might be expressed in the proposition that a duty to promote personality and to develop rational autonomy, can only follow from a correct statement of the practical possibility of doing this conjoined with a minor premiss to some such effect as that 'all potentially rational beings should be developed to full rational autonomy', or 'every practical opportunity wherever it may occur should be developed for the fulfilment of potential human rational autonomy . Perhaps this essay may be regarded as being in large part an elaboration of this minor premisss.

## FOOTNOTES

1. Or from a determination, backed by appropriate power, to bring the whole world, mankind, or some segment if it, 'to heel'. Philippa Foot, 'Moral Beliefs', *Proc. Aristotelian Society* 1958-59, pp 83–104. And in ed. P. Foot, *Theories of Ethics,* Oxford, O.U.P., 1967, pp 83–100.

2. P. F. Strawson, 'Freedom and Resentment', *Henrietta Hertz Lecture, Proc. British Academy* 1962, Vol. XLVIII, pp 187–211. And in ed. P.F. Strawson, *Philosophy of Thought and ACtion,* Oxford, O.U.P., 1968.

3. If determinism was established as a general thesis the grounds for vicarious authority would merely have to be shifted - shown as somehow deterministically reposited where it is asserted to be. Theses to this effect in political theory (though commonly of doubtful philosophical provenance) are familiar enough. I do not answer as to their validity. I suppose it might be admitted in principle that determinism, if established, might privilege some.

4. R. J. Parkes, 'The Concept of Person', *Second Order,* Vol. IX, Nos. 1 and 2, 1980, pp 19–34.

5. See later discussion of 'responsibility'. Once men are moral, possessed of a moral capacity, they are endowed *eo ipso* with a moral responsibility for preserving this quality among their kind, developing it and refining it. 'does it matter?' or 'Why not abandon it?' (become uninhibited sensates) are not questions answerable from outside as it were, by external standard s

6. Notwithstanding this, however, paternalistic attitudes do occur in matters of morals. To account for this would lead us not only into the facts, as we do sometimes find them, but also into tracing alternative ethics.

7. In an important way one source of rationality and morality is in our being able to think of *ourselves* objectively. This ability is witnessed in many common terms and phrases; those that speak for caution and reserve about ourselves - 'self-criticism', 'self-control', 'restraint'. 'moderation', but also those that are more externally directed and speak for recognition and acceptance of the community nature of our personal existence - 'compassion', 'duty', 'forebearance', and so on.

8. See also J. D. Mabbott, *An Introduction to Ethics,* London, Hutchinson 1966, Chapter 5.

9. I have avoided 'principles' here. 'Parametres' may be more correct

10. P. F. Strawson, *Thought and Action* op. cit. p. 84.

11. See Bernard Williams, 'The Idea of Equality' in ed. Laslett and Runciman, *Philosophy, Politics and Society (Second Series)*, Blackwells, Oxford, 1962. And in B. Williams, *Problems of the Self: Philosophical Papers*, Cambridge, C.U.P., 1973, pp 230–249.

12. Ibid. p. 116.

13. 'Identification' slides over issues which have to be neglected for present purposes.

14. Errol Harris, 'Respect for Persons' in ed. de George, *Ethics and Society*, New York, Anchor Books, 1966, p. 128.

15. This abbreviates what I have written in 'The Concept of Person'; Parkes op. cit.

16. B. Williams op. cit p. 111–112.

17. B. Williams op. cit p 114. This seems to me, though couched in terms that do not fit happily with what I say in 'Concept of Person', nonetheless to fit more with our speaking of men as persons than of men as humans, or of men as men.

18. There are, of course, long traditions in which rationality and morality are conflated, stretching from Plato to Kant and continuing with refinements of the linkage to our own time.

19. That characterising procedures are unsatisfactory I have discussed at length in The Concept of Person.

20. Harris op. cit. pp 129–130.

21. It might also be said that, were it not for the imbecility, etc. of X he would be a fitting and probably accepted subject of respect. However, I have in "The Concept of Person" drawn attention to the unacceptability of this particular tactic.

22. Glanville Williams, (The Sanity of Life and the Criminal Law), London, Faber and Faber, 1958, Chapter 6 *passim.*

23. John Rawls, *A Theory of Justice*, Oxford, Clarendon Press, 1972, p. 506.

24. "Cannot be responsible for himself"; for what he may do and in ordinary conditions may be held to account for, and for his own well-being.

25. The historic coincidence of affluent and welfare societies is not accidental, though not, of course, necessary.

26. C.B. MacPherson, *The Real of Demoncracy*, Oxford, Clarendon Press, 1966.

27. B. Williams, op. cit. pp 118–119.

28. It may sometimes have to come, come morally best and most safely, institutionally or by legal process. See here the Helsinki Declaration governing the subjection of patients to experimental procedures. *The British Medical Journal*, No. 5402, July 1964.

29. This recalls John Stuart Mill's comment on colonial authority; that it cannot be justified beyond the capacity of hitherto subject people for self-rule. This itself is a primary responsibility for such colonial authority to restore or to create.

30. There is a story told by the sociologist Peter Berger of anxious complaints expressed that should a welfare institution for delinquent girls become redundant the welfare attendants would be deprived of their own needed psychological and moral outlet.

31. Ernest Gellner, *Thought and Change*, London, Weidenfeld and Nicholson, London, 1964, p 102.

32. In a world of increasing command of the environment and even of man himself, a prevalent fear is that manipulation and control will preempt possibility before emancipation and realisation are secure.

# ELECTORAL PROCESS AND POLITICAL OBLIGATION IN A LIBERAL DEMOCRACY

MOSES OKE

## INTRODUCTION.

Liberal Democracy has a Logic. From this Logic necessrily arise certain consequences. Whatever its demerits might be (and they would not be few), so long as a society prefers to be organised according to the Logic of Liberal Democracy, that society must be prepared to abide by the logical consequences of its choice.

This paper focuses on one of such logical consequences and concludes that a liberal democratic society faced with the situation described is compelled by Reason to follow this consequence whereever it may lead them.

Although Liberal Democracy is a system based on compromise, its fundamental principles are not compromisable without self-contradiction. In this paper an attempt is made to trace out the logical implication of an assault on the lectoral process which is fundamental to the structure of liberal democracy.

