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# Lateral Ethics, Moral Particularism, and Nationality

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## 〔抄録〕

道徳には、理性をもってだけでは適切に考慮されえない、特有の理由が存する。道徳の行為者が超えてはならない多種多様な範囲と限界、そして境界が、道徳を限定づけている。多くのコミュニティの道徳（コミュニティ内道徳）は互いに異なるし、その結果、それらの間ではコンフリクトが避けられない。本論考は、次の三つの議論を通じて、多元的社會の公共圏の倫理の形成の過程——本稿はこれを「横超」という言葉で表現する——を、異質な他者や見知らぬ者たちへの共感を通じて、自己の内的規制としての道徳を超え出て彼らと結びつき、分かち合い、連帯するという、自己の道徳の境界の開放と拡張のプロセスであるとして描述する。すなわち、第一に、これらの道徳上の差異には、それでも重なり合う部分が存在すること、第二に、重なり合う倫理は、道徳のアプリオリな普遍的原理との突き合わせをすることも、ある種の哲学的なコスモポリタニズムに屈することも必要としないこと、第三に、倫理的個別主義に依拠し、「横超の倫理 (lateral ethic)」とナショナルリティの関係を明らかにすることを通じて、多元的な現代民主主義社會の公共ないし多様な諸コミュニティの間におけるプラグマティックな倫理の形成について論じる。

The life of man is a self-evolving circle, which, from a ring imperceptibly small, rushes on all sides outwards to new and larger circles, and that without end.

The one thing which we seek with insatiable desire is to forget ourselves, to be surprised out of our propriety, to lose our sempiternal memory and to do something without knowing how or why; in short to draw a new circle.

Ralph Waldo Emerson, “Circles”<sup>(1)</sup>

## 1. Circle of Morality

Morality, which I discuss in this paper, is that which comes into being as the binding force of community develops epigenetically: it starts out as a relation of reciprocal trust, or perhaps love, among a closely-knit group such as a family or clan, and progresses to an obligation to relatively larger communities or societies, then to a national duty to fellow nationals. As such, it neither *a priori* falls from heaven, nor is it commanded by Mt. Sinai of morality. It appears first as internal regulations of individual behavior, which are by and large constructed by norms of community (let us call this kind of morality “*intracommunity-morality*”) and then as an ethic between different communities (let us call this kind of ethic “*intercommunity-ethic*” or “public ethic”<sup>(2)</sup>). The ethic I describe in this paper is the process in which through empathy and sensitivity we understand the moral situations in which people outside our community are. Such understanding requires us to be more sensitive to those situations and to pay more attention to them, the attention which we naturally tend to focus inward on our own community. In other words, this is the process of expanding the horizon of one’s moral consideration toward outside one’s moral community.

That ethic seeks in principle neither the *a priori*, universal principles of morality that are fundamentally common to intrinsic norms immanent to communities. Nor does it justify moral actions by virtue of conforming to those principles, which transcend the horizon of human experience. Yet it strives to transcend the boundaries of one’s moral community in order to build moral bonds with people of other communities. It does so without putting the bonds in a hierarchical order. Thus such bonding is of a lateral or rhizomatous relation between different moralities. What this rhizomatous ethic aspires to is to expand moral boundaries through empathy to others: to build moral bonds with them and to work on common moral matters in solidarity by transcending the boundaries of one’s own moral

community. The stronger the bonds, the stronger the binding force of the rhizomatous ethics. The latter expands as it overlaps with other moralities, personal or communal. Such an overlapping I call “overlapping morality” or “overlaps of different moralities.” And the ethics that deals with such an overlapping ethic, I call “lateral ethics.”

By lateral ethics, I mean both the process of laterally expanding the binding force of a community and the process of mutual understanding between communities which brings about a wider binding force between them through the empathic and sensitive consideration of moral situations of other communities. One’s morality as the internal regulation of one’s conduct, as it goes through incessant interactions with other intracommunity-moralities, is to increasingly expand loyalty to one’s own community to loyalty to a larger community. Nevertheless, as I discuss below, lateral ethics does not regard loyalty to a larger community as that which converges with the largest loyalty to the largest community. Nor does it converge with the universal moral principle. A lateral ethic ameliorates according to the overlaps of moralities or intracommunity-moralities, of which the scope and features change on different occasions. When moralities are overlapped, it is required that the conflicts between them be sensitively dealt with: a morality may rely on a sort of articulate moral principle on one occasion; on another occasion, it may be a generally recognized norm although it is not articulable. What is required to decide what and how to do in either case is the moral judgment that sensitively deals with particular moral situations by better-scrutinizing them.

Augustine compares the nature of God to “a circle whose center is everywhere, and its circumference nowhere.” Lateral ethics indeed resembles depicting such a circle: a circle of morality. The center of the formation of lateral ethics is ubiquitous, and various overlaps of moralities are formed as if they were in a circular pattern depicting many a wave rings, which are formed another and yet another. To borrow Alexander Pope’s expression, “As the small pebble stirs the peaceful lake; / The centre mov’d, / a circle strait succeeds, / Another still, and still another

spreads.”<sup>(3)</sup> Along with this formation, the crossing parts of those circles—which are overlapping moralities—are formed one after another though some circles may well embrace others at times. Lateral ethics hence is in contrast to traditional western philosophy which in principle seeks the all-encompassing circle—everlasting, transcendent and sublime reality or some universal moral principle—that transcends the particularity of each individual circle. Therefore, those circles are not concentric ones. The individual centers of the circles signify the moral matters or ethical issues that are to be sensitively examined and particularly dealt with.

