REFUSING EVIL: THE PLACE OF ACUITY IN MORALITY

by

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Arendt wrote that "to think what we are doing" may make humans "abstain from evil-doing." I suggest that there is more to it than that. Moral Acuity is a phrase I use to discuss how one can know the right thing to do, often practically without thinking, when situations involving evil arise. Evil, for my purposes, refers to the causing of great harm to another. I propose that to be Morally Acute one must have the capacity for independent judgments and possess sympathetic awareness of suffering. One must be able to make decisions independent of others. And, one must emphasize the suffering of the victim in moral decision-making. "Truly bringing the victim to mind" is a phrase which illustrates these two attributes. Truly bringing the victim to mind underscores the need for a kind of accuracy or acuity of perception unfettered by ego, belief, peers or cultural norm. Truly bringing the victim to mind emphasizes

that the victim's experience be foremost in one's mind, that the suffering of another take precedence over other elements of particular circumstances.

I stress the need for literacy regarding evil and those who refuse. I offer suggestions for moral development which stress the importance of thinking for oneself as well as the benefits of being able to see things from another person's perspective. The combination, while not the only channel for doing the right thing, will, I suggest, increase the likelihood. To be thought-full and clear-headed and sensitive to harm will, in the long run--and doesn't common sense tell us this anyway?--be the best route to determining the right thing to do.

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CHAPTER I

VICTIMS AND PERPETRATORS

1. Introduction

The first news regarding the ethnic conflicts in Bosnia and Herzegovina began appearing in the U.S. media in approximately April of 1992. War between the Serbs and Croats was in full swing before accounts of the rape camps began to filter out. The earliest reports of these camps that I read were in Ms. magazine, and they affected me more significantly than has any other aspect of this war.[1] This project is not about war and its relationship to rape, although my main example does have those elements.[2] It is instead an attempt to develop a view that responds to the rhetorical questions that echoed through my head when elements within the former Yugoslavia began their war of

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[1]"Dispatches from Bosnia and Herzegovina: Young Survivors Testify to Systematic Rape," interviewed by Nina Kadic, trans. Zoran Minderovic, Ms., January/February 1993: 12-13.

[2]There are several interesting works on that topic already. See, e.g., Susan Brownmiller, Against Our Will: Men, Women and Rape (New York: Simon, 1975); Julia R. and Herman Schwendinger, Rape and Inequality (Beverly Hills, CA: Sage, 1983); Lepa Mladjenovic, "Universal Soldier: Rape Is War," Off Our Backs, March 1993: 14-32.

ethnic cleansing. "How could this be happening again?" "How can people be so cruel, so evil?" It seemed almost ludicrous, absurd in the Camusian sense, that people who had been neighbors for years could become such intensely cruel enemies. Could it be happening again because humans simply do not learn from previous generations' wrongdoings? Are we genetically doomed to repeat our past atrocities? Or is it that environmental and societal pressures inevitably combine with the charisma of one or more political leaders to convince the general public to participate in, or at least approve of, some fashionable kind of hatred? Or is it something else entirely?

The whole world suffered because of the attempts by Hitler and the National Socialist party to "purify" Europe. Yet, awareness of the evils perpetrated by the Nazis's bureaucratic death-machine has not convinced those responsible for or involved in the war in Bosnia-Herzegovina to try other means of conflict resolution. Awareness of such horrors is even incentive for some neo-Nazi groups to begin planning the rise of the new Aryan Nation. "Awareness" is a key word in this project, but it alone is not the route to avoiding cruelty, as should become clearer as this study progresses. One who commits great harm to another may be just as aware of the suffering they cause as those who refuse to harm are of the suffering they are

avoiding causing. As this work progresses, I look at what else may be going on when one refuses evil.

Regardless of the reasons for repeating our most appalling history, humans seem determined to do just that. Engaging in a war of ethnic cleansing, regardless of the historical justifications, harms everyone involved. It causes vast unnecessary suffering. While I am not going to argue, in this study, for the immorality of war generally, it seems to me that military strategy that causes great suffering to innocent civilians, in this modern world at least, can carry no moral justification. Elie Wiesel's words to President Clinton, regarding the ethnic cleansing of the Bosnia-Herzegovina war, during the dedication of the Holocaust Museum in Washington, D.C., a few years back, reflect this sentiment well. The words were full of terror, incredulity and hopelessness: "This bloodshed must be stopped!"[3]

Whether or not the U.S. or the U.N. had done anything in response to Wiesel's words, it is unlikely that humans would have or will, as a whole, learn from this most recent war either. I expect such wars will continue to erupt. I am reminded of the words of Rodney King at his press conference during the LA riots in 1992: "Can we get along?

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[3]Diana Jean Schemo, "Holocaust Museum is Hailed as Sacred Debt to Dead" New York Times 23 Apr. 1993, late ed.: A24.

Please, we can all get along here."[4] And, of course, we could not. We cannot. But, little comfort arises from conclusions roused by exasperation. It is no consolation to merely accept the inevitability of our not "getting along." I am not going to argue here for the inherent evilness or the natural maliciousness of human nature. I am not going to suggest specific paths to our eventual liberation from the need for war and rape and hatred. I do not pretend to have those answers. What this study is most concerned with is that which offers--not hope exactly--but, perhaps, alleviation of a bit of the outrage and indignation directed at those who carry out the genocidal rapes and the mass killings, torture, and the other horrors of the modern world.

I am interested, in this study, in developing ideas which emerge from the notion of refusing evil. I will be discussing examples of people in the present day who have refused evil, and people who have rejected evil, and I will be proposing ways of looking at what I call Moral Acuity, that which I suggest can culminate in refusing evil. Out of this discussion, the importance of being conscious as one goes about in one's world should become apparent. By "conscious," I mean being in possession of the ability to discern the appropriate action to be taken in a given set of

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[4]Richard W. Stevenson, "A Plea for Calm: Rodney King Speaks Out" New York Times 2 May 1992, late ed.: A6.

circumstances--perhaps, not always, not every time, but, most importantly, when the stakes are highest. It is worth suggesting, even though time and space allow only that, that the formation of what Hannah Arendt and Herbert Marcuse would both call "mass society" has promoted a kind of rejection of the other as important, while, at the same time, reinforcing the necessity of conforming to the expectations of one's social group or community. This notion of mass society and its possible consequences is connected to evil in the view I am developing, which I describe more thoroughly in Chapter 2. Evil, as I use it, is a specifically modern phenomenon connected to that which Marcuse and Arendt are critiquing. Modernity provides the kind of war and government and apathy and conformism that are the likely conditions for the evil which I will be describing. Our culture has created an environment where individualism is valued, while simultaneously seemingly removing the possibility. And, this in turn, fosters an atmosphere where greater goods can take precedence over the suffering of innocents. In this study, I consider evil to be the inflicting of suffering of great intensity on another human being.

Despite the modern predicament--whether it is viewed as creating a society of conformists or not--there are still those who refuse evil. The phrase "truly bringing to mind" will come up repeatedly as descriptive of what my view of

refusing evil entails.[5] What one often truly brings to mind in refusing evil, I suggest, is the suffering of the victim. This is an important part, but not the whole, of refusing evil as I see it. In focusing my attention on the capacity for humans to refuse rather than perpetrate evil, I do not think I am trying to escape the horrors of which humans are capable, so much as I am attempting to gain insight into those horrors by examining those who oppose such actions. Hannah Arendt comes close to my intent in Eichmann in Jerusalem: A Report on the Banality of Evil when she writes:

> Politically speaking, it is that under conditions of terror most people will comply but some people will not, just as the lesson of the countries to which the Final Solution was proposed is that "it could happen" in most places but it did not happen everywhere. Humanly speaking, no more is required, and no more can reasonably be asked, for this planet to remain a place fit for human habitation.[6]

That "some people" did not comply with the evil perpetrated by Hitler's regime, and that some occupied countries--especially Denmark--did not obey the orders coming from Germany, is a relief in some ways. But it is more than that. It can be seen as a confirmation of humanity, as

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[5]The phrase "truly bringing to mind" is a paraphrase from Rolf Hochhuth's play The Deputy, trans. Richard and Clara Winston (New York: Grove, 1964). The actual quote is from page 101.

[6]Hannah Arendt, Eichmann in Jerusalem: A Report on the Banality of Evil (1963; New York: Penguin, 1985) 233. Emphases in original.

Arendt suggests. Even in times such as Hitler dictated, positive, worthwhile, events occur due to human intervention. Arendt seems to imply in the above quote that resistance is inevitable, that there will always be a few who will refuse to participate in some prescribed evil. I do not intend to argue for or against such a proposition. I want to direct attention to the fact that such refusal does occur and that it says something positive about human beings. I intend to develop a view surrounding what that something positive is by examining why some humans refuse to participate in evil.

In order to accomplish my goals, I will narrow the scope to which refusing evil could apply. My intentions for this phrase will become clearer in the following chapter, but, let me say for now that it involves refusing under duress, resisting despite threat of personal harm. It involves being aware of the potential for or the actuality of harm of great intensity being caused to another person. And it often involves choosing an unpopular course of action, "going against the flow," so to speak. Refusing evil involves knowing, often without reinforcement from one's society or community, the right thing to do. For example, reports of people who refuse to participate in the atrocities associated with a policy of ethnic cleansing have surfaced out of the former Yugoslavia's hostilities. The following quote is from a survivor of a Serbian rape camp in

the city of Doboj in Bosnia-Herzegovina: "There were three men I knew, they're dead now, they refused [to participate in the gang rapes]; they didn't want to go along with it, and so they killed them."[7] Three, out of how many we do not know. There is little doubt that they were greatly outnumbered. They refused to rape despite the evident inevitability of being killed. This is the kind of action in which I am interested.

As familiar as World War II is for such examples, it is worth briefly mentioning a couple of other illustrations of what I consider refusing evil. First, is the village of Le Chambon in France and its principal influence, Andre Trocmé. Trocmé's acts of resistance and refusal are unlikely to be found elsewhere on as large and successful a scale.[8] Another example is found in Kevin Sim's book, Women at War, which tells the story of one Sigrid Lund, a woman active in the Norwegian underground during the German occupation of Norway. This woman, to quote her, "never had any doubt that what I did was the right thing."[9] Both examples involve the threat of great personal harm. Both examples involve

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[7]Alexandra Stiglmayer, ed., Mass Rape: The War against Women in Bosnia-Herzegovina, trans. Marion Young (Lincoln, NE: U of Nebraska P, 1994) 120.

[8]For a superb account of the events surrounding the acts of resistance associated with Le Chambon during France's Occupation, see, Philip Hallie, Lest Innocent Blood Be Shed (New York: Harper, 1979).

[9]Kevin Sim, Women at War (New York: Morrow, 1982) 129.

actions opposed by a great number of people, both near in proximity and, though far away, enormous in power.

2. The Philosophic Roots of this Project

Arendt, in her Epilogue to Eichmann, mentions a notion she refers to as an "instinct" in "elementary questions of morality."[10] I do not believe Arendt is referring to any automatic emotive impulse or response. In some respects, this project is about what I think she meant. I believe she was referring to an ability to know right from wrong regardless of what neighbors, community or society believes. I believe she was suggesting that it is possible for every one of us to know that genocide, for instance, is wrong. By narrowing refusing evil into a less intuitive, sturdier, set of notions than Arendt's passing reference, I hope to offer a reasonable account of what goes on when one refuses evil. I see what is contained herein as an analysis of ethical behavior and as a proposal for going about in the world. It is, to use the words of Josiah Royce, a modest "effort to interpret the facts of life."[11]

Royce referred to the main portion of his work as "idealism." In one significant way that term could apply to some of what I am attempting. If at least some versions of

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[10]Arendt, Eichmann 295.

[11]Josiah Royce, Studies in Good and Evil: A Series of Essays upon Problems of Philosophy and of Life (1898; New York: Appleton, 1906) iii-iv.

idealism contain the expression of the desire for a common goal, for an ideal that would unite men and women, there is an element of such a philosophy here. I offer no prescription for attaining a unity of purpose amongst humankind. But, my emphasis on the need for sympathetic awareness of suffering and the capacity for independent judgments in order to refuse evil is similar to the idealist view that some kind of unity of vision, of purpose, is important for the human community. My project suggests that by taking suffering into account when choosing an action one can better determine the best response. Advocating the attainment of some such goal for a whole community or society does not, however, enter in any concrete way into this project.