## II. DEMOCRACY: DEFINITION AND PRINCIPLES.

The popularity of democracy as a system of political organization dates back to the 5th Century B.C.. In fact its origin is in the 5th Century Greek city state Athenian democracy.[1] In his discussion of "Imperfect Societies" Plato, anti-democratic as he was, cynically regarded the primary benefits of democracy to be its characteristics of "liberty and freedom"[2]. These characteristics have continued to be regarded by democrats as the most fundamental and justifying features of democracy. Human beings, democrats claim, have the rights to their individual liberty and freedom to do as they like in virtue of their being human beings. It is therefore against natural justice, it is argued, to violate any of these rights in the name of politics. To enhance their liberty and freedom, individuals have accepted the state as a necessity. Democracy as a political system is supposed by its proponents to enable everyone to "arrange his life as pleases him best"[3]. Hence, anti-democratic Plato observed that people would generally want to hold that "a democracy is the most attrative of all societies"[4] and that "perhaps most people would for this reason judge it to be the best form of society....."[5]. Although he thought it to be licentious, Plato observed that because "in democracy, there's no compulsion either to exercise authority if you are capable of it, or to submit to authority if you don't want to....." democrats believe that "it's a wonderfully pleasant way of carrying on in the short run...."[6]. Although Plato had the idea of nascent Athenian democracy, of which he did not approve, in mind, it is the case even today that most poeple

regard democracy as the best form of society. Benn and Peters[7] report that it is now almost unanimously accepted that democracy is the ideal of political and social organization. The price of this unanimity, however, is that "democracy" has been indiscriminately applied to mutually incompatible and fundamentally opposed political and social systems. In this paper wherever 'democracy' occurs I have followed Benn and Peters to mean by it what it is generally taken to be "in political discussion in Britain among people who do not favour Communism".[8] In this context, democracy is further qualified as 'liberal democracy' to distinguish it from "totalitarian democracies" – so – called "democracies" in which individuals have no enforceable rights against the state and those in which a no-opposition one-party system operates. By a liberal democracy I mean any political state which operates a form of government along the lines which constitutionally operate in Britain, the U.S.A., West Germany, France, Japan,. On this classifcation, the U.S.S.R., Czechoslovakia, Afghanistan, Ethiopia, and Libya are not liberal democracies.

The central pillar of liberal Democracy is the principle of election.[9] This principle is based on two assumptions:–

(1) that the rulers must rule according to the interest and wishes of the people, and (ii) that human being are rational and are capable of consciously choosing as rulers those whose leadership will benefit them most.

In Liberal Democracy it is acknowledged, at least in principle, that citizens are moral agents who (1) are authonomous (2) are rational, and (3) possess certain inalienable rights. That citizens are autonomous means that each individual is capable of acting freely, without compulsion and without being necessarily influenced by extraneous considerations in his moral decisions. Each citizen is his own moral legislator; each citizen, it is presumed, makes for himself, the ultimate decisions on issues of good and bad. He defers to the moral point of view because he acknowledges that his citizenship of the liberal democratic state is in itself a moral fact.[10] The state thus becomes for the citizen a moral apparatus moderating the otherwise mutually destructive commands of individuals self-interests. In effect the actions of the citizen relative to the state and to other citizens become actions that are prescribed by moral laws. In the liberal democratic state this acknowledgement of citizen's individual autonomy provides that citizens shall not be forced or coerced to act contrary to their repective moral choices. Citizens in a liberal democracy are thus presumed to subscribe to only those laws of the state which find approval in their individual moral conscience. The postulate of rationality implies that each citizen is capable of designing for himself a logically consistent plan of life which clearly defines his duties and rights. He is also deemed capable of successfully implementing the plan without contradictiong himself.

In Liberal Democracy it is claimed that a union of citizens' individual autonomy and state authority is achieved. It is presupposed that although laws are made by the government, such laws are infact those that each indivi-

dual in the state makes for himself. Liberal Democracy is thus put forward as the ideal form of socio-political association which free men can come to join without losing their freedom while at the same time enjoying all the benefits that accrue from membership of a political state. Although he was opposed to the democractic system, immortal Plato said: "Liberty..... is the greatest merit of a democractic society, and (that) for that reason it's the only society fit for a man of free spirit to live in"[11].

## III. POLITICAL OBLIGATION.

Liberal Democracy claims to be the only form of government which guarantees the rule BY the poeple. This it claims in virtue of being a government by the consent of the governed. Such a government supposedly resolves the conflict between the demand of morality and the necessity of state authority. Morality demands that to be moral, each person should freely and autonomously choose his own actions and fully accept the consequences of such actions. On the other hand, the authority claimed by the state appears to overide and oppose the principle of moral autonomy. In Liberal Democracy it is argued that although the state exercises authority over the citizens, the laws of the state which bind the citizens are in fact laws made by the citizens themselves. And in as much as they submit to only those laws they have themselves made they have not lost their individual autonomy. This claim is rested on the principle of elections. Elections, in turn, are regarded as the only rational means of applying the theory of consent which seeks to provide moral justification for political authority in a liberal democracy.

The principle of elections recognises that it is not possible for everyone in a large state to be in government. The business of ruling, like the business of teaching or the business of soldering, must be assigned to only some members of the state at any particular time. The principle of elections is also a recognition of the logic that "if the rule BY the people" is to flourish in a state all the citizens must see themselves as participants in the political process. In view of the practical impossibility of having everybody in government at the same time and in view of the moral demand that we should all be our own rulers, the principle of elections strives to ensure that the citizens of a state choose for themselves representatives to see the daily affairs of government. The elected representatives are said to have the people's mandate and to exercise legitimate authority. The variations in the form of elections not with-standing, the principle of elections applies uniformly in all liberal democratic states.

One nagging problem that Liberal Democracy has to content with is 'the voter's paradox'. This 'paradox' arises when majority consent is substituted for unanimous consent. If the electoral process produces unanimous consent in the case of every elected representative, every voter would have had his wish duly represented in the government. However, in anticipation of the possible impossibility of always having unanimous consent in elections,

Liberal Democracy provides that those who have the consent of a numerical majority of the valid votes cast in an election shall be taken to have been duly elected. In most cases, a person in deemed to have been duly elected if he polls a simple majority of the valid votes cast in an election. For example 100 votes are to be cast in an election for a legislative seat and the winner of 3 candidates is to be decided by simple majority. The result of the election turns out to be 34, 33 and 32 votes for candidates A, B. and C respectively with one abstention. By the provision of majority consent, candidate A will be declared elected to represent the 100 voters in the area concerned. The 65 voters who voted for the other candidates and the one who did not vote become 'the minority'.

The elected representative does not have the consent of the minority which paradoxically, is numerically larger than the 'majority'. Yet members of the minority are required to obey the laws which the elected representative would make. While the aim of Liberal Democracy is that the individual autonomy of citizens should be preserved in legitimate state authority, it turns out that the authonomy of the so-called minority is denied. In the view of some critics of majoritarian democracy, e.g. Paul Wolf, such arrangement does not equate to rule by the people. The question then arises: "Why should those in the minority be morally obligad to obey the laws which apparently do not emanate from their will?". The problem is however not unsolvable even though it appears to be paradoxical. A member of the minority who asks the question will be satisfied only by a moral argument. Prudential and utilitarian arguments will not answer his question. To answer him we have to remind him that Liberal Democracy is, like a game, rule-following. It has to be impressed on the questioner that Liberal Democracy is a delicate balancing act; a fragile apparatus that thrives only on the willingness of all its members to play the game according to the rules. Such a person must be made to see democracy as the best of all possible forms of representative government. Perhaps the best of several alternative evils, [12]. Next we have to bring to his attention our tacit agreement to accept majority consent in lieu of unanimous consent whenever the latter is not attained. We then have to appeal to his moral sense that as moral agents we ought to abide by our freely chosen agreements. If he still subscribes to Liberal Democracy he will not question the electoral process any further.