## 2. Moral Boundary

Likewise a lateral ethic develops cooperatively between communities that align with one another. When different intracommunity-moralities recognize one another relativizing their moral life as part of the more comprehensive moral life of communities as a whole, the lateral ethic developing among them may well be universal *in the scope of the comprehensiveness*.

When a collective sense of moral unity is shared by different communities or by individuals, and when they recognize fellow nationals one another within that comprehensiveness, and, moreover, when they thus have a hunger to make all political decisions by themselves, the comprehensive community comes to exist as a nation. Typically, nation is born out of ethnic community. The national features fellow nationals share are primarily stemmed neither from genetic properties nor from sharing the same language and culture. For it is quite possible that even though people are of different language and culture they are still the same nationals. As the same nationals they are connected to a certain territory and accept as their own the actions of the people of the past who belonged to the same nation. They seek to preserve the genuineness of the cultural and linguistic features and make political decisions for future of their

nation. They thus feel a moral obligation to their fellow nationals. In this way, they share a collective sense of moral unity. It is very natural for us to have priority to moral duties to our nationals over those to the nationals of other nations, and this is in fact what is common throughout the world. To put it in another way, although a lateral ethic extends across the inside and outside of national boundaries, our moral duties must be once sharply distinguished from those to the nationals of other nations: there is a moral boundary between them. Perhaps, obligations, as opposed to those duties, enter into the picture only when our loyalty to our smaller community conflicts with our loyalty to a larger community.

Nevertheless, that an ethic expands beyond such a moral boundary is not contradictory to that people of a nation give a priority to moral duties to their fellow nationals over those to the nationals of other nations outside of the moral boundary. For the former are still able to genuinely feel empathy for the latter by sensitively understanding their predicaments. People who live in a free country can think and worry for the oppressed people, say, under the dictatorship. Although they cannot join the marching of the oppressed, they can still empathize with them by imaginatively and sensitively understanding their suffering and humiliation.

However, we should be careful about this kind of empathy at least in three respects. Firstly, when we find ourselves empathetic with the people of some nation we should be cautious about whether or not their claims of suffering and humiliation and for help are genuine or whether those are meretricious and fraudulent. If they are, we might well be deceived and gulled out of our bona fide offer. The resulting relation between us is far from mutual respect. Worse yet, if they scheme to get an upper hand over us in diplomatic negotiations since the beginning, and if they succeed slickly, we yield to their unilateral demand. Secondly, it should be noticed that unilaterally sympathizing with their plight is quite different from genuinely empathizing with their predicaments. Such sympathy, not empathy, makes us to pique their sense of pride all the more because we try to help them out of pity; genuine empathy leads us to treat them with

reciprocal respect. Thirdly, there may be the case that both parties cannot establish at all any effective overlap of their beliefs and desires. In that case, such empathy could amount to be of no avail in finding resources to permit agreement on how to coexist without moral antagonism and thus resulting in violence unless they give up on the attempt to get the other party to enlarge their moral identity and settle for working out a proper distance with one another.

Insofar as we are not in those three cases, we can experience the world as a unity of progressive reciprocity, which consists of a constellation of nations. Through that experience human beings are oriented to the awareness that they need to seek the world as such a unity, while it yet takes on conflicting currents within itself, in which nations do not so much demean each other as recognize themselves as different in mutual respect.

### **3. Lateral Ethic as “Justice as a Larger Loyalty”**

American neo-pragmatist Richard Rorty sees “moral progress as a matter of being able to respond to the needs of ever more inclusive groups of people.”<sup>(4)</sup> He contends that “it is better to think of moral progress as a matter of increasing sensitivity, increasing responsiveness to the needs of a larger and larger variety of people and things.”<sup>(5)</sup> In his paper “Justice as a Larger Loyalty,” he maintains that justice or morality is, after all, loyalty to groups or communities, and that such loyalty can be expanded to even much larger groups or communities.<sup>(6)</sup> Justice as a loyalty does not so much start out as a social contract or rational calculation as undertakes as a relation of a reciprocal trust among a closely-knit group of people, and progresses to loyalty to ever more inclusive communities.

Thus, morality does not stem from a single common idea or principle. It does not develop from the context-free, abstract “thin” rational principle into what Michael Walzer calls “thick morality.” The reverse is true. Walzer writes, “Morality is thick from the beginning, culturally integrated, fully

resonant, and it reveals itself thinly only on special occasions, when moral language is turned to special purposes.”<sup>(7)</sup> It is, as Rorty says, always and already loyalty to a certain group of people. As such, morality is diverse and can be expanded; hence, larger loyalties result in the diverse overlaps of moralities, or vice versa. The abstract rational principles of morality are made mostly when we envisage that it is better for us to use them so as to deal with “thin morality” in various ways. Thus, “if by rationality we mean simply the sort of activity that Walzer thinks of as a thinning-out process—the sort that, with luck, achieves the formulation and utilization of an overlapping consensus—then the idea that justice has a different source than loyalty no longer seems plausible.”<sup>(8)</sup>

It is feasible that coming to see ourselves as members of a global moral community, whatever it is, lead us to think of justice as a loyalty to it in such away that we start to feel a certain binding force of morality by attending to sensitively understanding, and empathetically coming terms with, others outside our moral community or tradition of morality—in our terms, by laterally transcending our moral boundaries.