In my attempt at "interpreting [a minute portion of] the facts of life," I focus a great deal on the observation of those facts. I also confer value on particular human actions and value judgments on specific consequences of other particular human actions. Insofar as phenomenology generally has accepted the human need for values, is often based on the perceived existence of same and is persistent in its reliance on only what can be observed, my project could be seen as falling, to a degree, in that realm as well. In the broadest sense, however, this is moral philosophy. And, it is a culmination and a blend of the most personally important elements of my philosophical

education so far. It has been important to me since reading Marx, whose Eleventh Thesis on Feuerbach reads: "The philosophers have only interpreted the world, in various ways; the point is to change it," that philosophers be active in their world, engaged with their world.[12] It has been important to me since reading Heidegger that care be taken with language, that philosophy aspire to be beautiful and poignant, as well as engaging and, at least occasionally, profound. I accept the challenge, but by no means admit to any talent in the matter. Through Merleau-Ponty, I have come to accept the inevitable ambiguity of human perception and thought, and, therefore, necessarily, of one's philosophic work. Hume introduced me to the possibility of the emotions being a philosophical subject, which seemed appropriate and relevant, and has since been reinforced by my reading in feminist theory. As may already be clear, Hannah Arendt is a major source for my inquiry, not because she had the best answers, but because even her blatantly wrong observations were based on honest, insightful questions.

The point of the foregoing is to acknowledge a decided absence of a specific philosophic niche in which this project fits; if, that is, moral philosophy in general is seen as too open-ended. While my philosophic roots are in

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[12]Karl Marx and Frederick Engels, The German Ideology, ed. C.J. Arthur, trans. unknown (1888; New York: International, 1985) 123. Emphases in original.

20th Century Continental philosophy, the analysis presented here of what refusing evil can entail, was driven more by the examples I use than by adherence to any specific philosophy. My request to the reader is that this be borne in mind as she or he reads.

3. A Few Clarifications

When Arendt makes her comment about instinct in moral questions, she is in the middle of a discussion regarding the conflicts humans experience in matters of judgment or condemnation of others. She had observed a great deal of discomfort being displayed by a variety of commentators in judging the inhabitants of, and participants in, Hitler's Germany. Their discomfort was apparently rooted in an uncertainty about their own potential for doing the right thing. The more uncertain one is about one's future behavior, the more willing one seems to be to give perpetrators of evil the benefit of the doubt. Arendt writes that "some American literati have professed" a belief that, in effect, "no one can be asked to resist temptation."[13] Expanding her quote about instinct, she states that this phenomenon

> is neither nihilism nor cynicism, as one might have expected, but a quite extraordinary confusion over elementary questions of morality--as if an

[13]Arendt, Eichmann 295.

> instinct in such matters were truly the last thing to be taken for granted . . .[14]

I want to suggest that those who refuse evil may act almost as though by instinct.[15] This project concerns my view of what that "instinct" really involves. Acting practically without thinking is the phrase I use.

It seems important to note, at this point, that resisting temptation is not the same as refusing evil. The two do not need to be mutually exclusive, but Sigrid Lund's words, quoted above on page 6, demonstrate one obvious common difference. As far as her role in the underground was concerned, Lund never questioned what she should do. She was never tempted to give up her passive resistance or forsake her place in the covert network. Resisting temptation suggests the need to fight some urge, to resist something you would really rather do; like having a second piece of pie or watching a movie instead of grading papers or punching someone in the face who has been rude or offensive. In cases like Lund's, there is no temptation to resist. Refusing evil need not be accompanied by a desire to do the thing one is refusing. From the examples I have found demonstrating the refusal of evil, I would venture to say it rarely is the case that one is tempted to do other than he or she did. My Floyd Cochran example examined

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[14]Arendt, Eichmann 295.

[15]I remind the reader that the emphasis is on the "almost."

further at the end of Chapter 2 may, however, be such a case. A former white supremacist, he admits his ingrained hatred is a challenge to overcome even while he now knows that speaking out and fighting against racial hatred is the right thing to do. He may be seen as resisting temptation in his fight against his own and others' prejudices. Sigrid Lund, however, knew what was right and what was wrong without hesitation; she "never had any doubt."[16] If I read Arendt correctly, Lund's response is similar to what Arendt means by "instinct." Some people are capable of responding to situations without relying on norms or authorities or confirmation from a community, and some people are capable of that response practically immediately upon encountering the circumstances. To avoid inevitable difficulties with the use of "instinct" and to be more precise, I use the notion of acting practically without thinking to illustrate the phenomenon to which Lund and Arendt are referring.

In the scenario I am about to describe, only one person has an "instinct" regarding "elementary questions of morality" that is strong enough to refuse evil. I want to remind the reader again that "instinct" is not employed here as a natural scientist would. I am using it as analogous to confidence in one's ability to think for oneself. The person who refuses evil in the following example responds similarly to Lund. The response is almost immediate, and it

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[16]Sim 129.

is accompanied by the swift assurance that it was the right thing to do. Even more so than examples from World War II, it seems, the following account from the Vietnam War, and others like it, have their exonerators. These vindicators are similar to Arendt's "American literati." It was wartime, they say. Different rules apply in the jungle. The kind of war the Vietnam War was left many American soldiers unprepared for the circumstances they encountered. Often, in war, mores and norms must be left by the wayside. Under peacetime conditions, such things would never happen. These are the kinds of arguments one hears. It is "as if," as Arendt says, "an instinct in such matters were . . . the last thing to be taken for granted."[17] The fact is that sometimes people refuse to participate in, or actively reject, the evils of war or their society or leaders, despite popular opinion or threat of harm. Studying that phenomenon may bring us closer to understanding our moral potential. I want to claim that a reasonable person, a sane person, can recognize the refusal of evil as the right decision. Whether a reasonable person will be capable of refusing evil if presented with circumstances such as those of the following example is a more complex matter. That some people are capable of choosing a good course of action practically without thinking is the premise for this project. That most people are not is the motivation. What

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[17]Arendt, Eichmann 295.

happened in the following example is true, and it was evil--deliberate, unnecessary and unjustifiable evil. What we can learn from it, and whether that will matter, is the subject of this study.

4. Casualties of War[18]

During a reconnaissance mission briefing in the Vietnam War, the commander of a squad of American soldiers told his patrol that they would be leaving an hour early on their mission the next morning in order to find a woman to take along. The commander proposed that they would all "avail themselves" of this woman for five days and then they would kill her and dispose of her body to prevent future accusations. He intended these crimes to be "good for the morale of the squad."[19] While no one challenged the commander at that meeting, not everyone in the squad took him seriously either. Some believed he "wouldn't dare do such a fool thing;" they assumed he was joking.[20]

The morning of their mission, the squad followed their commander in the opposite direction of the route described at the briefing, and it was only then that all were

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[18]Daniel Lang, Casualties of War (New York: Pocket, 1989). My thanks to Mr. Miles O'Donovan for calling this book to my attention (in fact, he gave me his copy).

[19]As Lang points out, both abduction and rape are "listed as capital crimes in the Uniform Code of Military Justice." Lang 26.

[20]Lang 27.

convinced that their commander, Meserve, had been serious about the kidnapping. Arriving at a Vietnamese village, the commander and one of the soldiers in the patrol made a "systematic search" of the village until they found a "pretty girl."[21] They took her by force from her village and family and hiked with her for half a day to a command post. Here all but one of the five members of the squad participated in the rape of this young Vietnamese woman. Her name, Phan Thi Mao, was unknown to any of them until the trial months later.[22] The fifth soldier, Eriksson, refused to participate despite ridicule and threats to his life. For example, Meserve warned Eriksson that he could end up "a friendly casualty."[23] Two of the soldiers, Manuel and Rafe, later testified that they had participated out of "fear of derision."[24] One of them stated that he "was afraid of

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[21]Lang 28.

[22]Lang 12.

[23]Lang 45, 55.

[24]Lang 35. Attention needs to be drawn to the names Lang chooses for the real characters in Casualties of War. I suspect that two of the five actual soldiers were of Hispanic descent, thus the ethnic pseudonyms, Manuel and Rafe. But, I am left with an ambivalent discomfort using Lang's pseudonyms, without at least calling attention to possible racial issues brought about by his practice. Notice specifically that Manuel and Rafe are first names, while Eriksson and Meserve are surnames. Manuel and Rafe shared a common last name according to Lang (23). Thus, the need to differentiate. Still, it seems to me that it would have changed no relevant aspect of the narrative to remove the ethnic element from the story line. An open question is whether it sheds additional light on the racist components

(continued...)

being ridiculed," that being an outcast from the platoon was a life-threatening situation in itself, and that he would not have been able to withstand the epithets hurled at Eriksson.[25] His was a practical fear; in wartime, it could be suicide to be ostracized from one's comrades, to alienate yourself from your fellow soldiers.

The next day, after some debate, Meserve decided they needed to dispose of the young woman sooner then they had planned. She was sick; her cough might give their position away to the enemy. Meserve ordered Eriksson to kill her. If Eriksson refused, Meserve threatened, he would be K.I.A. - reported as killed in action.[26] Eriksson refused. Instead of following through on his threat, Meserve switched his attention to other members of the patrol. The murder was eventually carried out by one of the other soldiers and the mission continued, only to be interrupted when three of the five men ran out of ammunition. Eriksson believes that the aborting of the five-day mission saved him from being killed by Meserve.[27] When they got back to platoon

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[24](...continued)
of the rape of Phan Thi Mao. Regrettably, I would be drawn too far from my central goal if I were to pursue these issues now.

[25]Lang 35-36.

[26]Lang 45.

[27]Lang 55.

headquarters, Eriksson reported the incident to authorities.[28]

5. Questions Raised

I will use other examples and various forms of clarification throughout this study. The events I have just described, however, are to be the center of my analysis. What is demonstrated in Daniel Lang's book in the form and actions of the man named Eriksson epitomizes the main issues raised in this project. Meserve may well have killed Eriksson. Eriksson knew this. Still, he refused to participate in the evil the rest of the patrol perpetrated. Did he have knowledge that the others did not? Did he see the events differently somehow? Did he have distinct opinions about the events that the rest of the patrol lacked? All of these things appear to be true, but what can be said, specifically and philosophically, about the differences between these men?

There are several aspects of Lang's narrative that I find intriguing. Interesting questions are bound to arise from reading and pondering such an account. For instance, the responses these men had to the circumstances created by

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[28]Lang 55. The rest of Daniel Lang's book describes the ludicrous way in which the military chain of command first dismissed the claim, then tried to ignore it. Finally, grudgingly, they agreed to take action due to intervention from a chaplain in whom Eriksson eventually confided (Lang 75-76). As interesting as that aspect of this ordeal is, it will not concern us here.

Meserve can be divided into three general categories: those who were eager to go along with Meserve; those who would have preferred not to participate, but did so anyway; and Eriksson, the one person on that patrol who refused to take part in the rape and murder of Phan Thi Mao. What separates these three groups from each other morally? While most of us would not hesitate to say that Eriksson's response to the situation was the right one, and the others' were wrong, why is that so clearly the case?[29] I refer to these acts as evil. That was the first word that came to mind during my initial reading of Casualties of War, and I have become more certain of its applicability as this study has progressed. Is evil the best word to describe this situation? Eriksson took a stand against a group of men who could easily have abandoned him in the middle of the jungles of Vietnam, either figuratively or literally. They could have killed him or merely ostracized him, leaving him much more vulnerable to the enemy. The stand he chose took the form of refusing to participate in the crimes against Phan Thi Mao, and of eventually bringing the others to trial. He was lucky to have survived. What was it that he was potentially willing to sacrifice his life for?