Considered as a game then, if the rules have been impartially followed, if elections are free and fair, the presence of minorities does not present an intractable problem for liberal Democracy. The real problem arises where an articulate and enlightened 'minority' conscientiously believes that the electoral process had not been free and fair. Thereby claiming to have been fraudulently declared losers in the election. One consequence of this belief is that the disgruntled minority does not see the government as its own government: it sees the government as an imposition on the autonomy of the individuals who make the 'minority'. Such individuals see themselves as having been prevented from being their own rulers. This they see as tyranny; an immoral act.

The question then is: Should the minority that so believes itself cheated, disenfranchised as it were, continue to obey the laws made by the fraudulently imposed leaders? There are two options: Either the cheated majority (declared minority) submit to the fraudulent minority (declared majority), thereby aiding and abetting immorality by supporting an illegitimate regime against which they voted; or else, the disenfranchised majority reserve to themselves the right to ignore the unelected government by withdrawing their obligations to it. More often than not we find that poeple so cheated acquiesce in the electoral perversion. Such acquiescense is often based on non-moral reasons of prudence, consequence, utility, God's judgement, and due process of Law – reasons which are not adequate as grounds of Liberal Democracy.

Sometimes the cheated majority is advised to go along with the fraudulent rulers because it is the only wise thing to do. It is argued that since the rulers are in control of all the state's coercive forces, they could deny the majority of more liberties if they tried to press their case. If such a 'minority' is not to suffer any further injustices, it is argued prudence enjoins them to obey the laws of the state. In effect, the likely unpleasant consequences of disobedience are pleaded as sufficient to make the cheated majority tolerate the electoral vices rather than to openly challenge the impostors in power.

Prudential and consequential reasons are however unsatisfactory as grounds of political obligations. Reasons of prudence arise from calculated self-interests. But since self-interest is antithetical to the moral point of view it cannot be the basis of an adequate answer to a moral question such as that of political obligation. Reasons of consequence on their part imply that might is right. But 'might is right' is not a moral principle. At best it is a law of the jungle such as might be expected in the Hobbesian 'state of nature'. However, if we want to base political obligation on the principle of 'might is right' there would be no need for liberal democracy at all; we could simply arrange for tests of physical strength, e.g. between the aspirants or between their private armies or hordes of thugs and muscle-men to select those who would be our rulers. In the alternative we could opt for a military dictatorship in which political obligation is founded not on moral principles but on force and threats of being "summarily dealt with".

It might also be argued that a lot of benefits will accrue to many of the citizens if we all support the government as given. It may in fact turn out to be true that the fraudulently imposed leaders are capable and ready to work for the greatest benefits for the greatest number of citizens. This is besides the point; performance, actual or potential, cannot legitimise the illegitimate. If all that we wanted were utilitarian efficiency without the operations of liberal democractic principles, we would not have needed the electoral process at all. We could instead have done a random selection of experts and public-spirited elites to rule us without our laying claims to any liberties at all. Such utilitarian arguments claim that liberties may be restricted to achieve greater liberties. Such a utilitarian approach to the problem unacceptably attempts to identify liberty with the value of liberty.

To members of a liberal democracy, it is not the value of liberties as such that matters but the liberties themselves. It is therefore unacceptable to forgo certain liberties in the hope of deriving greater benefits. To do so will be like exchanging one's birthright for a mouldy bag of rice. This will be tantamount to abandoning the principles of democracy and what we shall have shall be a benovelent tyranny which is a negation of individual moral autonomy.

Sometimes the problem may be hushed by mollifying the robbed majority with the promise of God's judgement. Indeed God may eventually, in the end of days, judge the world but that has nothing to do with our present problem. Liberal Democracy is not based on the justice of God but on the moral sovereignty and consent of individuals. When there is a flaw in the operation of the system, individuals within the system have to effect necessary corrections by their own conscious actions. It is a way of evading the problem to bring God into the picture.

It may also be argued that provisions have been made for seeking redress if one feels wronged. One, it is said, could go to the law courts to challenge the election results. This is true; but experience has shown over and again that the legal process does not always produce just solutions. The administration of law is not shielded from the undemocratic manipulations of rulers and aspiring rulers--to--be to the detriment of the governed. Hence, we cannot rest contented in the law as a moral basis for political obligation. There should be a higher tribunal beyond the Supreme court. This I believe exists in the individual's moral conscience.

All the arguments considered thus far cannot rationally compel political obligation in a liberal democracy. Reason being that whereas morality moderating inherent self--interests, is the basis of liberal Democracy, moral consideration is lacking in those arguments. If citizens in a liberal democratic state are to obey the laws of the state, that is submit to the state's authority, they must be given moral reasons why they should do so. I believe however that no moral reasons exist to persuade the cheated and disenfranchised individuals to be obliged to a government constituted by fraudulently imposed anti--democrats. In my view, if the duped voters are to act consistently as rational and independent moral agents, they should in the circumstances refuse to submit to the authority of immoral political impostors. One primary moral duty in a liberal democracy is to establish the rule of morality in the state by ensuring that rulers, whoever they may turn out to be, have the legitimate mandate of the people. Therefore, in a state where rulers have unjustly imposed themselves on the people, the people have a right to discountenance the laws passed by such bandits--in--power. Such laws must he considered unjust because those who made them or who are seeking to enforce those already made are not morally fit to demand obedience to such laws. If the raped majority fails to disobey the authority of the impostors they will be acting immorally by acquiescing in immorality and tacitly supporting the legtitimisation of injustice.


DONATED BOOK

Before exercising the right to disobey the allegedly illegitimate authority however, the prospective civilly disobedients must resolve certain issues. In the first place, they must tackle the epistemological problem of justifying their claim to know that the electoral process has been unfairly manipulated to their disadvantage. It is not uncommon for losers in an election to find excuses for their defeat, the most common being that their opponents used unfair tactics. Losers often claim to have been cheated when in fact they had been given a fair deal. Such false belief may arise from ignorance of either the facts or the rules of the game or both. Such belief may be based on false information. It is therefore imperative for would–be objectors to be sure beyond all reasonable doubts that electoral malpractices have actually been committed; mere suspicions are not enough.

Secondly, those contemplating the withdrawal of their political obligation must be fully aware of the principles of civil disobedience and bee prepared to abide by them. They must realise that their action of civil disobedience[13] (1) is the delibrate violation of laws or some policies or decisions of the government which is (2) committed as a form of protest, (3) publicly, (4) non–violently, (5) conscientiously and (6) politically motivated. Analytically and traditionally, civil disobedience involves disobedience of a law or government decision having the force of law. It is an act of law violation as well as a rejection of government authority. This distinguishes it from direct action which is a form of protest in which the dissenter uses his own body as a lever to loosen the authority of the government or a particular decision of the government. Examples of direct action are hunger strike and self incineration. The distinction between civil disobedience and direct action as forms of protest should be well taken: whereas civil disobedience involves law violation, direct action does not. Moreover, the act of civil disobedience must be an illegal disobedience and not a decision made by some one legitimately in authority. In addition, the civilly disobedient must know the objective of his protest. In this case what he is protesting is the undemocratic usurpation of political power in a liberal democracy. Since the civilly disobedient cannot, without resorting to direct military action, remove the imposters from office, his disobedience has to be of incidental laws. In disregarding the authority of the government, the dissenters cannot take up arms against the state; they can only aim at incapacitating the government civilly. The protesters must realise that their ultimate objective is the fall of the undemocratic government which is no better than a band of rogues holding a community hostage; they do not deserve the obedience of their victims. The essential aspect of civil disobedience here is that it should involve acting illegally, but not militarily, viz–a–vis the government.