A question arises here: does this view that counts us as members of the universal community of humanity as a whole long for the universal and cosmopolitan morality? While foreseeing a “global moral community,” Rorty gives advice to the American left he avouches himself, an advice that confounds them: he admonishes them to look up a sense of national identity and a sense of national pride. American political philosopher Martha Nussbaum is surely bewildered by that advice. In her book *For Love of Country?*, she writes:

In a well-known op-ed piece in the New York Times (13 February 1994), philosopher Rorty urges Americans, especially the American left, not to disdain patriotism as a value, and indeed to give central importance to “the emotion of national pride” and “a sense of shared national identity.” Rorty argues that we cannot even criticize ourselves well unless we also “rejoice” in our American identity

and define ourselves fundamentally in terms of that identity. Rorty seems to hold that the primary alternative to a politics based on patriotism and national identity is what he calls a “politics of difference,” one based on internal divisions among America’s ethnic, rational, religious, and other subgroups. He nowhere considers the possibility of a more international basis for political emotion and concern.<sup>(9)</sup>

It is undeniable that Rorty keeps firmly in mind some common moral property between those who share the same nationality. I think that Nussbaum is right about Rorty’s vision of a “politics of difference” here. In fact, he maintains a sort of ethnocentrism in that aligning with Walzer’s thick-thin distinction he conceives of morality as starting from thickening with parochial loyalties; he says, “You know more about your family than about your village, more about your village than about your nation, more about your nation than about humanity as a whole.”<sup>(10)</sup> And he continues to say,

You are in a better position to decide what differences between individuals are morally relevant when dealing with those whom you can describe thickly, and in a worse position when dealing with those whom you can describe thinly. This is why, as groups get larger, law has to replace custom, and abstract principles have to replace *phronēsis*. So Kantians are wrong to see *phronēsis* as a thickening up of thin abstract principles.<sup>(11)</sup>

I think that Rorty’s vision of a “global moral community” is leastwise not the sort of Kantian cosmopolitanism. This is because, even if the universal community as humanity at large is realized, Rorty attributes the ethical binding force of that community not to universal moral principles but more than anything to sensitivity and empathy of those who voice solidarity and practice it with others. He does not require those abstract principles, which

are envisaged by reason and are somehow prior to the loyalties, to be the basis of such an ethical binding force. It is in this regard that lateral ethics is resonance with the vision of a “global moral community.” Both of them are consonant with one another also in that they count moral obligations, not mentioning the loyalties, as once demarcated between the inside and outside of national boundaries. This, of course, implies that our moral obligations ever expand beyond the national boundary when we weigh each expecting result of the conflicting moral principles by expanding our sensitivity and empathy to the moral issues of those who live in other nations. Hence, the global moral community Rorty envisages is not so much justified by “the notion of universal moral obligations created by memberships in the species” as pursued by substituting for that notion “the idea of building a community of trust between ourselves and others.”<sup>(12)</sup> Therefore, Rorty’s notion of the global moral community along with the view of lateral ethics on the latter is nothing to do with rationalistic foundationalism which provides a foundation for cosmopolitanism: rather, it has to do with practice.

#### **4. Moral Identity and Exclusion**

Expanding one’s moral identity to other communities or enlarging one’s loyalty to the larger community that comprises the community to which one belongs involves a matter of exclusiveness. Whatever kind of community has a tendency to exclude its members who trespass its intracommunity-morality. We tend to get a feeling of guilt when we depart from our own community and its intracommunity-morality, whereas we tend to get a feeling of innocence as of being just when we comply with the intracommunity-morality, that is, when we are loyal to it. This is why we are prone to exclude non-conforming people of our community: the risk of exclusion.

The same risk is leached onto Rorty’s notion of global moral

community and also the notion of lateral ethics. Such exclusion can generally be found in the following: intolerant religious dogmatism; narrow-minded nationalism and exclusive ethnocentrism that arise from a sense of cultural and ethnic superiority and the consciousness of the chosen people; the idea that counts neighboring countries as being at the lower rank of the pecking order while counting one's home country as the center of the world without ever coming to the idea that such hierarchy or such ordering principle is only relativistic and cannot be imposed on other countries or nations unless involving the threat, or even the use, of force.

It should be aware that all of these lead to derogation, prejudice, discrimination, and finally exclusion or extinction to an extreme. Exclusion as such cannot nonetheless be annihilated; rather, it is part and parcel of the nature of intracommunity-morality. And that is a sort of ethical aporia. Nowhere is that more apparent than in the antagonistic property between intracommunity-morality and more comprehensive ethic to which the latter is oriented. That antagonistic property, not exclusion *per se*, is even necessary for shaping one's identity in the community to which one is loyal. For, without that, the moral boundaries between communities can eventually be swept away and the latter can consequently be conjoined and fused by the larger moral community, i.e., possibly by the global one.