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[29]I am not going to argue against any potential disagreement regarding the rightness and wrongness of gang rape and senseless murder. I am operating on the presupposition that such behavior or action is clearly reprehensible and unjustifiable morally to any sane person.

What role does Phan Thi Mao play in this scenario? She was the one who suffered the repeated rapes and eventual murder. She is the one wholly wronged here. She is dead. Eriksson's refusal did not keep her alive. What value does such an act of refusal have, then, if any? I suggested above that it seems that Eriksson saw her in a different light than did the others. Maybe he saw more clearly what Phan Thi Mao was experiencing. Maybe he understood the consequences of those evil actions in a way that the other men in the patrol did not. Perhaps, he saw Phan's pain and had no desire to add to it, even while he could not manage to alleviate it. Was it the awareness of her suffering that caused him to refuse, or something else? If he did not want her to suffer, his refusal had little effect. If he did not want to be the cause of suffering, barring any acceptable options for alleviating her suffering at the hands of others, he succeeded.[30] It seems reasonable to conclude that he acted because of Phan's suffering. It could have been a desire to stay virtuous, a habitual reaction with no moral grounding, or a sympathetic response. In fact, we have his own words to support a response based on sympathy. "'The whole thing made me sick to my stomach,'" Eriksson

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[30]He did consider other options: simply letting her go, killing the other men, escaping with her. Lang 40-42. He "couldn't think any of [his] brainstorms through" because he "had this idea that the fellows were watching the place . . . waiting for [him] to make just one false move . . ." Lang 42.

told Lang.[31] "[H]er cries," Lang relates, "had thrown [Eriksson] into a turmoil he had never before experienced."[32] After the rape, when the others were out patrolling, Eriksson gave Phan something to eat. Lang quotes Eriksson:

> When she finished eating, she mumbled something in Vietnamese; maybe it was "Thank you"--I wouldn't know. And I told her, in English, "I can't understand you." I wanted to tell her other things. I wanted to say, "I apologize to you for what's happened, but don't ever accept my apology or anyone else's for that. Please don't ask me to explain why they did it. I'll never know. You're hurt, I can see, but how are you? I mean, if I let you go, do you think you can make it home?" I wish Mao and I could have talked.[33]

I hope to suggest that emotional responses to circumstances are just as important as cognitive ones and can lead to a clearer vision of what one should do. Eriksson could have, had he been a Kantian, for instance, taken the position that he should act according to his duty to the moral law. In such a case, Eriksson's emotional response to Phan's suffering would have had little to do with his decision. I suggest that part of what made Eriksson refuse evil was emotional. One way he seems to have differed from the other men in the patrol was this strong sympathetic response to the suffering of Phan Thi

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[31]Lang 36.

[32]Lang 40.

[33]Lang 41.

Mao. Her suffering cannot be said to have mattered in the same way to the others.

The view I am developing will not answer all of the questions I raised above, but some will become central to the following chapters. This project attempts to shed light on several aspects of Eriksson's experience: how his view of the events differed from the others, what his relationship to the victim was, how suffering plays a role, and where, what Arendt might call, "'arrogant' thinking" fits into this phenomena.[34] This much can be said at this point: despite unmistakably serious threats to his life, Eriksson refused to participate in the rape and murder of Phan Thi Mao. He refused evil.

Racism and sexism and the peculiarities of war can all be seen as contributing to the evil which befell Phan Thi Mao. These, along with poverty and slavery, are examples of what Nel Noddings would call cultural evils.[35] What makes an evil cultural, for Noddings, is its institutionalization. No one person is responsible for those who suffer cultural evils, because it is a bureaucracy or an institution, not an individual, causing the suffering. "Cultural evils have a way of embedding themselves in the tissues of society" to

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[34]Arendt, Eichmann 295. "Arrogant" is meant ironically here, referring to the confidence some people have to be secure in making decisions outside of the crowd.

[35]Nel Noddings, Women and Evil (Berkeley: U of California P, 1989), e.g., 120.

such an extent that an otherwise moral person might be blind to various aspects of his or her society.[36] Even given the existence of elements of cultural evil, the presence of moral evil inherent in any act of rape and in almost any act of murder is not diminished.[37] Neither does it undermine my main premise. The fact remains that Eriksson recognized the acts as abhorrent, was sympathetically aware of Phan's suffering, and, thus, refused evil. His responses to the circumstances were different from the others in the patrol. He saw the victim's suffering as importantly wrong, and the rest did not.

One of my main goals in choosing the present topic is to analyze the effect of emphasizing the role of the victim's experience in matters of evil. Eriksson emphasized the victim and her suffering in choosing the course of action he did. If he could have repressed his feelings of sympathy or compassion for Phan Thi Mao, as Manual and Rafe did, his role would have been different. He was sympathetically aware of the victim and her suffering. The others in the patrol were not. While the one who refuses evil plays a larger role than the victim of evil in the present study, refusing evil is inseparable from awareness

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[36]Noddings, Women 104-05.

[37]Self-defense and defense against greater evils are the most obvious examples of murders without a strictly immoral quality.

of the victim. Thus, the victim will remain a major concern.

6. Casualties of War, Part II

I need to tell the story again. I need to tell the story from the victim's point of view in order to emphasize what I mean by the privileging of the victim.[38] Section 4 of this chapter told the story from Eriksson's point of view, the way that Lang's book tells it. It is Eriksson's story because without him we would never have heard the story. In one sense, considering the topic of this dissertation, his point of view is important, integral to my project. In another sense, however, the story is Phan Thi Mao's story. It is her world that was destroyed. It is her body that was violated; her life that was stolen. And, that is the truly essential fact about this account. This project is an attempt, in part, to demonstrate just that.

No one can know how many of the villagers were awake at 5 o'clock in the morning on the day Meserve's patrol entered the hamlet of Cat Tuong. One can assume that many of them were awakened by the intrusion of U.S. soldiers barging into their homes at dawn. Rafe Diaz, one of the members of the patrol, had entered one particular hut and evidently awakened Phan and her family. She could not have had any

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[38]My thanks to Dr. Nancy Tuana for encouraging me in this regard.

idea what was happening, even when Diaz called out "There's a pretty girl in there! She has a gold tooth!" because neither she nor the rest of her family, not surprisingly, spoke English.[39] Rafe had entered the hut, seen Phan and retreated. Meserve and Clark, Meserve's second-in-command, then entered Phan's home. Phan's sister testified at trial about what went on inside.[40] One can imagine the confusion and fear of Phan and her family as U.S. soldiers, at war with a mutual enemy, the Vietcong, invaded their home. I do not know how the Vietnamese people in general viewed Americans at that time. If they were glad that the U.S. Army was in their country, they would only have been confused by this outright kidnapping of one of their villagers. If they were suspicious and afraid already, this intrusion in their lives would likely have made them even more afraid, made them feel more vulnerable.

Phan's sister, Phan Thi Loc, testified through an interpreter in court that two soldiers came in, shone a flashlight around the house, "saw her mother's face and her sister's face and all of them wake up at the same time."[41] The sisters clung to each other and their mother wept and pled with the soldiers as they seized Phan, bound her hands behind her back and dragged her outside. According to

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[39]Lang 28.

[40]Lang 29.

[41]Lang 29.

Eriksson, Phan was "slender and slight, . . . perhaps five feet two or three inches tall."[42] Phan and the patrol were soon surrounded by local children who were "chattering agitatedly."[43] Phan Thi Loc came out of the hootch and the "two sisters looked at each other." "'Their eyes were terrified,'" Eriksson remembered.[44] Phan was a prisoner. She was being taken from her family and her village by force. The patrol, with their captive, had gone only a short way when Phan's mother, who was running after them, appeared to be indicating that they take the scarf she carried for Phan. Clark took it and, with a smirk, stuffed it in Phan's mouth and the patrol resumed their march.[45] Now, not only were her hands bound behind her back, but she could only breathe through her nose. One can only assume both these things made marching through the jungle that much more difficult. And, the abuse did not stop there. They hadn't gone far when Manuel untied Phan's hands and loaded her down with his pack.[46] This slight young woman may have been carrying as much as 75-90 pounds on her back. They marched until about 8 o'clock when they stopped for breakfast. Someone removed Phan's gag, but she was given

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[42]Lang 13.

[43]Lang 30.

[44]Lang 30.

[45]Lang 31.

[46]Lang 31.

nothing to eat. By this time, she looked flushed and was coughing slightly so Meserve gave her an aspirin.[47] Perhaps that is why Phan's mother wanted her to have the scarf--as protection against the elements. She was likely already sick when she was kidnapped.

Lang's narration of Eriksson's experience continues for a few more pages without mention of Phan. There was some unnecessary shooting and then there was Hill 192, the hill where an abandoned hootch was to serve as a command post. It became their weapons depot. As they unloaded their supplies, Phan stood watching. Soon, unasked, she lent them a hand. "'She had no idea the kind of place she was helping to prepare,' Eriksson said."[48] After Meserve, Clark and one of the Diazes had returned from reconnoitering and had eaten lunch, Meserve suggested they begin. After debating Eriksson's masculinity for a time, Meserve entered the hootch and began the first of several attacks on Phan and her body. Phan, according to Eriksson, screamed the whole time, only pausing "to summon fresh breath."[49] This episode took approximately half an hour. When Meserve was finished, Phan's screaming turned to a steady sobbing, and Meserve made it clear it was Rafe's turn. Rafe entered the hootch. He testified at trial that Phan was naked, lying on the

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[47]Lang 32.

[48]Lang 34,

[49]Lang 36.

table, with her hands tied behind her back. He took his turn at raping her while she sobbbed continuously. Phan's abuse by Clark, who was after Rafe, included having a knife held to her throat, something about which he bragged latter.[50] By the time Manuel entered the hootch, Eriksson said, Phan's sounds could be heard, "weak and conquered." The four rapes took about an hour and a half.

Phan was in a corner of the hootch, dressed and cowering, when the whole patrol took shelter in the same hootch to conceal themselves from any Vietcong who might be in the vicinity. She was frightened and watchful and her coughing was more pronounced. She may not have been aware because of the language barrier, but the men spent the next 20 minutes talking over their "conquest," comparing her "with other girls they had known, and talking about how long it had been since they had had a woman."[51] This scene implies that they were all now ignoring Phan completely, her presence and her pain were irrelevant to them.

Eventually, exploration of the mountain, the reason for their mission, continued. Clark was left behind to guard Phan. There is no way to know what took place while the others were gone, but when Eriksson returned to the hootch to pick up a supply of smoke grenades, Clark pulled rank and ordered Eriksson to stand guard. When Eriksson entered the

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[50]Lang 37.

[51]Lang 38.

hootch, he says that Phan "began to weep, and backed away, cringing." She assumed she was going to be raped again by the single soldier who has not already done so. It was obvious to Ericksson that she was also getting sicker by the minute. She had not eaten all day. One can hardly begin to imagine her state of mind, her feelings of helplessness, raw fear, and, no doubt, physical pain. Eriksson gave her something to eat. Here is his description of the next few minutes:

> She ate, standing, and it was whimper, then eat, whimper, then eat. She kept looking at me, as though she was trying to guess what my game could be. When she finished eating, she mumbled something in Vietnamese; maybe it was "Thank you"--I wouldn't know. And I told her in English, "I can't understand you."[52]

Eriksson stepped outside to collect his thoughts, to try to figure out what to do. When he finally reentered the hootch with no escape plan at the ready, Phan had obviously decided that this soldier was not going to hurt her. "She had stopped whimpering, and there was even a little look of trust in her eyes."[53]

Eventually, the rest of the patrol returned. Phan's condition had dramatically worsened. She was feverish and had a steady cough.[54] Clark wanted to do away with her immediately. Meserve wanted to save her in case her health

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[52]Lang 41.

[53]Lang 43.