The illegal civil action must be seen as a form of protest and publicity, as an appeal or redress carried out on the grounds that the government lacks the genuine mandate of a majority of the eligible voters and so lacks the right to be obeyed by the citizens. The over–riding aim of the civilly disobedients must be to make an effective protests, to open fundamental

issues of political obligation to public debate, to evoke deep concern and vehement objection at home and abroad. This feature of civil disobedience distinguishes it from some other kinds of public law–breaking such as taunting the police to cause a riot. Also, given this feature of protest and publicity, civil disobedience must be rightly seen as an issue within the question of political obligation. Civil disobedience on a total scale will then be able to feature as a legitimate weapon to fight and liquidate those who have fraudulently imposed themselves on the state and are thus not entitled to the political obligation of the citizens within the frame work of Liberal Democracy.

The requirement of publicity helps to demonstrate that the civil disobedients are not covert plotters contemplating a 'coup d'etat'. Publicity will also distinguish genuine democratic civil disobedience from crimes which are characteristically concealed, and will also help to inform the public including the government of the protesters' aim. Most importantly, publicity will demonstrate the communal and civil characters of the protest. In order to remain within the legitimate framework of democracy then, the prospective civil disobedient should make known in advance their proposed withdrawal or withholding of political obligation to the government.

Moreover, the intending civil disobedients must themselves be morally upright in the matter. If they had themselves engaged in electoral perversions but were only out–played by their opponents, they will not have a moral 'locus standi' to challenge the authority of the rulers who emerge from the vicious game.

Great classical theorists and practioners of civil disobedience,[14] either as a protest against specific laws or policies considered unjust or as a rejection of the legitimacy of the government, are all agreed on the feature of non–violence in civil disobedience. The word 'civil' also provides a rationale for non–violence and portrays the dissenters as people who are still committed to respect the rule of law and people who are still committed to Liberal Democracy. The requirement of non–violence has four implications: (1) It implies that the civil disobedients shall not initiate violence. Their action is against the rulers and not against the peace and well–being of the state. Hence, they should not initiate public disorder or riots. If they did, the situation could get out of control and misrepresent the protesters as public enemies or rebels aiming at a militaristic change of government, whereas their intention was to bring about a peaceful and constitutional change of government. (ii) The civil disobedients shall not resist or attempt to evade arrest. In embarking on their action the protesters are already aware that the allegedly unmandated rulers will not fail to attempt to suppress their protest by arresting and incarcerating them. Any attempt to resist or evade arrest will tend to reduce the civil protests to the status of common criminals who must of necessity strive to dodge the consequences of their crimes. The protesters must recognise that the agonies, the inconveniences and the privations they suffer en route the restoration of democracy are the prices they pay for their eventual freedom and liberty.

(iii) They have to observe moderation even in the face of unprovoked attack. And (iv) they must submit to punishment when arrested, duly charged and convicted. That civil disobedience may involve punishment and suffering is no argument against it when the situation calls for it. In fact, those who are not willing to suffer and possibly pay the ultimate price for their liberties are not fit to complain of the violation of such liberties. Such pain–fearing persons are moral cowards who would thrive best under totalitarian regimes. (4) Lastly, a civilly disobedient social action must be conscientious and politically motivated. The seriousness of the business of civil disobedience is heightened by the magnitude of the disobedience herein advocated. At that magnitude, disobedience does not limit its anticipated effects to this or that law; it becomes a social action which seeks to impugn the vary authority of the incubent rulers to make or enforce any laws at all. The socio–active effects of such a momentous action are bound to be aweinspiring. There are threats of imminent serious dangers of unpleasant immediate consequences, not only for the protesters but also for the others in the state. Hence, would–be disobedients must give due reflection to the issue. It is a grave matter which should not be handled with the least element of irresponsibility. The action should therefore be based on the moral principles which define the general concepts of the liberal state and the public good. The action should also proceed from the principled and deeply–held convictions of the protesters; they should not act on impulse or on mere sentiments. Moreover, all other less radical constitutional means of uprooting the imposters must have been explored and given due consideration before recourse is eventually made to the withholding of political obligation.

The requirement of political motivation is to ensure that the dissidents are appealing to the shared sense of justice which also prescribes the constitutional procedures of the state. Such an appeal is to serve as a warning to the counterfeit government to quit office because it lacks the people's mandate to be there. It is also to call the attention of the inpostors and their supporters to the fact that in the considered opinion of the dissenters the jointly shared principles of liberal democractic social cooperation are not being honoured. The suspension of political obligation is therefore to be seen as a continuation of government outside normal politics. In this regard the action should not degenerate into hooliganism with attendant arson, murder and looting. The same consideration rules out the choice of any of the other alternative lines of action, viz evasion, rebellion, and acquiescense.

When the electoral process in a liberal democracy has been desecrated to the unjustifiable dienfranchisement of the majority of the state's electorate, the only moral choice left open to the majority is the uncompromised withdrawal of their political obligation. The withdrawal of their political obligation is to effect a correction of what they perceive as an anomaly within the democratic framework; their goal is not the dismantling of the state itself. Since the dissenters' dissatisfaction is not with the socio–political system of their state itself, a rebellion or a revolution will not be appropriate for them.

The only logic conclusion to be drawn from the time–honoured principles of Liberal Democracy then is that in the event of the electoral process been unjustly manipulated, the victims of the manipulation must withdrawal or withhold forthwith their submission to the authority of the state until appropriate remedies have been effected. The Modalities of the prescribed political therapy must however be left to the appropriate strategists and tacticians. Moreover, if indeed the protesting victims of the alleged electoral robbery are in the majority, their action, if conscientiously pursued, should ultimately vindicate itself.

In fine, the withholding of political obligation as prescribed is a crucial touchstone for liberal Democracy. If Liberal Democracy falls on this criterion, if it fails to respond positively to this deductively inferred consequence of its operation, then a fresh critical look has to be taken for its validity as a morally justified political theory.

## NOTES AND REFERENCES


1. The Peculiarities of ancient Greek city–states are to be noted.

2. Plato, *The Republic, Part 9 (Book 8), Penuin Books 1974*, 2nd Edition, translated by Desmond Lee, p. 375.

3. Ibid.,

4. Ibid.

5. Ibid.,

6. Ibid., p. 376.

7. S. I. Benn and R. S. Peters, *Social Principles and the Democratic State*, George Allen & Unwin Ltd.; p. 332.

8. Ibid., p. 333.

9. This substitute-less characteristic of democracy had long been recognized Plato cited it in 2 above, and Aristotle mentioned it in his *Politics*, 1317 b 21 It is however a variable characteristic. It varies from age to age and from society to society according to what is perceived as the due measure of maturity and rationality in each age and in each society. In the times of Plato and Aristotle the right to vote or be voted for was now extended to every adult member of the state But, in modern liberal democracies, elections are based on the doctrine of universal adult suffrage.