Nevertheless, one's moral identity is not definitively formed by a single group or community one identifies with. As Walzer maintains, many "moral voices" in fact are mixed in the self. Different "generalized others" as moral voices are incorporated into the self. This is why "it speaks with more than one moral voice—and that is why it is capable of self-criticism and prone to doubt, anguish, and uncertainty."<sup>(13)</sup> If we are indeed encouraged by an urge to expand the scope of the "voices" in spite of taking on skirmish of the different moral voices within the self, how should we then evade exclusion to the utmost extent?

What is required to resolve the ethical *aporia* is that we sensitively deal with the individual ethical situations of those concerned in light of their specific roles, responsibilities, sentiments, and basic needs; that

is to say, we attempt at grasping each ethical situation painstakingly, if necessary, at groping for realistically securing the necessary compromises: never that we cling to the universal moral principles. For conforming the intracommunity-morality or even the morality generally recognized in a nation to the universal moral principles (which *per se* transcend the realm of the relation of things and the relation between morality and the moral agent) could turn out to be just as painful as, as it were, making oneself conform to a Procrustean bed. Our intracommunity-morality might be forced to fit the overarching, universal moral principle whereas nobody ever knows whether or not it is an arbitrary standard. When conformity to the universal moral principles is conceived of, as often is by the cosmopolitan moral theorist, as being tantamount to conforming to a wider, more inclusive moral identity that integrates different moral identities, there arises the risk that moral voices that are intermingled and conflicting with one another, or complement each other in the self might be drowned out by a growled command and converged with the single moral voice.

The (universal, rational and moral) principle-oriented theorist, or the cosmopolitan moral theorist, does not take account of the following two angles. Firstly, he or she nowhere considers the possibility that a wider, more inclusive moral identity can continue to be ameliorated in response to a variety of circumstances. Secondly, there exists the rigorous range of the binding moral force of the national community, the range that marks off its space. The cosmopolitan principle-oriented theorist conceives of that range as that which can easily be swept away as if it had no discriminating binding force. He or she thinks that moral boundaries can be cancelled out and integrated into the overarching moral circle by virtue of rational apprehension of the universal moral principle. Yet morality, I think, has its own reasons that reason *per se* takes no account of.

Lateral ethics takes account of the first angle. It considers the process of overlapping of moralities as unaccomplished process of growth. The latter is unending process of, as it were, making new circles of which the circumferences are often revised, and of which some disappear and others

expand. With John Dewey, lateral ethics claims that such moral “[g]rowth itself is the only ‘end’” it pursues.<sup>(14)</sup> In this regard we get into line with Dewey maintaining in the following:

The end is no longer a terminus or limit to be reached. It is the active process of transforming the existent situation. Not perfection as a final goal, but the ever-enduring process of perfecting, maturing, refining is the aim in living. Honesty, industry, temperance, justice, like health, wealth and learning, are not goods to be possessed as they would be if they express fixed ends to be attained. They are directions of change in the quality of experience.<sup>(15)</sup>

Thus, what we should consider next is how lateral ethics responds to the second angle.

## **5. Cosmopolitanism**

I have mentioned that, although lateral ethics expands the scope of ethical connection through solidarity based on sensibility and empathy, the binding moral force of the community does not equally expand to humanity as a whole. I modeled lateral ethics to depicting the circle, which Augustine represented, i.e., as “a circle whose center is everywhere, and its circumference nowhere.” This process implies by no means that wide-ranging circles eventually converge with the largest circle. In this illustration, there exist no circumferences and centers anywhere that set out a single largest circle, but the circle lateral ethics limns is one that is formed in a particular circumstance at different times.

Some leading philosophers insist on situating the largest circle outside all the concentric moral circles that are limned according to individual selves in individual situations and hence that all local circles are subsumed

under the largest circle, i.e., a single ethical community as humanity at large. Nussbaum, who is one of them, upholds such a view.

They [The Stoics] suggest that we think ourselves not as devoid of local afflictions, but as surrounded by a series of concentric circles. The first one encircles the self, the next takes in the immediate family, then follows the extended family, then, in order, neighbors or local groups, fellow city-dwellers, and fellow countrymen—and we can easily add to this list groupings based on ethnic, linguistic, historical, professional, gender, or sexual identities. Outside all these circles is the largest one, humanity as a whole. Our task as citizens of the world will be to “draw the circles somehow toward the center” (Stoic philosopher Hierocles, 1st-2nd CE.), making all human beings more like our fellow city-dwellers, and so on.<sup>(16)</sup>

Stoic philosophers Nussbaum deals with here are those whom she reckons to be the fathers of cosmopolitans. She contends that “[o]ne should always behave so as to treat with equal respect the dignity of reason and moral choice in every human being,”<sup>(17)</sup> and that “we should also work to make all human beings part of our community of dialogue and concern, base our political deliberations on that interlocking commonality, and give the circle that defines our humanity special attention and respect.”<sup>(18)</sup> This is undoubtedly a form of cosmopolitanism. It is both rationalism and universalism in that above all things it pays equal respect to individual reason and longs for the universal expansion of human dignity based on human reason.