[54]Lang 43.

improved by morning, in which case they could rape her again.[55] They spoke about her in her presence with no concern about being understood. Phan spent the night curled in a corner of the hootch, coughing continuously. Later in the night, Clark again urged her death, worried that her cough would give away their position.[56] By morning, Phan had worsened still more. Eriksson and the Diazes went for water. By the time they returned, Phan's fate had been sealed by Clark and Meserve. She had to be gotten out of the way. She had been standing nearby, mute and uncomprehending, while her own murder was discussed. It was Eriksson that should do the job, it had been decided, since he had not participated in the rape. If he refused, he would be reported K.I.A.[57] Eriksson refused. Instead of following through on his threat, Meserve and Clark agreed to collaborate on her death. Phan was marched up the hill.[58] There was a skirmish with some Vietcong and reinforcements were ordered. Phan's presence immediately became a rather large problem. "There were helicopters flying around, and everyone was getting jumpy about having the girl," Rafe testified in court.[59] Clark grabbed Phan and offered to get

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[55]Lang 43.

[56]Lang 44.

[57]Lang 45.

[58]Lang 46.

[59]Lang 48.

rid of her. Rafe was closest to Phan and Clark and testified as follows:

> "From where I was, I observed Clark grab the girl by the arm and take her into the bushes nearby . . . I saw that Clark had his hunting knife hidden in one of his hands." It was in the next seconds that deer-gutting sounds issued from the bushes. "I then heard the girl cry out, but not too loud. . . . Clark came back to where we were. Meserve asked him if he had finished the girl." Clark had just replied yes when Mao, like a wounded apparition, was seen crawling rapidly downhill and then disappearing into the thick foliage.[60]

Clark claims to have stabbed her more than twice, and still, this small, frightened, wounded young woman, left for dead, was trying with all her might to escape. She had not given up. She had not been abused to such an extent that she had forfeited a desire to live. She had retained enough human dignity and sense of self-preservation to prefer action to despair.

The soldiers were in the middle of a fire fight with the enemy. Clark discovered her in a bush and "blazed away with his M-16."[61]

> "You want her gold tooth?" Clark called over his shoulder to Rafe, who was then, he testified, a foot away and was staring, aghast at Mao. "When I got up to the girl, I saw that her head was partially blown away," he testified. "She was dead, I'm sure."[62]

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[60]Lang 49 (second ellipsis is mine).

[61]Lang 50.

[62]Lang 50.

There is only one other place in Lang's book where Phan is the topic of discussion to any large extent--Phan's body, that is. Once Eriksson finally got the attention of the military, the investigators had to return to Hill 192 to locate her body. This was weeks after the events took place.

> [H]er remains [were] a rigid crescent settled grotesquely in a half nest of soil and rocks and matted foliage. She had lain moldering there for three weeks and her body was badly decayed.

Eriksson who had led the investigators to the hill,

> withdrew to the fringes of the circle, made uncomfortable by everyone's purposeful curiosity. "It was another case of people doing their job," he told [Lang]. "They hadn't ever heard Mao's voice or seen her carrying Manuel's pack."[63]

The implicit claim here on the part of Eriksson is precisely why the victim should be privileged, in my view. Eriksson was not detached from the scene in the way that the investigators were. Eriksson had seen her as a full human being and that made her ordeal, her death and her remains much more upsetting to him.

To read Eriksson's story of Phan Thi Mao is disturbing, to summarize it for public consumption is difficult and disquieting, to retell it twice for present purposes seems, if not disrespectful, at least bordering on morbidity. Still, with the focus on Phan, the story has a different effect. One, it seems to me, thinks more directly about

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[63]Lang 80.

Phan and her suffering, pays more attention to the individual being harmed. It is harder to read--at least it was to write--because it more clearly portrays the harm. My concluding chapter addresses the kinds of benefits one gains from knowledge of these kinds of tragedies generally. For now, it should be evident that the second version draws attention to different aspects of Phan's abuse and death than the first version does. The next two sections discuss the importance of attention to her experience in moral decision making, as well as Eriksson's apprehension of it.

7. The Victim

Along with Hannah Arendt, Philip Hallie and Nel Noddings are major influences for the present undertaking. Hallie and Noddings share a particular philosophical concern with suffering and caring, respectively, which has assisted me in sorting out many of the issues raised by the problems I am pursuing.[64] This mutual concern also separates them from many other philosophers within the philosophical tradition.[65] The crucial element, sometimes explicit,

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[64]See, especially, Nel Noddings, Caring (Berkeley: U of California P, 1984), and, Women; and, Philip Hallie, "The Evil that Men Think--and Do" and "From Cruelty to Goodness," Vice and Virtue in Everyday Life, eds. Christina Sommers and Fred Sommers (New York: Harcourt, 1989), and, The Paradox of Cruelty (Middletown, CT: Wesleyan UP, 1969).

[65]By tradition, I am referring to that canon of works extending from the ancient Greeks to the present Northern European dominance, which all philosophy students in North America and elsewhere can expect to study.

underlying the work of both Noddings and Hallie, and integral to my own as well, is the highlighting or privileging of the victim and his or her suffering. In the present case, the victim of evil, Phan Thi Mao, and her experience of suffering, are important factors. If Phan Thi Mao had not been raped and killed, we would not have the example we do.[66] In the kinds of cases of which I will be speaking, the victim most often has no choice regarding the evil she or he experiences. She or he is powerless to act against the evil, the victimizer possesses control of the situation and ignores the wishes of the victim. Stressing the suffering of an innocent human being can add more depth to and understanding of the wrongfulness. Truly bringing another's suffering to one's mind can clarify the needs of the sufferer and evoke the most appropriate response from the observer. Privileging the victim can intensify the injustice of the wrong and compel a response.

The questions I have raised regarding Eriksson center around how his experience of the events which culminated in Phan Thi Mao's death differed from the others in his patrol. I want to say that Eriksson refused evil because he "saw" in some deeper, more intense, sense than the others in his patrol, what Phan Thi Mao was experiencing. Viewed in this

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[66]Of course, neither would we have the story if Eriksson had been murdered or had been more concerned with covering up the crimes, repressing them, or if he had not considered the events important enough to report.

way, Eriksson was emphasizing or privileging the victim in deciding his course of action. The following chapters will continue to explore what this "seeing" entails, in the sense I intend. If one sees the victim and the suffering in a clear and sympathetic way, as well as viewing the perpetrators and their actions with unclouded judgment, one can understand more fully the thing that the wrongdoers have done. And, I see this is an important aspect of choosing to do the right thing.

Common concerns in ethical theory, as well as in everyday life, pertain to the corrective or punitive sides of moral issues. Frequently, too, moral philosophers are absorbed with questions about the right thing to do. In daily life, actions are often dictated by law and community rather than by conscience. In ethical theory, moral questions tend to revolve around some hypothetical situation created to prove or promote some philosophical point. That someone suffers, that an innocent person has been or may be harmed, is often a secondary issue, if it is a concern at all. The same phenomenon can be found in war, although ethical theory appears to be rarely applied to that sphere. The reality of war is that human suffering is an insignificant component, almost by definition, except as it relates to the taking or relinquishing of territory or rights. Reasons are regularly given for this war or that, as though an explanation of the existence of some

disagreement settled the matter. Disputes over territory, religious conflict, attempts to seize power, etc., all take their turn as justification. That human beings suffer is seen simply as a regretful but necessary consequence of war. The suffering of innocent civilians frequently seems more like a goal than something to avoid. It is taken for granted that such suffering will occur. If, instead, somehow, victims were given more attention, if the suffering of others mattered more to humans than property or power or position, wars would be less frequent, less devastating, perhaps, non-existent.

In my view, from a moral standpoint, attention to the wrongdoer or the deed done, as has traditionally been the case, is not sufficient. I want to suggest that ignoring or diminishing the importance of the victim and his or her suffering strips a central component from moral issues. The view I am developing stresses the suffering of the victim. I will argue that sympathetic awareness of suffering can and does influence one's decision-making. It can alert one to the right thing to do. An example may help to demonstrate this. In a recent essay written by a journalist attempting to document the systematic rapes occurring in former Yugoslavia, often under the guise of "ethnic cleansing," a 20-year-old woman, who had already been raped by two other soldiers the same day that the following incident occurred, relates her experience with the commander of a troop of

soldiers. The commander, who had requested she be brought to him, ordered her to undress and lie down on the bed. He did the same.

> He began to kiss and fondle me. . . . I looked into his eyes and asked him if he had a wife. He said no. I asked him if he had a sister. He said yes. Then I asked, "How do you think your sister would feel if someone did with her what you're doing with me?" He jumped up and ordered me to get dressed and leave. As I was leaving I said, "If you're thinking of sending someone else to take me someplace again, I'd rather you just kill me here and now." He said I didn't need to be afraid, that no one would come get me anymore, and after that no one else did come.[67]

I think it is safe to conjecture about what happened here. The commander was made to see the woman's experience from a point of view very real to him. He was, in a manner of speaking, forced into sympathizing with the young woman, albeit slightly and belatedly. She brought to his mind an image of a person to whom he was emotionally attached. He saw his own actions in a new light; I want to say, in a clearer light. He could visualize the suffering that would be caused to his sister. He extrapolated from his sister's potential suffering to the then-present situation. He recognized the suffering he was and could be causing on a deeper, more emotional, level, and changed his actions accordingly. I want to say that he changed his actions because the 20-year-old he was about to rape, brought her suffering to his awareness. She awoke his sympathies by the

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[67]Stiglmayer 95.

images or emotions her words brought to his mind. He was made consciously, sympathetically, aware of this woman's suffering. We know nothing more of this commander. He may or may not have continued to rape others, but this one encounter seems to demonstrate that emphasizing the victim and the suffering, even manipulating or prompting someone into responding emotionally, strengthens or deepens the perception of the wrongfulness of the deed.

Being aware of the extent of Phan's suffering adds depth to the evilness of the crimes against her. Her suffering took many forms. Pain, separation and helplessness, the basic states of consciousness that Nel Noddings associates with the experience of evil, are all present in Phan's tragedy.[68] Seeing how these different experiences all relate to the same event increases one's understanding of evil, whether or not one takes issue with Noddings's conclusions. Phan's suffering included, not only physical pain from the long, forced march the first day, the repeated rapes, and the illness she was suffering, but also the psychical pain of being separated from her village and family, from her language and, thus, from her world. On top of that, she experienced the helplessness of being completely at the mercy of the soldiers who abducted her. The more kinds of pain and the greater their intensity have

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[68]Chapter II will support this assessment of the experience of evil. Noddings, Women 92, 95, 100.

a cumulating effect on the victim. The work of Elaine Scarry, which I discuss in the next section, is helpful for seeing why. The more kinds of pain and the greater their intensity can have a cumulating effect on one's understanding of evil as well. I suggest that the more one sees of the evil, the clearer the suffering is, and the more apparent it is what is the right thing to do.

8. The Victim, Part II

Elaine Scarry's work demands attention because her book, The Body in Pain, is about the experience of pain.[69] Pain of great intensity, inflicted by another, is evil, as I see it. Through Scarry's exploration, we gain insight into why this makes sense. She is concerned with the relationship of one's body when in pain to one's world. The first part of her study focuses on torture, which in most instances can clearly be viewed as moral evil, with or without its cultural aspects. Her view of torture as "destroy[ing] a person's world, self and voice" through the infliction of pain, illuminates how being separated from those to whom one is related is a conspicuous consequence of pain.[70] And it helps us to see how this is evil. I will come back to this treatise when I discuss more thoroughly

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[69]Elaine Scarry, The Body in Pain: The Making and Unmaking of the World (New York: Oxford UP, 1985).

[70]Scarry 50.

how sympathetic awareness can be a part of what motivates one to refuse evil in Chapter IV. For now, I want to draw particular attention to Scarry's work on the experience of physical pain. Her specific concern is pain and the victim of pain, not evil. Even without the above discussion of evil, however, it is not too great of a leap to consider that that which takes away one's world, one's language, one's self, that which alienates one from one's own body, is representative of evil. Intense physical pain does just that, as Scarry so carefully informs us. Intense physical pain inflicted by another person, in, say, the act of torture, fits my criteria for evil.