10. The ultimate objective of the moral point of view is the impartial resolution of conflicting self–interests. Whosoever then adopts the moral point of view submits his individual self–interests to the arbitration of morality. The moral authority given to the rulers in a liberal democracy enables it to function as an instrument for adjudicating conflicting interests among citizens and between citizens and state. It is in the performance of this arbitral function that the liberal democratic state becomes a moral fact.

11. Plato, Op. Cit., p. 332.

12. The short-comings of liberal Democracy are many. e.g. (i) The numerical majority is not necessarily a virtuous or an intelligent majority; (ii) The system can very easily degenerate into mob–rule; etc. But when compared with other systems, Liberal Democracy still appears to be the most philosophically favoured, most psychologically satisfying and most dignifying of the human person.

13. Traditionally, 'civil disobedience' is prescribed to protest particular laws, decisions, politicies, etc., of bonafide legitimate governments. In this case, I am giving the prescription a wider and more foundational application.

14 These include Thoreau, Matin Luther King, and Ralph Abernathy.

# A CASE FOR POSITIVE EUTHANASIA

DR. G' B. TANGWA

## Introduction :

The word *euthanasia* in its etymological purity is said to signify a good and honourable death, death without suffering. Richard O'Neil[1] has carefully attempted to isolate the necessary and sufficient criteria for a good death.

Firstly, a good death is one that is timely being neither premature nor overdue. *Secondly* a good death is one in which the dying process allows the dying person to maintain some control.

*Thirdly* a good death is also one in which those involved in the dying situation observe basic moral principles such as those relating to self-determination, well-being and equity. *Fourthly*, a good death requires that the death-style of the person involved should conform to certain standards of rationality.

Richard O'Neil considers these conditions as "necessary and jointly sufficient" for a good death. But we can easily imagine a situation where all the stipulated conditions are present and the death nevertheless, is an extremely painful one. It appears to me, therefore, that we must add a fifth condition to O'Neil's criteria, namely, that the death be a relatively painless one. ("Relatively" because there are those, like some martyres, for example, who may only rejoice and praise God while they are being committed to the flames. To an unlooker, there may be nothing imaginable that is more painful than being burnt at the stake, but, for the martyre, the apparent pain may be completely sublimated in the expected joy of an impending "beatific vision".) To fail to state this condition explicitly is to leave out the main idea involved in the notion of "a good death" in its etymological connotation.

In the medical context, the term *euthanasia*, faithful to its etymological roots, expresses the assistance which the physician gives to the dying patient to alleviate his suffering, to lesson pain and anguish and help achieve a good death. However, the term *euthanasia* has today grown to include "mercy killing", that is, the administration of a drug directly deliberately and specifically to accelerate death in order to terminate suffering in a patient who no longer has any prospect of recovery. From the patient's viewpoint such "mercy killing" can be either voluntary or involuntary. It is voluntary if requested by the patient. This is often described as "assisted suicide". It is involuntary if the patient does not and is incapable of signifying volition and the doctor, relatives or society decides for and on behalf of the patient.

A distinction has usually been made between negative and positive *euthanasia*. The former refers to the intentional omission of treatments (therepies) that would prolong life; the latter refers to the intentional administration of treatments (therapies) designed to promote death sooner than would otherwise be the case. It is positive *euthanasia* that is also termed "mercy killing".

There are people who oppose all types of *euthanasia* as immoral. Most of those who argue for *euthanasia* usually support negative rather than positive *euthanasia*2.

In this paper I argue that, in so far as *euthanasia* is admissible at all, a certain case of positive euthanasia is reasonable and desirable.

*Intuitive Background:*

In the last five years or so, I have witnessed no less than three cases of certified terminal illness where the patient continued to endure excruciating pain and the stench of his own decomposing body for a considerable length of time before death (mercifully) occured. In one of these cases, the patient repeatedly expressed the desire for death and the relations, once safely out of the patient's bedside, each repeatedly prayed to God to please hasten his call of the loved one. But general (moral?) sensitivity and the established ethos of medical practice made it impossible for a painless death to be administered in any of these cases. Reflection on the issue led me to the intuitive conviction that these cases, far from exhibiting our moral courage, exhibit our moral cowardice – an ostrich-like refusal to courageously look death in the face and accpt its inevitability.

I must therefore confess from the onset that this paper is an attempt to justify this intuitive conviction. For it seems to me almost self-evident that while we certainly have a moral duty to sustain life wherever life is sustainable, we have no duty, moral or otherwise, to prolong the distress of a dying person but rather the duty to shorten such distress.

Life as an End – in – Itself:

Perhaps the most basic underlaying reason for what I have termed our moral cowardice is the idea that life is an end-in-itself, a supreme value. Nothing can be an end-in-itself. An end *(telos)* can only be an end from the point of view of a purposive being. Take happiness, for example. It is an end for human beings. And it is quite true that when we seek happiness we don't do so for any other end than that of being happy. Happiness is thus one thing that would qualify to be termed an *ultimate end* for us. Life does not seem to be such an ultimate end. We do not seek life just for its own sake. Rather we have life as a *given* and we seek happiness within this given; and, at least in some cases, people reject this given (vis suicide) if they fail to find happiness and have no hope of finding it. But even here it would be misleading to say that happiness is an *end-in-itself* or a *value-in itself* as has usually been the case. It is we who perceive value and it is our perception

which confers ultimacy to any value as Jean – Paul Sartre had so strongly argued in his Being and Nothingness.[3] Those with a religious world view would argue that "Only the One who gave life can take it away".[4] Taken strictly, this is, of course, quite false since many people successfully commit suicide. If interpreted to mean that "Only the One gave life should be allowed to take it away" it would be convincing only to someone who already shares an unquestioning religious ontology. For it is highly puzzling why the "should" in the above injunction should be binding. If you give me something in which I not only find no value but disvalue there doesn't seem to be any compelling reason why I should not throw it away but must patiently wait for you to take it away as and when you please. The religous view point is, of course, more formidable than I have represented it grounded as it usually is, on a belief in life after death and an over–all divine plan to salvation for man. But this view point, comforting though it is, is severely blurred by lack of any generally convincing argument for the very existence of such a being as God and by the *problem of evil* even if God's existence is gratuitously entertained.

A similar argument that may be advanced also from a non–religious view–point is to appeal to the slogan, "Let nature runs its course". But the very idea of therapeutic medicine runs counter to this maxim. Curative medicine is a clear violation of the injunction to let nature run its course. Strict adherence to such an injunction would surely lead to the extinction of human specie. Man has survived in the world by constantly interfering with the course of nature.