This penchant for cosmopolitanism is apparent typically in immediate followers of Kant. Or someone like Friedrich von Hayek, though he does not accept rationalism, considers moral circles that stay within national boundaries as “tribal sentiments,”<sup>(19)</sup> i.e., “our sentiments are controlled by instinct appropriate for hunting groups.”<sup>(20)</sup> Hence he identifies moral circles with “tribal sentiments” that should be converged to the largest

“circumference,” viz., the sole universal morality. He thus presumes nationality to be both the road to nationalism and the old mirage that should be cleared off. Cosmopolitans in general do not so much reckon nationality as the legitimate source of ethical identity as regard limits to overcome.

One of the definite deficiencies of cosmopolitanism lies in its understanding of relation between nationality and identity of the individual moral agent. As English political philosopher David Miller rightly says, “identifying with a nation, feeling yourself inextricably part of it, is a legitimate way of understanding your place in the world.”<sup>(21)</sup> That a person belongs to a nation forms an important part, if not all, of his or her identity. But “although at any moment there will be something substantial that we call our national identity, and we will acknowledge customs and institutions that correspond to this, there is no good reason to regard this as authoritative in the sense that excludes critical assessment.”<sup>(22)</sup> Furthermore, “the meaning of membership changes with time.”<sup>(23)</sup> That people have the same national identity means that they realize their same belongingness, and that for that reason they feel the same responsibility and loyalty. And the latter are thin in the moral agent cosmopolitanism considers.

The individual with a thin national identity, being devoid of the values of nation as ethical community and of experiences of moral judgments in everyday life, is not capable of making an ethical choice and decision in ways that commensurate everyday situation. Such a choice will not even be ethically valuable for that individual, for he lacks the normative sources inextricably embedded in national values out of which he makes a moral judgment. Lateral ethics attributes those values to public culture that is shaped by national characteristics common to the people (a nation) who share the same national identity. And the moral agent launches ethical thinking from the values of public culture as the edge. In addition, the moral agent becomes engaged with various moral communities and groups existing within national boundaries in various ways, and he does moral thinking also by beginning at that engagement. Thus, expunging the boundaries of these values as inappropriate and unnecessary for the

identity of the world citizens, and, accordingly, confounding public culture within the national boundaries with the world outside, are not so much a rash of speculation as fundamentally wrong one.

## 6. Moral Universalism

It is ethical universalism that is the theoretical basis of cosmopolitan ethical thinking. According to ethical universalism, the individual with a rational capacity for judgment and choice makes an ethical judgment subjectively by virtue of rational reflection congruent with some universal ethical principles, and the rationally choosing subjectivity of the agent is seen to be precedent to a variety of relations between the other individuals and that agent.

Unlike ethical universalism, lateral ethics, as is discussed in this paper or primarily in my recent book *Lateral Ethics: Beyond Rorty, Hayek, and Singer*,<sup>(24)</sup> does not, in principle, aim to conform particular cases to the general ethical principles. It rejects first to accept principles like “Act as you decrease pains of all the animals that can feel pain and as you increase their pleasure” or “Do not act in such a way as to use others for the sake of your own benefits,” and then to conform one’s conduct to those principles. It has nothing to do with the universalization of morality that is done by conforming to the human nature, atemporal reality, and rational principles, although it is to be noted that it does not deny the universalization of morality *per se*.

Lateral ethics does not offer a moral agent the list of the order of priority that suggests the definite procedures of conflict-resolution by always placing the moral principles with the lower priority above the moral principles with the higher priority when he faces conflicts between those moral principles. This is because that could such a list of the order of priority be made, the moral agent’s moral dilemma and the consequent distress would not ever exist at all.

Moreover, lateral ethics is also skeptical of Kantian moral universalism on which Nussbaum draws. Distinguishing the absolute moral principles (viz., perfect duties) that cannot be overturned by any moral principle from imperfect duties, Kant argues that if the strict condition that the absolute moral principle should not conflict with other absolute moral principles is satisfied, there possibly exists more than one absolute moral principle. But it is skeptical whether such a pretty stiff condition can actually be met. Furthermore, it is quite possible that not absolute (thus can be overturned) moral principles, i.e., imperfect duties, conflict with respect to one another in Kant's moral theory. That means then that it is not conclusive which duty is weightier for each individual case when there exist certain conflicts between imperfect duties.

Deciding which duty is weightier pertains to judgment, and besides, we reject that there exist *a priori* identified criteria and methods for that judgment. In fact, in order to get unbiased judgment, it is necessary for one to sensitively consider to his or her best knowledge the details of the given situation as far as possible. This consideration or weighing should entail sensitivity endorsed by enriched experience germane to morality. Without sensitivity, moral judgment is tantamount to the mere calculation of the weighing of duties. As David McNaughton writes, "Just as someone can only be well qualified to judge in aesthetic matters if he has wide experience of different kinds of art, and the right kind of sensitivity to react to them suitably, so judging moral questions aright requires a wide experience of life and a suitable range of emotional response."<sup>(25)</sup>

It should be aware that whether and to what extent the properties of the action that is done according to such a moral judgment are aright are determined by the characteristics of the other properties of the action when we make an assessment on its results. Let us illustrate this by means of the often-referred property, "pleasure" and "joy."<sup>(26)</sup> I take my children camping for retreat they have been waiting for. They will be fully enjoying themselves. I will do the right thing, for I will give them pleasure. Should we then think an action aright whenever it conduces to pleasure? No.