Pain does not need to be physical in order to be considered evil. I have already discussed how that can be the case. Scarry would not disagree, although that is not the main thrust of her work. Scarry admits that psychical pain can "approach the neighborhood of physical pain."[71] Noddings's description of a Doris Lessing character, Maudie, can be used as an example here. Noddings talks of Maudie as suffering from the actual separation from people and as suffering from fear of that separation. This is illustrative of the psychical pain of which Scarry speaks and which Noddings considers evil. Abandoned by family, Maudie has been lonely for many years; so lonely that she suffers deep anxiety when, in her 90s, her new friend,

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[71]Scarry 5.

Janna, takes leave of her every evening after spending two or so hours with her.[72] The object, to use Scarry's terminology, of Maudie's psychical pain is companionship, relatedness. Deprived of it for long enough, such objectlessness will produce a loss of one's world in much the same way as physical pain does, according to Scarry.[73] By overwhelming one, by being the only thing upon which one is capable of focusing, psychical pain can be just as world-destroying. While Noddings's discussion, and mine as well, revolves around evil, Scarry speaks more directly of the destructiveness of pain itself. I am not always in agreement with what Noddings labels evil, but that does not affect the point I am making here.

Looking at these two thinkers, Noddings and Scarry, side by side, illuminates the importance of consideration of the victim in moral decision-making. While neither psychical pain nor evil is the focus of Scarry's work, as it is for Noddings, Scarry would not be in disagreement with the main intent of Noddings's work, nor of that of the present study. In fact, I see Scarry as substantiating the need for privileging the victim. When feeling intense pain, be it physical or psychical, the experience of that pain is solely the victim's own, incommunicable in a very real sense, and ultimately destructive if not alleviated.

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[72]Noddings, Women 91-94.

[73]Scarry 5-6.

Intense pain of long duration leaves one isolated from one's world, abandoned, so to speak. When seen from this point of view, from the victim's perspective, one's view of suffering is intensified, in my opinion. One has a richer language with which to talk about pain, someone else's or one's own. One can more readily see, I hope, that the victim's experience of intense suffering at the hand of another human is evil, if anything is. To refuse evil, to refuse to participate in the destruction of another's world, is, thus, a significant human act. It is one that deserves special attention, and one that I will spend the rest of this project examining.

I am going to set aside evil for a moment, however, to give a real life example of putting emphasis on the victim.

9. An Example of Emphasizing the Victim

Victims of crime, often victimized again in the justice system, are being taken into consideration in mediation programs such as one in New York State called the Dispute Resolution Program. These programs are not the norm, but they are demonstration that the privileging of the victim is becoming recognized as important. It is believed such programs can produce concrete results. Mediation programs are used to help criminals in their rehabilitation process as well as facilitate the healing of the victim. The one in New York State allows victims the chance to talk with their

abusers. In the words of Tom Christian, the director of this program: "offenders are forced to see their victims as people. . . . they see the consequences of their behavior, and see how devastating it can be for the family, for the individual."[74] Both the victims and the offenders who have participated in programs like this, are overwhelmingly said to be satisfied with their meetings. While there are no statistically significant studies yet on whether criminals are less likely to repeat their crimes, both the victim and the criminal interviewed on National Public Radio "said the meeting changed the way they saw the events of that night [the night of the crime]. . . . Thirteen years after the shooting, [the criminal] apologized."[75]

Criminals often do not think about the harm they are causing. If forced to confront their victim, just as the Serbian commander who sent the 20-year-old away, they are more likely to become sympathetically aware of the pain they caused. Without consideration of the suffering of the victim, the depth of meaning of one's actions and of moral

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[74]Nina Teicholz, reporter, "Mediation Programs Bring Offenders and Victims Together," transcript of Morning Edition, exec. prod. Robert Ferrante, National Public Radio, KLCC, Eugene, OR, 13 September 1994, 30. Thanks to Nancy Tuana for bringing this segment to my attention.

[75]Teicholz 31.

theory, more generally, is "flattened."[76] The view that I want to expand on includes the idea that sympathetic awareness of human suffering is a key to refusing evil because it offers a more complete picture of what evil is through the conscious realization of what evil does.

While an essential part of the view I am pursuing entails consideration of the victim, without whom the depth of meaning of moral issues is diminished, the moral agent remains the center of this project. Emphasizing the victim tells us much about the evil. Studying the person who refuses evil retains that emphasis on the victim. The person who refuses evil, in my view, is refusing to cause harm to another, bringing that potential victim into more direct view. The moral agent and the victim go hand in hand. The roles of both need to be stressed. The present project seeks, in part, to counterbalance the traditional emphasis on the wrongdoer by moving the victim and the person who refuses evil to the core of the debate. The victim plays a large role in one's refusal of evil, and those two elements, the victim and the moral agent who refuses, are the main forces propelling this project.

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[76]The word is Mary Midgeley's. She is speaking of responsibility and the use of words like sick or ill for wicked or evil acts, but the word applies as well here. Wickedness: A Philosophical Essay (London: Routledge, 1984) 60.

10. A Gendered Concern About My Topic

Before concluding this introductory chapter, I need to express a concern which has been with me since the beginning of this project. It has troubled me since beginning this study that 1) examples of women who refused evil were not as readily accessible as examples of men who refused evil. And, 2) most of the examples I use in regard to evil being done to another have shown women to be the victims. The issues raised by these two concerns are too huge to be dealt with in any significant way here, but I will dwell on it for the next few paragraphs in order to give voice to what disturbs me most. It is worth admitting that I did not exhaust the library and other resources in my search for examples. Yet, considering time constraints, that I did not uncover more examples than I did is evidence to me of the scarcity of examples of women as refusers of evil and men as victims, whether it be because women have not been in as many situations that warrant the kind of action about which I am talking and men have not as often been victims, or whether it is because cases of women refusing evil and instances of men being victimized has not been documented as often. A more thorough search may have been rewarding, but time-management became an important element in approaching the end of this dissertation and I succumbed to those limitations.

I feel as though I have done a disservice in some ways by not varying my examples along gender lines more thoroughly than I have. Despite Sigrid Lund and Hannah Senesh, my much less extensive examples of women who refused evil, and despite the victims of the Holocaust and political torture who were and are de-sexed and irrelevantly sexed as far as their torturers and murderers were concerned, there is an obvious skewing of gendered issues in discussions of these kinds of matters. Rape is seldom experienced by men. Rape is a tool of war. Rape, as I describe it in these pages, is an evil which occurs especially frequently in wartime. It is not surprising, considering this, that more women should have experienced evil then men. This is a supposition that I am not ignoring. Yet, it is not my intention to contribute to a perpetuation of a view of woman-as-victim. Acknowledging the reality of gender bias as regards evil was exactly Nel Noddings's aim in writing Women and Evil, which will be disucssed in the next chapter. Digesting information about the rape and concentration camps in Bosnia was the impetus for this project at its inception. Men in general have more power than women in general--physical, economical, political and otherwise. Since evil involves a power differential which I will discuss further in Chapter V, it stands to reason that women would be the victims of evil more often (if we can talk about evil and reason in the same breath). It may also follow that men

would be in a position to resist evil more often, given their more powerful position generally, although that seems less of a given in my mind.[77]

When I discuss specific, individual instances of evil, I most often use the example of rape during wartime. Along with the Casualties of War example, this includes the Serbian commander who was talked out of rape, and the Serbian soldiers who were killed after refusing to rape. It was not my original intention to present such a limited view of evil, and my other more general examples were meant in part to disperse the depiction of evil across a wider range of experience. I believe that individual human beings are similarly vulnerable regardless of gender when it comes to the harm that others can cause, and I do not believe I have made that clear in the course of this project. Acknowledgement of the disparity I seem to have created here may provide some restitution to the problem, but by no means, in my mind, is it curative.

11. Summary

In the present chapter, I have tried to explain the purpose of, my intentions for, and issues raised by, this dissertation, coming as it does from no particular philosophic bent. I have attempted to demonstrate my

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[77]For instance, Nancy Tuana directed my attention to the abolitionist movement, after much of this project was written, where women played a major role in refusing evil.

personal interest in this topic, as well as give the reader a general idea of the direction of this study.

In the next chapter, I examine the two notions in the phrase refusing evil in order to build that phrase into a workable tool for this project. "Evil" is such a loaded word, both theologically and in its abundant everyday usages, that caution is imperative in its application. Even with its variety of dictionary applications, it is noticeably avoided by non-theological scholars. It is noticeably avoided, too, by the mass media. The employment of the word "evil" in reference to any news-making atrocities is rare. It was only a few years back that Ronald Reagan embarrassed this nation by referring to the Soviet Union as an "evil empire." Consensus amongst newspaper commentators, as I remember it, was that, at the very least, that was an inappropriate use of the word. I propose that, for present purposes, "evil" is the most suitable word. Evil, as I am using the word, applies to human action which causes harm of great intensity to another human being, be it psychic or physical harm. This includes the senseless taking of a life, whether or not suffering is involved in the dying itself. Further discussion in Chapter II regarding the experience of the victim of such evil helps to solidify that use of the word. A discussion of Nel Noddings's work on the subject of evil brings her insights into play as well.

Refusing evil, as I employ the notion, entails what I am calling Moral Acuity. Moral Acuity includes two elements of particular concern to this project, sympathetic awareness of suffering and the capacity for independent judgment, which I have mentioned only briefly thus far. The view I develop sees these two components as the basis for recognizing the suffering or potential suffering as cause for concern, and being compelled to act, despite potentially grave costs to oneself, in opposition to the cause of the suffering, i.e., refusing evil. While Chapter II attempts to solidify this notion of refusing evil, sympathetic awareness, the capacity for independent judgments, and the resulting Moral Acuity are each, in turn, the main topics for the following three chapters.

Chapter III discusses what I mean by the capacity for independent judgments, which I consider integral to my notion of refusing evil. Eriksson, in my Vietnam example, had the courage to oppose his commander and withstand pressure from the others in the patrol. He had the wherewithal to have an opinion or a stance separate from the crowd, or "herd," to borrow from Nietzsche. To assist in my explication of this notion of independent judgment, I introduce a distinction between Behavors and Actors, between behavior and action. This distinction is influenced by Hannah Arendt, and takes up her idea that "to think what we

are doing" may make humans "abstain from evil-doing."[78] I wish to develop the view that while "thinking what we are doing" is not enough by itself, the capacity for thinking on one's own, the ability to make decisions without relying on the opinions of others--in part, what I mean by the capacity for independent judgment--is an important ingredient in refusing evil. In illuminating my use of "independent," I recognize that in fundamental ways no individual acts completely autonomously from one's society, community, family group. I give examples which stress that one's ability to think for oneself can be instilled from within one's community, or it can be developed, if it is, despite one's community. The capacity for independent judgment, for thinking for oneself, is not the whole story, however, and I give examples to demonstrate why. Without sympathetic awareness, independent judging ability is not a likely guide to knowing the right thing to do. Emotions, as I have been suggesting, play a role in refusing evil, in choosing the best action.

Chapter IV carries this idea along. Merely recognizing that another is suffering is not enough. Having the capacity for independent judgment is not enough. Having concern for the victim and her or his suffering encourages

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[78]Hannah Arendt, The Life of the Mind (New York: Harcourt, 1978) 4, 5. The first quote, "thinking what we are doing," first appeared in her introduction to The Human Condition (Chicago: U of Chicago P, 1958) 5.

the recognition of the need to act, the need to offer assistance, and, in extreme cases, the need to refuse evil. Sympathetic awareness of suffering is the second notion which is central to my view of the refusal of evil. I propose that the combination of sympathetic awareness and the capacity for independent judgments, if present, together can manifest themselves in what I am calling Moral Acuity. Chapter IV focuses on sympathetic awareness, what it does and does not entail and why its presence is appropriate in matters which call for refusing evil. Philip Mercer, in a book called Sympathy and Ethics, suggests a kind of sympathy he terms "conative sympathy."[79] This kind of sympathy is similar, in ways, to my notion of sympathetic awareness. With the help of Rolf Hochhuth's play, The Deputy, and its main character, Father Riccardo Fontana, S.J., whom I consider an exemplar of Moral Acuity, I expand this notion to be a kind of conscious realization of the harmfulness of suffering, a matter of "truly bringing the victim to mind."