It cannot therefore be argued that a life in the pain and distress of terminal illness should be sustained simply because life is a supreme value or an end–in–itself. If life were a value–in–itself, then plants and animals, no less than human persons, would be equally valuable. There are, of course, those who argue that animals are as valuable as human beings and, for this reason, they preach and practice vegetarianism. But vegetarianism cannot be based on the view that life is a value–in–itself. If it is, it would be self–defeating since vegetables also have a life of their own. There are indeed people who treat even mice and lice like equals and this is usually taken to signify some extraordinary moral sensibility, if not moral heroism. But in my humble view, this signifies rather extraordinary foolishness. And if someone were to treat plants as equals this would, no doubt, be a clear indication of the early stages of insanity. I am not, however, unaware that within some cultures and given a particular world–view, some plants may even be considered superior to any human being. Such is the case within some African cultures where certain specific trees may be revered and venerated above any human. But in such cases the threes in question are invariably seen as the abode or personification of the gods or ancestors.

## CRITERIA FOR POSITIVE EUTHANASIA

My argument, therefore, is that positive *euthanasia* is not only reasonable but advisable in certain cases. But there must be some criteria to dis-

criminate such cases from other cases where termination of life might be morally reprehensible. I suggest the following. Positive *euthanasia* is reasonable and advisable in any case in which the following three conditions obtain

(1) If it is a case of certified terminal illness.

(2) If the patient no longer perceives any value in life itself and consequently no other values.

(3) If the patient requests for termination of a life which is now only a painful and distressful means to the same end.

There are, no doubt, problems connected with certifying an illness as terminal. A once terminal illness could lose its status of terminality with the discovery of a new drug or a new technique of treatment. So the agreed terminality of an illness must depend, partly at least, on the knowledge and expertise of the scientific community at any given time. Such knowledge and expertise grows, but it scarcely ever grows in miraculous fashion in leaps and bounds over night. Absolute certainty cannot, therefore, be demanded regarding the certification of an illness as terminal. In all practical matters absolute certainty is absolutely unattainable. An illness is terminal relative to the knowledge and expertise of the medical community at any given time. So it is enough to consider an illness terminal if the appropriate and qualified medical personnel, to the best of their knowledge and ability, pronounce it as such.

These criteria apply to what we have categorized above as voluntary *enthanasia,* that is, what has sometimes been termed "assisted suicide" -- an inappropriate term since "suicide" always seems to conjure moral unworthiness. But I am by no means limiting my argument to voluntary enthanisia. In some cases of terminal illness the patient is quite incapable of expressing any volition. In such cases *enthanasia* could be considered reasonable and advisable if the following three conditions obtain.

(1) If it is a case of certified terminal illness.

(2) If the patient is no longer capable of rational existence or exists merely in a vegetative state.

(3) If the closest relatives request for termination of a life that is now pointless and only a means of prolonging their anguish and distress before the same end. Or, in the case of persons without any relations or loved ones, responsible medical personnel perform this duty on behalf of the patient and humanity as a whole.

'Closest relatives' in the third condition above is not to be understood merely in a genealogical sense but in the sense of those who have demonstrated unquestionable interest and concern for the overall wellfare and well–being of the patient. It is not impossible that a 'close relative' in the merely genealogical sense might have a vested personal interest in the patient's death.

## CONCLUSION

Morality should inform both legislation and the ethics of particular professions. An immoral law is no law at all; it has no justification. Similarly, a practice that has been accepted as part of the professional ethics of a particular profession, if it is immoral, is without justification. Professional ethics is simply the crystallization of morality within a particular sphere. Morality itself is grounded on reason and man's social nature. This is one reason that animals, other than man, are not moral agents. We don't hold them morally responsible for their actions, unlike human persons. An unreasonable action or course of action cannot therefore be moral.

So if my argument for a certain case of positive *euthanasia* is admissible, then an unqualified reading of Article 2, Section I, of the European Convention of Human Rights (1953) is questionable. It lays down; "Everyone's right to live shall be protected by law. No one shall be deprived of life intentionally save in the execution of a sentence of a court following his conviction of a crime for which this penality is provided by law"[5] It is interesting to note that while this injunction would disallow 'mercy killing' it allows killing provided it is prescribed by a court of law. The law, they say, is sometimes an ass!

It also shows that article 9 of the Geneva (1948 & 1968) World Medical Association Declaration [6] is questionable if "utmost respect for human life" is interpreted to mean that human life should not be terminated under any circumstances. The article reads as follows; "I will maintain the utmost respect for human life from the time of conception; even under threat, I will not use my medical knowledge contrary to the laws of humanity"[7]. That this article has in fact usually been interpreted in the way I suggested is witnessed by 1950 Declaration of the World Medical Association, a Declaration which has been adopted by all national medical Associations the world over, to the effect that voluntary *euthanasia* is contrary to the spirit of the Geneva Declaration and, hence, immoral.[8]

Voluntary *euthanasia* is contrary to such an interpretation of Article 9 of the Geneva Declaration. But what I have tried to show in this paper is that the said Article of the said Declaration, thus interpreted, is not grounded on morality. *Euthanasia* would seem to be both reasonable and advisable in the cases clearly specified in this paper. I must, however, emphasize that my argument is strictly limited to these specific cases and is not to be extended to cover or foreshadow other cases such as abortion or the killing of lunatics, the feeble–minded, or the aged.

## FOOTNOTES AND REFERENCES

1. See Richard O'Neil, 'Defining "A good Death" in *The International Journal of Applied Philosophy,* Vol. I, No. 4 1983, pp. 9 – 17.

2. See, for example, Bernard Haring, *Medical Ethics,* England, St. Paul Publications, 1982, p. 145ff.

3. Jean - Paul Sartre, *Being and Nothingness: An Essay* On Phenomenological Ontology, trans. by Barnes E. Hazal, New York, Philosophical Library 1956.

4. Thus argued Miss Jane Addams in the celebrated 1915 case in which a Chicago surgeon, Dr. J.H. Haiselden refused to operate on a badly deformed newly born baby who consequently died. See W. M. Urban, Fundamentals of Ethics, New York, Henry Holt and Co., 1930, pp. 41 49.

5. cf. *Dictionary of Medical Ethics,* ed. by A. S. Duncan et al. London, Darton, Longman and Todd Ltd. 1981, p. 165.

6. This declaration is the present professional oath of Medical personnel in preference to the ancient Hippocratic Oath.

7. *Dictionary of Medical Ethics, op. cit. p. 132.*

8. Vide ibid., p. 165.

# GOD AND HUMAN FREEDOM

Dr. J. D. Okoh

## INTRODUCTION.

The Christian philosophy which is being espoused in this paper is concerned not with denominational emphases but with basic assumptions underlying the christian world-view. Hence, to begin with, it has to be stated that christian philosophy is theocentric. It maintains that God is the only true basis of human life and thought, hence there can be no ultimate purpose in life without God. Concerning the nature of man, which is fundamental for any philosophy, christian philosophy teaches that man is an intellectual being, capable of understanding, of forming judgments and of drawing conclusions. Also, man has a free will, which means, he has the ability to make a free choice, to do an action or not to do it.