Imagine: a government reintroduces public execution for heinous crimes. The reason for the reintroduction is that many a bystander enjoyed the spectacle of public execution back in time when the institution was implemented. But is it valid to say that even now people would enjoy the spectacle? They will strongly object to the reintroduction because they now believe public execution is cruel and anti-humanitarian. Only when we understand in what situation joy is resulted are we in a position to be able to morally evaluate whether the judgment is aright. Those situations differ greatly in property. Joy in a certain situation may be the primary property, and yet may not be in another situation. In this illustration, facing the property “cruelty,” the property “joy” loses deciding impact on judgment.

Which feature of an action in a certain situation contribute to the *moral* property of the action differs in individual situations, since the contribution, as is already seen, is determined in relation to the other properties brought about in the situation. Thus we cannot derive some *general* answer applicable to other cases from well-considered *individual* results as to which moral property is weightier *in particular cases*. Nevertheless, this does not imply that we should weigh those moral properties equal ignoring those results. We should not suppose that we could specify a moral choice *a priori* right. Instead, we should think that it is difficult, if not impossible, to drive at judgments as to which property we should choose. What is true for moral property is true for moral principle as well. We cannot derive the general moral principle from individual moral judgments as to which duty is weightier in particular cases. Therefore, we should think that the general or even universal moral principles in fact seem to be unhelpful in our particular moral judgments.

## 7. Moral Particularism

My position in ethics can be epitomized as follows. We should sensitively consider the details of a particular case relying on basic moral sense such

as sensitivity and prudence when we are required to decide as to which duty or principle is weightier in the particular case in which moral duties or moral principles conflict. This position is usually called “moral particularism.” It is largely skeptical of ethical universal principles.

There are two notions that strongly back up the role of moral principles: generality of the moral principle and consistency of moral judgments.

Let us first examine the former. According to moral particularist McNaughton, moral particularism can be discerned as to whether it denies that satisfying the items of the complete checklist of “non-moral properties” determines moral properties like the rightness and wrongness of action.<sup>(27)</sup> Non-moral properties are the properties that generate the moral properties (i.e., the rightness and wrongness) of the action of an agent; for instance, a non-moral property could be the pain induced by the action and be just a story of the agent that brings about flam. Suppose now that I casually make a promise to take the children camping while having not the least intention to do so and that I cancel the whole plan making a plausible excuse on the appointed day. In this case the falsity and the disappointment of the children are the non-moral properties and telling a lie makes the cancelling morally wrong. Thus if the reason that this action is morally wrong involves telling a lie, the wrongness of acting like that must be the wrongness of other actions that involve telling a lie. I must appeal to the non-moral property that makes an action wrong when I deliver the reason for defending the claim that the action is wrong. Moral particularism denies that we should decide whether the action is morally wrong according to whether the complete checklist of non-moral properties that is made by clearly describing every one of them and thus applicable to any situation is satisfied; moral particularist renounces the general application of the complete checklist to individual moral situations.

Secondly, let us examine the notion “consistency” of moral judgments. The moral particularist thinks that we can demonstrate “a genuine and consistent *sensitivity* to the presence of some moral property without it

being the case that there is any recognizable pattern, at the non-moral level, in the properties of the agents or actions to which he applies the term.”<sup>(28)</sup> By contrast, the non-cognitivist thinks that there exist no moral properties that exist independently of our evaluations; our use of the evaluative terms of moral approval or disapproval becomes understandable when we select the same non-evaluative features in a consistent way so that the agents approve or disapprove morally. This is, the non-cognitivist thinks, how it becomes understandable what they approve or disapprove morally.

We agree that we should consistently use the terms applied to the moral properties. But that we exhibit a genuine and consistent sensitivity to the presence of some moral property does not necessarily require some recognizable consistency at the level of non-moral properties, for there is no necessary connection between demonstrating a consistent sensitivity to the moral properties of the actions of the agent and consistently using of the terms applied to the other features of the actions that happen to induce those moral properties.

Contrary to what is often said by mistake, moral particularism does not deny the moral principles as such. As we already saw, it takes its stand on conferring *no central position* to the moral principles in making moral judgments. Lateral ethics is a sort of modest moral particularism in that it also takes the same stance. Both moral particularism and lateral ethics do not oppose to the actions that are based on the moral principles. The reason why both of them do not mind relying on the moral principles as the case may be is twofold: first, doing so is *useful* in some instances; second, according to Eriksonian developmental psychology, there exists the developmental process of humankind’s moral psychology in which each stage in life has a corresponding moral or psychological principle, the principles to which one may conform differ according to one’s developmental stages in life.