Sympathetic awareness and independent judgment combine in my notion of Moral Acuity. Moral Acuity and its actualization or realization in the refusal of evil are the focus of Chapter V, where I use the analogy of sight to help illustrate my meaning. In my view, Moral Acuity can be a catalyst for action and I examine some of the questions

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[79]Philip Mercer, Sympathy and Evil (Oxford: Clarendon, 1972), e.g., 4, 19, 99.

raised by such a suggestion. If one is Morally Acute, as I have been saying, one often has little or no hesitation in knowing the right thing to do, especially in matters of evil. The Morally Acute person can act morally practically without thinking. This is not to say that that is the only way to be Morally Acute. To act practically without thinking requires the right amount of accuracy or perspicuity in the interpretation of a set of circumstances. One must have an appropriate blend of knowledge of one's own needs and the needs of the other(s), as unbiased a view as possible of the circumstances, the self-confidence to stand firm regarding one's convictions and actions regardless of consequences, and all this, almost immediately, "practically without thinking." Chapter V looks directly at Moral Acuity and its realization in the refusal of evil, concluding with an extrapolation from the refusal of evil back to moral issues more generally.

My concluding chapter looks at issues raised by this project for moral development and education. It ponders what can be gleaned form the notions presented here for moral lives generally. If I am on the right track, what Arendt has often said, and I have often quoted, is fitting. We do need to "think what we are doing" in order to avoid evil and in order to be better humans generally.[80] But, also, just as importantly, we need to share in others'

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[80]Arendt, Human Condition 5.

suffering in order to do the right thing. If we are listening for the victim's voice, we are showing concern for other people's suffering, and can do so in a timely manner. We can thus be more confident of going about in the world more heedfully, more commendably.

CHAPTER II

EVIL AND REFUSAL

1. Introduction

Evil is a notion full, it seems to me, of potential conceptual difficulties. Yet, I believe it plays a vital role in assessing and analyzing significant human affairs. The main purpose of the present chapter is to allay some of the concerns which arise in the presence of a word so loaded with preconceptions. I intend to justify my use of the word "evil" and provide elucidation for the phrase I have chosen as central to this study, namely, refusing evil. A discussion of why I am using "evil" and the way I am using it will dominate the majority of this chapter, relying on common sense, my own views, and consideration of some of the philosophical literature on the topic. Further analysis early in this chapter exposes, in my view, the need for human agency in matters labelled evil. Coincidences, natural occurrences, etc., regardless of whether they cause great suffering, are not considered evil for present purposes. I discuss my reasons why in the third section of this chapter.

A smaller, later portion of this chapter will look at the phrase refusing evil and what it entails, what I intend it to convey. As I said in the previous chapter, it often seems that those who refuse evil are responding to a situation practically without thinking, and I discuss particular aspects of the notion practically without thinking while postponing a more thorough clarification for a later chapter (namely Chapter V). I also acknowledge that practically without thinking is not the only response to evil that could be considered a refusal of evil. I spend the last portion of this chapter looking at a different kind of response.

Theological implications of the notion of evil are excluded from this discussion because I intend to deal only with the observable as far as examples are concerned and common-sense matters as far as the philosophical issues are concerned. I recognize the long history of the "problem of evil" and the good versus evil dichotomy in both religion around the world and the philosophy of religion contexts, but I am not interested in becoming involved in that still lively debate. My use of the word "evil" has to do with the simple recognition that if anything in this world is evil, the multiple rape and murder of Phan Thi Mao is an example of it. My view of evil includes acknowledgment that the notion serves a purpose outside of the traditional dichotomy. In a way, I am acknowledging that dichotomy by

focusing on those who refuse evil, who are opposed to evil, but it is not the good-evil distinction that is compelling this project. I am in agreement with Elie Wiesel, who, in an interview published in book form, when asked whether he believes evil exists independent of its negative relation to love and to good, independent of the dualism to which we are so accustomed, he replied:

> In human terms, certainly. The reason the Nazis were filled with hate was not because they did not know love. In all probability, they did love. Yet they hated too.[1]

Considering the notion's often demonic connotations, its overuse in some areas and its under-use in others, why would I want to talk specifically about evil? Why not talk about immorality more generally? Why narrow the discussion down? I mentioned this issue in Chapter I.[2] Choosing to talk about evil instead of, for instance, immorality, has its benefits. By using the examples I do--wrongful acts that are in no way justifiable, examples that are blatantly, intensely, wrong--I believe I am avoiding much unnecessary debate that would lead off the present track. Another reason to choose one word over another is for emphasis. "Evil" typically connotes a more negative meaning than "immoral" in our everyday language. One word may convey

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[1]Elie Wiesel and Philipe de Saint-Cheron, Evil and Exile, trans. Jon Rothschild (Notre Dame: U of Notre Dame P, 1990) 191.

[2]See Chapter I, p. 20.

more force or carry more impact than another word. If that is true of "evil," what specifically does it do that other words would not do? How is it particularly useful for my purposes? I will suggest some answers to these questions in the following pages.

In Chapter I I stated that I consider evil to be the unjustified inflicting of suffering of great intensity on another human being.[3] It is apparent that inflicting small amounts of pain for a limited amount of time on someone will not readily be considered evil, thus, my qualifier "great" is important. It, of course, raises the problem of drawing the line somewhere between evil and some lesser immorality. I am not proposing to draw that line. I believe it is worth whatever complications arise from use of a qualifier to have evil narrowed in such a way. Someone not taking the time to help an arthritic, elderly person across the street, causing them much discomfort while they wait for assistance, while arguably immoral, would not be an example of evil. Much of the territory between that example and the Casualties of War example is substantially more ambiguous, however. George Kateb, in his book entitled: The Inner Ocean: Individualism and Democratic Culture, addresses the issue of degree and gives support to my own intentions when he makes the following claim:

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[3]Chapter I, p. 5.

> When I speak of evil, I refer to the deliberate infliction (or sponsorship or knowing allowance), for <u>almost</u> any reason whatever, of suffering of great intensity. Whether on a small or large scale, and of death, whether of one, few or many. The only infliction of suffering and death I think I would not consider evil is that done (by victims or their allies) in resisting those who kill or enslave or make miserable, or try to.[4]

The pivotal emphasis in this quote is "great intensity." I am not disallowing that some instances of suffering that are not of great intensity, could, in theory, be considered evil, but this study will not pursue that possibility. My view predominantly involves examples that any reasonable person would consider evil.

I am applying the notion of evil to situations which I consider to be cases of: "if anything is evil, this is." A likely consequence of such an approach becomes the privileging of the victim. The view I am developing deals with the refusal to participate in that which falls under the "if anything is evil, this is" category and entails a great amount of suffering, physical or psychical, on the part of the victim. Implicit in an understanding of that kind of suffering is that it is virtually the worst thing that could happen to someone. Acknowledging this emphasizes the suffering which in turn emphasizes the person suffering. It can focus one's attention on the victim, and often, in my view, move one to act. Suffering is at the center of that

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[4]George Kateb, <u>The Inner Ocean: Individualism and Democratic Culture</u> (Ithaca: Cornell UP, 1992) 200. Emphasis in original.

which is evil, as I am using the notion. This study is intended, in part, to draw attention to and provide justification for the need for privileging the victim in ethical matters generally. When one refuses evil, I suggest, one is responding to the suffering of the victim. One is responding to an understanding of that suffering. The victim's pain is in some way painful for the person who refuses evil, and this shared suffering can, in some cases, compel a person to act. I spend more time with this issue in Chapter IV.

Since the theological dimensions of the word "evil" are not relevant to the present project, the first question I asked above demands an answer. With a term so loaded with theological connotations, why apply it here? My initial decision to use the word was provoked by two separate examples of the realities of the twentieth century. The two examples have already been discussed in Chapter I. Reports of the rape camps in Bosnia-Herzegovina is one. The Casualties of War example is the other. In both cases, senseless brutality, violation in the most horrible sense, complete lack of respect for human life, shocking indifference to the suffering of another, these are all blatantly present in those sorts of examples. The first word that comes to my mind in relation to such crimes as genocide, genocidal rape, mass or gang rape, torture, forced impregnation--is evil. The following section discusses how

the word "evil" can be seen as the most appropriate in specific circumstances.

2. Evil and Depth of Meaning

By labelling the circumstances that resulted in the death of Phan Thi Mao, evil, I am attempting to secure a particular depth of meaning. I am attempting to emphasize the enormity, the horror, of the deeds. While other words, such as "heinous," "horrible," "wicked," "depraved," may suffice to bring out some degree of intensity, in my opinion "evil" fills out the meaning of this sort of deed more deeply than would others. As demonstration, if I say out loud to myself, "What happened to Phan Thi Mao was horrible!" I am stating things accurately enough. But if I say, "What happened to Phan Thi Mao was evil!" I find it to be more intense, a more dramatic statement than the first. If not overused, labelling things evil can instill an intensity of response towards a variety of human behaviors, which, in my view, deepens the significance of such behavior and can promote action. What happened to Phan Thi Mao was evil. I suggest that this statement obliges one to consider Phan's experience differently than when one hears that what happened to Phan Thi Mao was horrible, assuming the statement came from a credible source. I suggest that when evil is the descriptive notion, the focus, the emphasis, is more fully on Phan and her suffering.

Mary Midgeley, in her book, Wickedness: A Philosophical Essay, uses the words "wicked" and "evil" synonymously, and in much the same way as I use "evil." Her book, however, is primarily a search for what evil or wickedness is, so she never dispenses a precise definition of what she considers evil. She is always in pursuit of it. One tendency which Midgeley presents for describing human behavior is of interest within the present project. She demonstrates how the words one uses can influence one's conception of the behavior those words are meant to describe. Midgeley argues that we distance ourselves from wickedness or evil when we apply labels such as "sick" or "ill" to acts of wickedness or the people who effect them. One may be so appalled by some act that he or she does not want to believe it could have been perpetrated by a sane person. Applying the label of "sick" removes some or even most of the responsibility for the deed from the perpetrator. "[M]adness counts as an excuse."[5] The problem for Midgeley is that such labels are applied to wicked deeds not attributable to insane persons, as well as to those which are. This "flatten[s] out the whole subtle spectrum of degrees of responsibility, and put[s] the genuinely unfortunate on the same footing as the sanest and most deliberate criminals."[6]

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[5]Midgeley 60.

[6]Midgeley 60.

I agree with Midgeley on this point and thinking along those lines has brought out two separate issues related to this project. First, I suggest that overuse of the word "evil" could dilute the impact the notion has when applied to the most relevant behavior. Cursing is a good example of what I mean. A generation ago, perhaps, particular vulgarizations were practically taboo, at least for many segments of society. Swear words were used much more sparingly than they are today and thus carried more impact. One could say they are not as useful for venting or displaying emotion today because they are so commonplace that their shock value and dramatic effect have been diminished. Similarly, if everyone went about labelling every wrong they encountered evil, the word would lose its impact when applied to examples like Phan's rape and murder. The effect would be similar to crying wolf. In the event of overuse, particular aspects of some evil action may well be ignored. The evilness could be dismissed because it is equated with a much lesser immoral act. In a similar way, overexposure to violence and abuse can muffle the reality of violent deeds; it can change one's perception of them. If "evil" became an overused concept, the generally accepted meaning might change enough for it not to have the impact I believe it does presently. Imagine viewing the Rodney King video for the first time, and then imagine having viewed it

38 times. The impact will not be the same.[7] Imagine growing up in a household where physical abuse was a daily occurrence. What is violent to such a person is not likely to be the same as it is for a person from a calmer, less abusive, environment. Hearing the notion of evil applied to a large variety of instances of immoral behavior will dilute its effect.

The second issue which comes to mind from contemplating Midgeley's work is that one may be distancing oneself from the atrocity, the evil, when one gives it and the humans who perpetrated it, a lesser label than evil. I tried to demonstrate this at the beginning of this section with "horrible" and "evil." If Meserve's abuse of Phan was labelled "sick" or "ill," instead of "evil," his deeds would appear excusable to some degree because madness implies lack of responsibility, as Midgeley reveals. But my point is not limited to matters of sanity and responsibility. It seems to me that one often has a deeper or more emphatic response to something which has been properly labelled evil, than if the same thing has been labelled merely bad, wrong, etc. The former sort of labelling can intensify one's awareness of the deed.