Unfortunately, until it had to face up to the challenge of humanism, as Peter L. Berger points out in *The Noise of Solemn Assemblies,*[1] christian philosophy was very dubious of the natural capabilities of man and was ambivalent concerning the issue of human freedom. Paul Verghese, a noted Asian christian philosopher has bluntly asserted that: "St. Augustine led the Western World astray, towards denial of the freedom and dignity of all men.... He makes man so utterly dependent and slavish in relation to God that God is distorted into an abritrary dictator, like the Ceasars – a petty God, whose glory has to be vindicated at the expense of the glory and freedom of man"[2]

The major issue I wish to examine in this paper centre on the assertains that (a) the idea of God as "First Cause" and (b) the notion of God's foreknowledge are not only threats to human freedom but, infact, constitute a negation of human freedom.

## WHENCE IS FREEDOM?

One of the major problems the christian philosopher has to come to grips with is whether freedom is something, constituted by man himself or whether it is something given to man by God. I am suggesting that if one were to argue on the basis of the Genesis[3] account of the first man - Adam – it could hardly be said that God gave man freedom. The very set-up of the so-called "garden of Eden" precluded freedom of choice. God exercised a form of coercion, which could be called extreme paternalism. Adam had no genuine freedom, since he was constrained to follow the path that had been mapped out for him. He "fell" the very first time he tried to exercise his freedom of choice. There is no dispute among eminent theologians that Adam had knowledge of good and evil *only after his fall.* In other words, he was free both morally and intellectually only after he had been dismissed from the "garden of Eden". While Adam – who is being used here as a substitute for man – was still an obedient servant of God he was not free to will any thing he did not wish to do. For the question of free will boils down

to whether a man is free to will to do those things that he does will to do, and also whether he is free not to will any of those things that he does will to do and again, whether he is free to will any of those things that he does not will to do.

The fact that Adam (man) became free, that is, could exercise freedom of choice only after his fall, could very well be interpreted to mean that freedom is constituted by man himself. In other words, man does not have to be dependent on an infinite and remote reality in order for him to understand the meaning and conditions of freedom. Karl Marx, Nietzcshe, Freud, Sartre among many others, teach that no form of the idea of God is necessary for the enlightened exercise of human freedom. The Genesis account of the first man – Adam – I have reviewed in the preceeding paragraph, does seem to lend great weight to the above assertion. As a matter of fact, many philosophers who like to be known as atheists, thingk that belief in God is "a time-honoured historical illusion which has prevented man from fully realising his essence and discovering his freedom"[4].

However, one need not be an atheist to realise that the way christian philosophy has for many centuries explicated the notions of divine causality and foreknowledge have a ring of philosophical absolutism.

THE PRINCIPLE OF CAUSALITY:

The concept of causality lies at the rock bottom of the problem of freedom of the will. There is a philosophical axiom which states: "If our actions are effects, then they must have causes". Philosophers since the time of Thales to the present day, have been preoccupied with making distinctions between different kinds of causes. In the text few pages, I intend to dwell on the concept of God as the "First Cause".

The question that for many centuries puzzled philosophers, was that of "infinite regress". This question has to do with the impossibility to regress to infinity in a series of causes which are actually and essentially subordinate. In order to solve this riddle, christian philosophy posited God as the First Cause or the Unmoved Prime Mover. Thus God becomes the first link in the chain of causation, which could have otherwise reached back into infinity. However, scholastic philosophers are not unanimous on the issues . whether there must be a First Unmoved Mover because we cannot regress to infinity, or whether we cannot proceed to infinity because there must be a First Mover.

According to William of Ockham, one cannot go back infinitely in the series of maintaining causes without coming upon a First Cause. Thus in this case, one cannot ignore the question whether there is a First Cause at all. In Ockham's view, if there is no First Cause, all movement and everything would fall back into nothingness. On the other hand, St. Thomas Aquinas would not argue from the impossibility of infinite regress to the need for a First Cause. Rather, the process is reversed; Thomas argued from the need for a First Cause to the impossibility of an infinite regress.[5]

The fundamental issue left unanswered by christian philosophy is why there has to be divine intervention in the course of natural events? In an ever

advancing scientific age, everything including man is being brought under the sway of the causal model. Everything follows the immutable laws of nature. This has been proven beyond any reasonable doubt in the world of the physical sciences.[6] And today, the Behaviorists are breaking new grounds in behavior modification through the use of the causal model. If everything follows the immutable laws of nature, the hypothesis of God as First Cause ceases to be of any relevance. Beside, as Wolfhart Panneberg has aptly explained, the principle of inertia has made the acceptance of First maintaining cause superflous. Panneberg has explained the principle of inertia as follows:

> Everybody has in itself a tendency to persist in the state in which it is — be it a state of rest or a state of movement - and this state is altered only under the influence of other forces, as a result the persistence or continuance of a state that has once come into being no longer needs any particular cause and neither does a persistence in movement at the same speed and the same direction.[7]

The principle of inertia makes it clear that the contingency of natural events and their continuance in being and in movement, has become something that could be taken for granted. Therefore, there is no longer any place for God in an account of natural events.

Although many christian philosophers accept the principle of inertia which makes God as First Cause superflous in the realm of the physical sciences, yet they still reserve a place for God as First Cause with regard to human purposive actions and behavior.

## IMPLICATIONS OF GOD AS FIRST CAUSE.

According to christian philosophy, the nature of divine causality makes it impossible for "any creature that it should be able to cause existence without God's aid..... Creatures may function as intermediate causes of being... But creatures are not the cause of the act of being... Existence can only be adequately explained by God, who is First Cause".[8] St. Thomas in his Summa (1st. Part of 2nd. Part: question VI) goes so far as to state that "every act of man and every movement both of the will and of nature proceeds from God, as the Prime Mover". Perhaps it may help to clarify the concept of an act before returning to St. Thomas.

H.L.A. Hart [9] has indicated that there can be an imputative element as well as a descriptive element in the concept of an act. Hart maintains that when we declare a man did something, we are imputing that the man is responsible for making a certain thing happen. That is to say, we are either pronouncing a verdict or notifying our hearers that this man be held responsible for the said act. On the other hand, when we make a descriptive statement, we are saying that the man was a causal factor in making something happen, or in keeping something from happening. In this case, the man is not held responsible, morally or legally, for the said act.

If one were to apply Hart's understanding of an act to St. Thomas's assertion that "every act of man... proceeds from God, as the Prive Mover", it would be right to conclude that every act of man could be imputed to God. Since it is God who makes whatsoever a man does to happen, God, not man, is to be held responsible for all of man's actions, for his virtues as well as for his vices. The role of man in this frame of reference could not be any other thing than that of a causal factor. "Tell me please whether God is not the cause of evil?" This was the question Evodius asked St. Augustine during their dialogue on the free choice of the will. If every act of man can be imputed to God, I do not possibly see how St. Augustine could have given a negative answer to Evodius's question.