Perhaps, the latter needs elucidation somewhat. Suppose the case of the child who grew up being told that she must be tried by the court and expiate if she commits a criminal act. And the police inspector now asks the

child if her parent who committed a crime is hiding himself at home. Even if she has reached the age of reason, it is usual or even natural that she has a way of *not* telling the police that he is home simply because social justice must be done. Perhaps she could not even have a notion of social justice. She conforms to her deep loyalty to her father; she does so out of love. Nevertheless, she could inform to the police if she were grown up enough to embrace the notion and to take very seriously the rigorous maintenance of the social order out of a certain ideology. Further, if this youngster will grow up passing through the strain of hardship, regret, self-contradiction, and sorrow in life and will finally become an old person of well-seasoned character, and being faced with a moral dilemma at some time in her life, she will probably deal with the case in an open-minded attitude out of enriched mature consideration. Envisaging moral development in such an epigenetic way is endorsed by experience and wisdom that we come to acquire through our life. Hence the moral principles one may conform to differ according to one's developmental stages. Moral dilemmas are not the result of a conflict between justice and sentiment or between loyalty and the moral and psychological principle of each developmental stage in life but between alternative loyalties, alternative moral personhoods that epigenetically come into being, alternative ways of relating to and dealing with a particular moral situation.

This view is nothing more or less than that complying with each moral principle of the given stage of life is in fact useful for solving moral matters in our actual life. Moral principles are useful in some cases in order that we may expand the scope of ethical connections through the solidarity based on sensitivity and empathy. In this wise, lateral ethics and moral particularism share the view that appealing to the moral principle does not prove decisive of moral judgments though neither of them renounces it to the extent that it is typically proper to the corresponding developmental stage.

## 8. Moral Particularism and Lateral Ethics

Thus I think that lateral ethics has a negative view of ethical universalism and is sympathetic about moral particularism. Notably lateral ethics does not side with the cosmopolitan ethical universalism that believes some universal cosmopolitan community will prevail comprising or cancelling out national boundaries in the last analysis. There exist a variety of communities with the morally binding force within the inexorably existing national boundaries. In *On Nationality*, Miller talks about the fact that when we expand the moral circle to the extent that the national boundary consisting of the duties we owe to our fellow nationals is the outmost located circumference of the circle of morality there exist various communities with contrasting features within the boundary. He says as follows:

[N]ations are ethical communities. They are contour lines in the ethical landscape. The duties we owe to our fellow-nationals are different from, and more extensive than, the duties we owe to human beings as such. This is not to say that we owe no duties to humans as such; nor is it to deny that there may be other, perhaps smaller and more intense, communities to whose members we owe duties that are more stringent still than those we owe to Britons, Swedes, etc., at large. But it is to claim that a proper account of ethics should give weight to national boundaries, and that in particular there is no objection in principle to institutional schemes—such as welfare states—that are designed to deliver benefits exclusively to those who fall within the same boundaries as ourselves.<sup>(29)</sup>

Miller and other moral particularists with no exception describe ethical life as pluralistic. Nevertheless, I do not think that the description of such

contour lines suits their purpose. Nussbaum's illustration of concentric circles and Miller's illustration of contour lines together express the inclusive relation regarding human interests and loyalty. Both Nussbaum's cosmopolitanism (that explains the familiar individual morality beginning with some non-conflicting, universal moral principles which are the basis of the supposed ethical world-community) and Miller's moral particularism (that gives a heavy weight to the moral duties to nationals and to the feelings that regard as morally important special loyalty to nation or nation state) cannot cast aside the doubt that both sides are to be absorbed into the ethic of one large community; that is, the individual intracommunity-morality into the national ethic and the ethic of nations into the singular cosmopolitan ethic.

In contrast, let us understand the pluralistic ethical life to be the whole relation between distinct kinds of societal institutions (e.g., family, religion, education, medical care, welfare, and the state) and the various distinct spheres of culture (e.g., sport, music, art, traditional performing arts, and literature).<sup>(30)</sup> Having its proper jurisdiction limited by and defined by the specific nature of the sphere concerned, each individual sphere is of its own unique scope, decision-making power, responsibility and even ethic or norm which may not be usurped by those in authority in another sphere, for example, the state. There is no distinction of rank regarding their authorities. The relations between them are not hierarchical but lateral: they are rhizomatous. When those spheres are usurped, that is, their autonomy, distinctiveness, authority and ethic are impaired or, at worse, lost due to the usurpation, they cease to function properly or become dysfunctional: they are no longer what they are.

Construed in this way, the pluralistic ethical life starts to look *not* like "contour lines in the ethical landscape" but rather like cohesion of those spheres laterally situated with respect to one another, since it cannot be reduced altogether to the inclusive relation. In addition, considering also that there exist a variety of communities and associations specialized for those spheres brings into perspective the landscape of expanding moral

circles intersecting with each other, which can hardly be depicted by “contour lines” or “concentric circles.” This landscape is reminiscent of the image of “a circle whose center is everywhere, and its circumference nowhere.” When the ethical landscape Miller depicts is replaced by the image of the lateral relations, it transforms into the landscape of the morally binding force that works on the nexus of the relations while comprising the pluralistic communities interwoven into them.