It does not seem necessary to these considerations, whether or not Eriksson, in my Casualties of War example,

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[7]My justification for this statement gains credence from the verdict in the L.A. police officers' criminal trial.

brought the notion of evil to mind when he refused to do what Meserve demanded. As I will argue and have already suggested, refusing evil often happens practically without thinking. In the course of responding to an event involving evil, the labelling of the evil is not of primary concern. But when discussing or thinking about the evil, when hearing about the event or relating it, when words are used which do not express or bring to mind the horribleness of the deed, even if they are pinpointing responsibility, the perpetrator is to some extent excused. The deed itself does not appear so horrible to us. Its impact is flattened or deadened. For instance, when we hear talk of "friendly casualties," in the case of soldiers mistakenly being killed by their own side in war, those words are meant to dampen the reality of the situation. They do not have the same effect as would talk of accidental homicide or killing, or even manslaughter of a fellow soldier. It softens the ugly truth of the matter. This is, perhaps, a necessary tactic in wartime, but my point remains the same. There is nothing "friendly" about taking someone's life. In this kind of case, the words are meant to cover up the tragedy. Words with less impact can deaden meaning.

Using the word "evil" connects the evil-doer to his or her deeds. Applying it to the rape and murder of Phan Thi Mao in my example from the Vietnam War ensures that the soldiers who caused her suffering and death remain culpable

in the reader's or discussant's mind. I agree with Midgeley about the removal of responsibility, but I suggest that removing responsibility is not the only thing that using different language can do. One's choice of words can affect the depth of meaning in a variety of ways. Feminism's interest in neutralizing the gendered-ness of language is one example of this in practice. If "he or she" is used in place of "he" in daily speaking and writing, despite the formerly alleged neutrality of the masculine pronoun, one is given more information. One is thereby encouraged or encourages oneself to see both male and female in one's mind when reading or speaking generically. Being conscious of the inclusion of the feminine pronoun in speech and writing can be a reminder that females are whole or complete persons too, which is part of what the feminist movement is trying to persuade the world to acknowledge. Using "woman" in place of "girl" is another example. It adds more credibility and acknowledges the need for respect towards an adult female in professional and private life. She is not just a kid. She is a fully cognizant adult. These sorts of changes in language give one additional information and can thus deepen one's understanding surrounding the relevant events. The same thing can happen in relation to the use of <u>evil</u>. It is my intention in this project that "evil" be a reminder of the horribleness, the enormity, of unjustifiable actions, such as caused the death of Phan.

3. Assistance from Noddings's View of Evil

Evil is the main topic in Nel Noddings's book, Women and Evil.[8] Her analysis of distinctions between kinds of evils is worthy of reflection and has been clarificatory for my own views. She does not have the typical resistance to speaking directly about evil. Noddings defines evil as the experience of at least one of three different states of consciousness associated with suffering. These states are: unjustifiably inflicted physical pain, separation from people and ordinary life, and the experience of the kind of helplessness that incapacitates.[9] Thus, suffering caused by natural disasters or illnesses would and do constitute evil,

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[8]The premise of Noddings's book stems from her concern with descriptions of evil and the actual circumstances or realizations of evil that come to us from within a sexist culture. Noddings claims that concepts of evil that are suffused with male interpretations, as so much is in a patriarchal society, omit and ignore the female experience of evil. She is aware of the pitfalls of a standpoint morality, which this appears to be, where values are dependent upon one's culture, class or some other grouping. One of those pitfalls is the generalizing that is necessary when attempting to reduce all members of a particular group into one general experience--in this case, the experience by women of evil. But, Noddings also sees uses for that sort of thinking. Adding an additional viewpoint, where that perspective was lacking before, is not, in cases like these, a negative endeavor.

[9]Noddings, Women 92, 95, 100. Noddings does address the suffering of non-humans in her work, although she reaches no definitive conclusions about them. I, on the other hand, am and will be speaking only about the harm which comes to humans. I acknowledge the arguments made by environmental and animal rights ethicists, but space and time do not allow the addressing of these other complex and worthy issues.

in Noddings's view, because such natural occurrences can cause any of these states of consciousness. Even though there is no human agency in such matters, Noddings finds "no compelling reason" to seek another term.[10] Noddings's category of natural evil does not ring true for me, and pondering this issue has led me to conclude that evil, for my purposes, is a matter of human agency. Evil often implies a maliciousness that natural events simply cannot have. Evil signifies immorality, moral reprehensibility.[11] Natural disasters are devoid of such value judgments. Even if natural events are viewed as having supranatural causes, malicious motives would rarely apply.[12] The difference between suffering caused by natural disasters and that caused by humans for present purposes is a matter of agency. Moral issues only exist amongst humans. Thus, it seems artificial to employ the notion of evil in cases of natural disasters.

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[10]Noddings, Women 92.

[11]"Evil" is occasionally used in reference to things outside of the moral realm. As Webster's has it, it can mean "offensive," as in "an evil odor." It can refer to mere disagreeability, as in "awoke with an evil temper." It is also used to refer to plain misfortune. Generally, however, and for my purposes, it addresses issues of morality.

[12]I am aware that other cultures do endow their spirits and gods with maliciousness. See, e.g., Kwame Gyekye, "The Problem of Evil," Voices of Wisdom: A Multicultural Philosophy Reader, ed. Gary E. Kessler (Belmont, CA: Wadsworth, 1992) 359-62.

Noddings's decision to retain the term "evil" in reference to suffering caused by natural disasters, diseases of the body, natural death, etc., is understandable when viewed from a perspective which focuses almost entirely on the victim, which is what Noddings does. People can suffer greatly because of natural occurrences or because of humans. If suffering is the only criteria one is using, one has no reason to discount the pain of cancer or the pain from a lightning strike or a building collapsing as evil. It needs to be acknowledged, however, that whether or not suffering has agency is, in some respects, irrelevant when one's pain reaches a particular intensity. Elaine Scarry's assessment of how pain shatters one's world would be coherent whether applied to a victim of torture or of cancer.[13] I recognize that if the pain is so intense that it <u>is</u> one's world, it is pointless to the victim where it came from.

> Pain [can] . . . eliminat[e] all that is "not itself." . . . [I]t eventually occupies the entire body and spills out into the realm beyond the body, takes over all that is inside and outside, makes the two obscenely indistinguishable, and systematically destroys anything like language or world extension that is alien to itself and threatening to its claims. Terrifying for its narrowness, it nevertheless exhausts and displaces all else until it seems to become the single broad and omnipresent fact of existence.[14]

Nevertheless, I reserve my use of "evil" for matters of human agency. Pain is not evil. It is a simple matter of

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[13]Scarry, e.g., 50.

[14]Scarry 54-55.

cause and effect. A person's body or mind responds to an injury by producing a physiological or psychical response that one's brain interprets as pain. The moral issue manifests itself in the cause of the injury. It is evil to cause someone to suffer great pain. If one comes from a theological or religious perspective, one may assume that agency does apply in matters of natural occurrences.[15] Yet, neither the disasters themselves nor the cause of the disasters are what is specifically evil, for Noddings; it is the resulting suffering that is. In my view, the human action that causes great suffering is the evil, again because of the moral issues involved. Noddings's lack of concern with agency appears to be a product of her definition of evil, of her primary, if not sole, emphasis on the victim. If suffering is the only consideration, agency becomes secondary. For Noddings, <u>that</u> someone suffers is the key to evil, not that someone deliberately caused the suffering, the latter being the focus of my analysis.

As I proposed in Chapter I, and will maintain as an underlying theme throughout this project, focusing on the significance of the victim has not been the customary method for traditional moral philosophy, whether the debate concerned evil or immorality more generally. Noddings's

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[15]Noddings does not use a supernatural argument in her definition of natural evil, even though she does have a theological background. Neither does she insist on agency as necessary for the types of evil she labels "natural."

study of evil helps to repair this deficiency. Her emphasis on relatedness and the one who suffers is intended to clarify or fill out our ideas about evil by introducing a different perspective, women's experience of evil. The consequence of this emphasis on the victim's experience is the addition of an essential element of moral issues too often disregarded. I, too, want my view to stress the value of emphasizing the victim in matters of evil. My goal is to draw attention to the idea that such an emphasis can shift one's perspective regarding the horrors of evil, the depth of evil. Whether this is a matter of the feminine experience of evil, as Noddings would have it, or not is not the subject of this study. What is most important in Noddings for present purposes is that her concentration on the victim and her or his suffering affects her definition of evil. I view this as morally propitious. As I insisted in Chapter I, ignoring the victim or diminishing the importance of suffering to moral decisions, strips essential elements from moral issues.[16] Jeremy Bentham in that well-known footnote about suffering also validates this claim.[17] And, the work by Elaine Scarry gives us a vocabulary for

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[16]Chapter I, p. 37.

[17]"[T]he question is not, Can they reason? nor, Can they talk? but, Can they suffer?" Jeremy Bentham, An Introduction to the Principles of Morals and Legislation (New York: Hafner, 1948) 311 (emphases in original).

understanding why, as I also indicated in Chapter I.[18] Privileging the victim in moral decision-making is a valid, useful and profitable contribution to the philosophical canon and to one's daily life.

My primary concern in this study is to analyze those who refuse to increase another's suffering, those who refuse evil. This emphasis helps to explain the divergence in our perspectives (Noddings's and mine) and, perhaps, thus, our conclusions about evil as well. The following subsection deals with more differences and agreements with Noddings.

a. Collapse of Two Evils

"Cultural evil" was encountered in Chapter I.[19] I referred there to what Noddings sees as institutional evils, so embedded in that culture that one's ability to perceive them can be impeded by the extensive acceptance of and early indoctrination into the demands and expectations of a culture. An otherwise moral person can be imagined as participating in some behavior condoned by her or his society which is in reality a morally reprehensible

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[18]Chapter I, pp. 40-41.

[19]Chapter I, p. 23.

practice.[20] Otherwise decent people who owned slaves or otherwise morally aware people who did not believe women should be educated or allowed to vote are cases in point. Supporting an unjust war, electing insensitive politicians, encouraging or perpetuating sexism or racism or ageism are the kinds of things that might become second nature under specific circumstances, and therefore, barely noticeable, if at all, as evils or as contributory to evil. The kind of evil I refer to in my phrase refusing evil bears more resemblance to Noddings's "moral evil," which she calls "real evil,"[21] than to her "cultural evil." Meanwhile, I do not deny that cultural elements exist in many, if not most, immoral acts and I propose a partial collapse of these two evils for my purposes. I do not draw lines in the way that Noddings does because I am suggesting that those capable of Moral Acuity are more likely to perceive evil whether it be cultural or moral as Noddings defines it, than those not possessed of such a capacity. The cultural elements involved in my Vietnam example did not blind Eriksson to the evil befalling Phan. Phan Thi Mao was Vietnamese. Her racial characteristics made her obviously non-American as

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[20]For specific examples and arguments regarding the views on women in traditional philosophy and the relationship of these views to the moral philosophies in which they are found, see, Nancy Tuana's Woman and the History of Philosophy (New York: Paragon, 1992) esp., 23-26 and 61-69, on Aristotle and Kant, respectively.

[21]Noddings, Women 99.

well as indistinguishable from the Vietcong, the enemy these American soldiers had been, for all practical purposes, brainwashed into pursuing and eliminating. The possibility that she was seen as more expendable than one's fellow soldiers and citizens because of this factor should not be ignored. There were other cultural elements existent as well. Sexism, as a sadly routine aspect of practically every culture, plays a significant, an arguably essential, role in rape around the globe. That female bodies are often seen as mere instruments of pleasure, as tools for humiliation and domination, or as simply more disposable is part of the fallout from the traditional oppression of women. The military, which can be viewed as a culture all its own in many respects, works to desensitize its soldiers emotionally and intellectually in order to increase the ability of and the potential for a soldier to kill the enemy. Much of this has, historically, involved disparaging soldiers by spewing sexist remarks equating cowardice, incompetence and weakness with females, ergo, inadequate and unacceptable and potentially fatal.[22] For these kinds of reasons, and because societies in general still undervalue females, if Phan Thi Mao had been American and male, she would not have been the victim of this rape and murder.