As far back as 410 A.D., Pelaguis who was promptly condemned as a heretic, did point out how the christian concept of God as First Cause and the doctrine of the necessity of God for man's moral perfection, were implicit denial of man's moral freedom and sufficiency. Pelagius maintained that if man as man cannot fulfill the law perfectly with his unaided will, then he is not free and must therefore be exonerated from any moral responsibility for his conduct.[10] However, in this as in many other philosophical puzzles, faith prevailed over reason, as the dictum was: "Believe in order to understand". And to Evoduis question, St. Augustine responded: "While God is the sole and supreme cause of all that exists, He is not the Author of evil, which has its adequate cause in the created will".[11]

## CHISHOLM'S SOLUTION:

In his article, "Freedom and Action", Roderick Chisholm[12] has suggested a far-reaching solution to the problem of the First Cause (God) and the freedom of human action. Chisholm refers to two types of causations. He calls one "transeunt Causation"; that is, when one event or state of affair (or set of events or state of affairs) cause some other event or state of affair. The other type of causation which he calls "immanent", is when an agent, as distingusihed from an event causes an event or a state of affair to happen. For short, immanent causation is causation by an agent; while transeunt causation is causation by an event or a state of affair. Chisholm further illustrates the nature of what is meant by immanent causation by the following sentence from Aristotle's physics: "Thus a staff moves a stone, and moved by a hand, which is moved by a man". (Aristotle Physics: V11, 5, 256a, 608). If the man was responsible, Chisholm argues, then we have in this illustration a number of instances of causation – most of them transeunt, but at least one of them immanent. In support of this theory of immanent causation, Chisholm makes man (the agent) the first cause or the prime mover unmoved. He explains:

> If we are responsible, and if what I have been trying to say is true, then we have a prerogative which some would attribute only to God: each of us, when we act, is a prime mover unmoved. In doing what we do, we cause certain events to happen, and nothing – or no one – causes us to cause those events to happen.[13]

As Roderick Chisholm has himself remarked, the christian philosopher is not about to concede the prerogative of prime mover unmoved to man. And so the conflict remains unresolved.

## MAN'S FREEDOM AND GOD'S FOREKNOWLEDGE:

Apart from the unresolved issue of the First Cause, the Christian philosopher cannot simply dismiss the conflict between human freedom and divine foreknowledge. Boethius stated the contradiction involved in the freedom of choice and the omniscence of God as follows: "If God beholdeth all things and cannot be deceived, that must inevitably follow which His Providence foreseeth to be to come; wherefore, if from Eternity God doth foreknow not only the deeds of men, but also their counsels and will, there can be no free will."[14]

Scholastic philosophy has not been able to adequately rationalize how God can have foreknowledge of all things present and future, and yet man is not compelled by necessity to perform any act. If God in his omnipotence and omniscience has from all eternity established the course of everything that takes place in the universe in all its details, there cannot possibly be any room for freedom on the part of man. The dilemma which the christian philosopher is faced with boils down ultimately to this: If God has foreknowledge of my future will, then I am necessitated to will what he has foreknown, since nothing can happen differently than God has foreknown it. But if I am necessitated, we must admit that I no longer will freely, but of necessity.[15]

Yet were a devout christian to assert that something can take place otherwise than God foreknew it, this would be a blasphamous denial of God's foreknowledge.

One way scholastic philosophy has sought to overcome the dilemma referred to above, is to point out that because God foreknows, it does not necessarily follow that man must perform the foreknown act, especially if it is an evil act. As St. Augustine has put it: "God does not force anyone to sin, yet He foresees those who are going to sin by their own will"[16] If I may use an ordinary example to illustrate the scholastic point of view, one might argue that Ike Adaka does not lack free choice merely because Tim Jack knows in advance what he (Adaka) was going to do. Much as this argument is valid as far as human foreknowledge is concerned, yet as Bernard Berofsky observes, many philosophers do make the distinction between divine and human knowledge. For example, whereas my knowledge of something is always acquired at a certain time, God is said to be outside of time. Hence no one can specify the time at which God knows something. Another example of the difference between divine and human knowledge has been given by Bernard Berofsky who writes: "Human beings know that propositions are true almost invariably on the basis of evidence for the propositions; but God never knows on this basis".[17]

Perhaps, it is above all else, because the knowledge of God exists prior to the event known that it is such a threat to human freedom. As Etienne

Gilson has asserted, unless God foreknows what is certain, he would not have foreknowledge. Hence whatever God forknows must come about[18]. In the example of Ike Adaka and Tim Jack given above, there is a total absence of necessity. But God's foreknowledge implies the necessity of coming to pass what he has foreknown; it implies complete and correct knowledge in every minute detail. The problem of reconciling divine foreknowledge and free choice will ever remain a touchy and real issue for christian philosophy

## CONCLUSION:

The foregoing discussion leads me to conclude that certain attributes of God as exemplified by Christian philosophy negate the notion of human freedom. If God is understood as the First Cause of every human action; if he is the omniscient being who foreknows every human action, then the existence of such a God does necessarily exclude the exercise of human freedom. I agree to a large extent with the observation of Bernard Berofsky to the effect that: "the more powerful and important God's role in the world is conceived, the more serious are the problems which are created for those who wish to retain a belief in human freedom".[19].

If the christian philosopher is to resolve the conflict between the powers of God and the freedom of man, I dare suggest that there has to be a re-examination and re-interpretation of some of the attributes of God.

## FOOTNOTES AND REFERENCES:


1. Peter L. Berger, *The Noise of Solemn Assemblies* (New York, Doubleday, 1961).

2. Paul Verghese, *A Sacramental Humanism* (Michigan University Press, 1971) p. 138.

3. The Holy Bible, Genesis: Chapter Three.

4. Wolfhart Pannenberg, *The Idea of God and Human Freedom.* (Philadelphia: Westminster Press, 1973) p. 87.

5. Dennis Bonnette, *Aquinas Proofs For God's Existence* (The Hague: M. Nighoff, 1972) p. 75.

6. David Bohn, *Causality and Chance in Modern Physics* (London: Routledge and Kegan, 1957).

7 Wolfhart Pannenberg, op cit. p. 83.

8. Dennis Bonnette, op cit. p. 67

9. H.L.A. Hart, "Ascription and Responsibility" in *Proceedings of Aristotelian Society* (XLIX, 1949) pp 171–194.

10. F. C. Copleston, *Medieval Philosophy*. (New York: Harper 1961) p. 201

11. St. Augustine, *The Retractions* (Washington. Cath. University Press, 1952) Vol. 15, p. 108.

12. Roderick M. Chisholm, "Freedom and Action" in *Freedom and Determinism* (edited) (New York: Random House, 1966) pp 12–44.

13. *Ibid.* p. 23

14. F. C. Copleston, *A History of Philosophy*. (London: Chapman, 1952) Vol. 11, p. 103.

15. Robert P. Russell, *The Free Choice of the Will* Washington: Catholic University of America Press 1968) p. 172.

16. *Ibid.*

17. Bernard Berofsky, *Free Will and Determinism* (New York: Harper, 1966) p. 12.

18. Etienne Gilson, *God and Philosophy* (Yale University Press, 1946).

19. Bernard Berofsky, *op. cit.* p. 3.