Thus the circles lateral ethics depicts are neither concentric circles nor contour lines. Their centers point to particular moral judgments that are to be made by sensitively examining moral issues. Some of those centers may happen to be yet the same; most of them are apart or close one another. Obviously the “center” here stands for the particular moral judgment or the individual moral agent who makes it; the “circumference” for the scope of the resulting effects and their gravity. When, designating those centers as our starting point, we sensitively and empathetically consider other centers (i.e., the moral judgments other agents make in other moral situations), there emerges mutual understanding between other centers and ours, viz., other agents and us. Just as the distances between those centers are varied, so is the mutual understanding varied according to the distances. The centers neither converge with one and only center; nor does one and only kind of mutual understanding sweep up that mutual understanding. In fact those centers are laterally linked one another. It is exactly what makes them linked that is loyalty, which is formed by the nexus of bonds and relations brought about by such mutual understanding. It is this lateral linkage that is what I call “overlapping morality” or “overlaps of different moralities.”

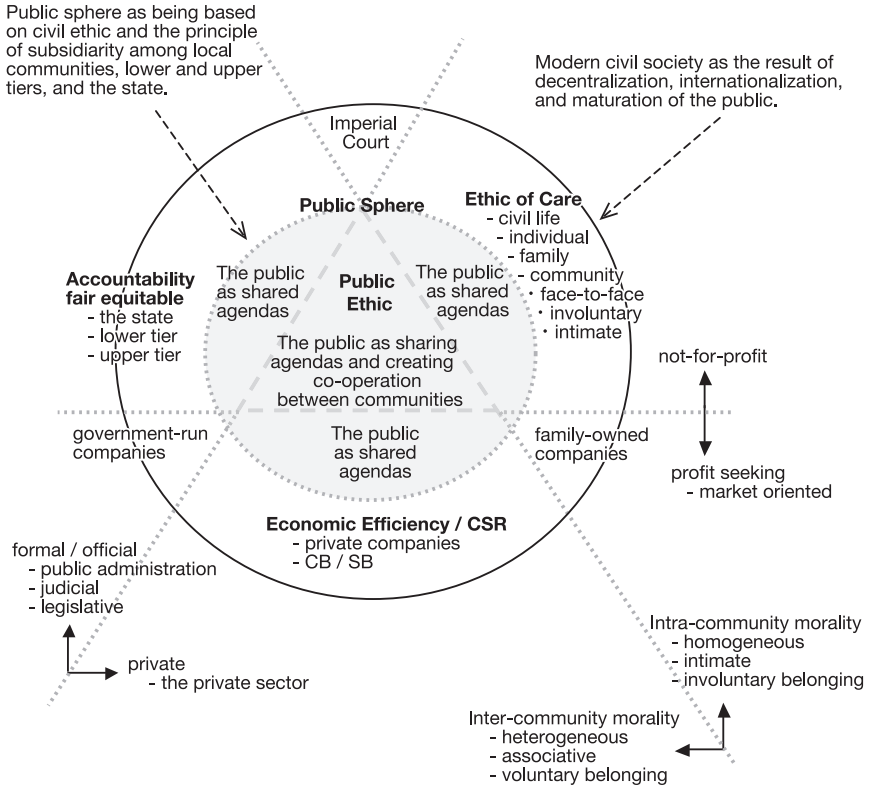
Lateral ethics seeks to exhibit sensitivity to details of a particular situation at times in which we are to make a moral judgment particularly so that it can sensitively address that situation to the extent possible. And we come into linking with people of other communities through empathy and the overlapping loyalty that is generated by getting in tune with the moral binding force of the societal sphere in which that situation primarily

arises. Whereas we ethically reason through sensitivity and empathy, if at all possible, by sensitively consider details of ethical matters that arise in the lateral or rhizomatous relations between those spheres or communities. Construed in this way, lateral ethics seeks as well to go beyond the scope of the ethic that Miller depicts. When we expand our sensitivity and empathy to gear toward individual moral issues outside national boundaries and when accordingly our ethical obligation expands beyond national boundaries, we obtain a momentum that an ethic is developed in the wider scope across national boundaries. Such expansion of ethic neither is longing for the cosmopolitan, universal moral principles nor is inconsistent with moral particularism.

## **9. Concluding Remarks**

Based on moral particularism, I argued that lateral ethics has a negative view of seeking to found ethics on any form of ethical cosmopolitanism and its theoretical foundation, i.e., ethical universalism. However, I do not deny that we can build a moral bond with people of other communities by transcending the boundaries of one's own moral community and that such solidarity accordingly even expands across national boundaries. What I deny is that such solidarity converges with fairly large, if not one and only, loyalty that is vigorous enough to transelement one's national culture, history, and identity. Needless to say, I do not regard imposing one's own morality on others and other communities by elevating oneself as lateral ethics. In that sense, prudence or common sense of some sort is always and already incorporated into lateral ethics; and, for this reason, it is a kind of virtue ethics. Larger communities like nation, let alone home, school, local community, and so forth, nurture such prudence and such common sense as well as sensitivity to moral situations.

Diagram of Public Ethic and Public Sphere



The Public	As makeshift agendas—viz., socially common agendas that cannot be personally resolved by individuals alone—that are, under civil agreement, thus to seek to be resolved by means of institutional policy in cooperation with each government on the pluralistic and multi-layered levels.
Public Sphere	Public network(ing) that is formed by sharing public agendas and by collectively resolving them in the civil society of which the structure is pluralistic and multi-layered.
Public Ethic	The codes of conduct that are made continuously by virtue of empathy, sharing, and mutual cooperation between communities and individuals in the pluralistic and multi-layered civil society.

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