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[22]That sexism runs rampant in the military is a claim supported by, inter alia, the Tailhook scandal in 1991, where, not only were several women molested, but nobody has been punished to any significant degree for the infractions.

Cultural factors are integral to the circumstances I have described, as well as, I would venture to say, in most cases involving evil acts. The Vietnam example demonstrates the ability of some to see through to the suffering, regardless of the cultural barriers. I am not suggesting that Eriksson was aware of these issues as separate. I suggest only that both cultural and moral evil, as Noddings uses the term, are present here, and nonetheless Eriksson was not blinded to the right thing to do. He chose the best response under the circumstances.

Attending to those who refuse evil, as this project does, with like consideration given to the victim's experience, reduces the need for the distinction Noddings makes between cultural evil and moral evil. My view of Moral Acuity makes at least some of the distinctions between cultural and moral evil inconsequential. Individuals can and do recognize the demands or assumptions of their cultures as evil, even though such evils may go unidentified for a long time. How else would humans effect social change? Slavery has been abolished in this country, and in many others, women of many nations have more freedoms and rights now than even half a century ago. There is a growing grassroots effort to eliminate female genital mutilation. There has been resistance to most every fascist regime. People do break out of their cultural habits and recognize institutional, ingrained harms. Because of my focus on the

refusal of evil which often involves breaking social mores or going against particular expectations, I suggest a partial collapse of cultural and moral evil. Elements of each can be found in most examples of evil. If a person is thought-full, perceptive and aware of the world around him or her, one will be more alert and sensitive to both kinds of evils. My Vietnam War example portrays how both cultural and moral evils can exist together and be seen through, be recognized for what they are. I find the collapse of those two evils to be useful in many cases, although the distinction can be valuable as well.

4. Reflections on Evil

Two interesting questions have been raised in discussions of the present work that are worth pursuing, but will not be addressed past this point in this project.[23] It is my intention to acknowledge them here and hopefully pursue them at a later date. Whether one can do evil to oneself is the first of them, and is related to the second. The second involves a society's or a culture's view of what great suffering is compared to the individual's. As far as the first question is concerned, there are contrasting considerations which make it difficult to come to any immediate conclusions on the matter. If one is causing

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[23]Separate discussions with Drs. Kathy Moore and Nancy Tuana were instrumental in sorting out these issues.

great pain to oneself, another's first impression might be that there is psychological trauma to blame or some other outside influence forcing one to engage in some deed. Outside influences could well be the perpetrator of evil instead of self. Self-immolation to make a political statement or self-flagellation in the course of a spiritual quest could be counterexamples to psychic trauma or outside influences. But, it is by no means certain that these examples could be labelled evil or would be lacking psychic trauma of their own. I would not, however, discount, the possibility that humans are capable of causing evil to themselves. It is possible, and this is where the relation to the second question enters, that one person would view a particular level of pain as great and thus evil in my view, and another person would view the same level of either physical or psychical pain as tolerable, at a distance yet from intense or great pain, and thus not evil, whether inflicted on themselves or on others. The second question involves the cultural and individual perspectives of specific instances of suffering. One's perception of one's own suffering may differ greatly from another's exposure to the same amount of pain. What an individual considers evil will not necessarily be considered so by one's neighbor or one's culture at large. Or, conversely, a culture may view something as evil that an individual might not. Perspectives are bound to vary widely. The grey areas in

these matters are immense. I am still confident that my main example is an example of evil and that I can discuss relevant matters regardless of the wide variety of perspectives regarding suffering. I use that example and others in the next few sections in turning to a discussion of refusing evil.

The fact is, I started this dissertation with an assumption. That assumption is upheld by the convictions in both Adolph Eichmann's trial, which I discuss in the next chapter, and, just barely, in the trials of Meserve and the other members of his patrol.[24] It is a presupposition that is also a value judgment. And, I believe it is justified within the view I have been developing. In relation to my view of evil, my primary justification rests on the following: if a person does not view the multiple rape and murder of Phan Thi Mao as evil, as unfair and unjust in the extreme, there is something wrong with that person. Philosopher or not, I cannot imagine any reasonable human arguing that that was the right thing to do. Susan Wolf maintains a similar view. "Sanity," she says, "involves the ability to know the difference between right and wrong, and a person who, even on reflection, cannot see that having someone tortured because he failed to salute you [for

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[24]Ironically, Meserve was found innocent of rape but found guilty of unpremeditated murder. Manuel and Rafe served jail sentences of less than two years each. Lang 101, 118.

instance] is wrong plainly lacks the requisite ability."[25] Wolf's claim pivots on the "even on reflection" clause. While that notion would have to be riddled with qualifiers in order to be valuable, I will not spend much time addressing them. I do, however, think Wolf is basically on the right track. Even Eichmann volunteered to be brought to trial after being apprehended. Even he expressed remorse, however cliche-ridden it may have been. Still, the "on reflection" is the trickiest part. Fresh in my mind is the death row inmate in Dead Man Walking who may never have come to verbalize his remorseful state had he not been in the predicament in which he found himself: 6 days before execution with his sole counsel an open-hearted, wise and articulate nun.[26] However, his resistance to admitting his wrongs does not need to suggest that he had to reflect upon his actions for those 6 days to understand that they were wrong. Further, admitting wrong to others does not guarantee remorsefulness, as any fan of Bart Simpson is sure to know. Refusing to admit one's wrongs to others does not mean that one does not consider them wrong. Correlatively, knowing right from wrong does not offer ironclad protection against one's committing wrongful deeds, as my Behavor/Actor

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[25]Susan Wolf, "Sanity and the Metaphysics of Responsibility," in Responsibility, Character, and the Emotions: New Essays in Moral Psychology, ed. Ferdinand Schoeman (Cambridge: Cambridge UP, 1987) 56.

[26]Dead Man Walking, dir. Tim Robbins, with Susan Sarandon and Sean Pean, Polygram Video, 1995.

distinction in the next chapter is meant to illustrate. I suggest further that sincere reflection may be more difficult for some than for others.

My view cannot be seen as morally neutral because it posits that as far as evil deeds as I have described them are concerned no reasonable person, upon reflection, can consider them the right thing to do. And I suggest that its lack of neutrality does not invalidate it. To rephrase: my view holds that reasonable people will not argue sincerely that causing harm of great intensity to another person is the right thing to do.[27] I must insert a qualifier here. I acknowledge that there may be times when causing harm of great intensity is one's only route to a vital goal, making it a regrettable but necessary occurrence. Self-defense or defense of a loved one are obvious caveats to my view. Resistance to evil does not always come in the passive form. Militant opposition to an abusive government is a potential candidate. There are other less obvious examples that might also be potentially supportable. I will not be spending

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[27]Meserve's lawyer stated in court: "There's one thing that stands out about this particular offense. . . . It did not occur in the United States. Indeed, there are some that would say it did not even occur in civilization, when you are out on combat operations." Lang 102 (ellipsis in Lang). This man wants to suggest that under the circumstances, Meserve's actions were understandable. He does not state such a thing directly or in the first person, however, which suggests to me that, upon reflection, he too would have to admit the evil of the events. At any rate, finding excuses for atrocious behavior is not the same as arguing that it was the right thing to do.

time defending any of those positions. I merely want to acknowledge the gray zones of evil, while at the same time suggesting that reasonable people can recognize at least some of the purportedly black and white issues related to evil.

5. Refusal of Evil

Eriksson, the soldier who reported Phan's rape and murder, was the only one on the patrol who refused evil. He resolutely rejected the acts of evil in which his fellow soldiers indulged. His awareness of the evil had to pierce any cultural obstructions existing in this particular set of circumstances, and it had to steel him against opposition, in order to see clearly the right thing to do. Eriksson was not objectifying Phan as a female to such an extent that her abuse was irrelevant, as did the others. He did not hate or fear her race to the point that he could use her as a tool for the release of those emotions or for selfish satisfaction of desire, intent upon disposing of her afterwards, as the others did. Moral Acuity aided him in seeing through these barriers. Eriksson was capable of rejecting, compelled to reject, evil despite the cultural impediments.

As I have said, the view I am developing sees evil as suffering of great intensity caused by human agency. If my notion of evil is accepted and refusal is understood as an

unwillingness to fulfill or comply with some request or command, then refusing evil must be seen as more than a matter of avoiding evil. We are not, for instance, refusing evil when we just happen to be across town at the time of its occurrence. We are not refusing evil when we quietly get out of its way when we see it coming. We are not refusing evil when we fail to recognize the evil but refuse to comply because of some previous obligation. Refusing evil as I intend the phrase involves a recognition of the evilness or potential evilness and thus the suffering, whether the label of "evil" is applied at the time or not. Responding to some evil deed because of duty or religious belief and the like are not unconditionally excluded from my notion of refusing evil, but the likelihood of one reacting to or being influenced by one authority or another rather than seeing the evil and responding directly to it in such cases is a large enough possibility that I am comfortable factoring them out for present purposes. I am willing to grant that acting out of religious belief or duty could be accompanied or replaced by a refusal of evil in particular circumstances.

Refusing evil, for my purposes, involves a desire to eliminate that evil, a desire to fight against it and attempt to alleviate the suffering attached to it, or, lacking other alternatives, preferring to have no part in it, regardless of one's personal safety. I would include

those who, for whatever reasons, ride the fence for a particular period of time, are confused or in a state of conflict over the actions to be taken, but end up doing the right thing while it still matters. An example along those lines will be the topic in Section 7 of this chapter. Eriksson's response to evil was immediate, as was Lund's, and I address the ramifications of acting practically without thinking below. Eriksson was aware that there was suffering of great intensity being experienced by an innocent victim and that it was terribly, terribly wrong. "It was impossible for me to have any part of what I knew was about to take place."[28] Those are Eriksson's words of explanation for his act of refusing evil.

I am not offering necessary and sufficient conditions for what counts as refusing evil, but I am suggesting that three specific things are often taking place when one refuses evil. In the examples I have used so far, at least, these indeed are the case. First, one is sympathetically aware of the suffering that is or could be occurring. One is in some way sharing the pain.[29] If one were not aware of the need for concern, one could not feel sympathy, much less be in a position to take action or offer help. Of course,

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[28]Lang 34.

[29]Thanks go to Cheyney Ryan for the helpful discussion on this topic. "Sharing the pain" is his suggestion for avoiding difficulties associated with awareness versus concern for another's suffering.

being aware of the need for concern is not a sufficient condition for showing concern, which is why I use the notion of sympathetic awareness. Second, one has the ability to make decisions independent of others. If everyone else in one's community is enthusiastically preparing for a lynching, the person who refuses to help or who tries to disrupt the event is acting alone, and, probably, under pressure to do otherwise. Eriksson, for instance, was the sole member of his patrol willing to oppose his commander, something Manuel and Rafe were not willing to do. The third element of refusing evil is a matter of acting, of being compelled to do what one perceives as the right thing to do. Eriksson knew without a doubt he was not going to take his turn in the hootch. He never thought otherwise. He knew with certainty he was not going to be a part of the murder of Phan Thi Mao. Under the circumstances, not adding to Phan's suffering was the best he could do. He could not alleviate the suffering the others were causing. Seeing the situation clearly, knowing practically without thinking the right thing to do, is what I am calling Moral Acuity. I am suggesting it can culminate in refusing evil.

These three elements, sympathetic awareness, the capacity for independent judgments, and action compelled by the circumstances, are the basis for refusing evil in the examples I have used thus far. Refusing evil in those cases is an action made possible by Moral Acuity. The capacity

for independent judgments and sympathetic awareness are combined in Moral Acuity, in my view. I suggest that Moral Acuity requires an amalgamation of these two components and that both are present in harmony, in unison, in the examples of refusing evil that I have employed. I am dealing with them separately above and in the following two chapters in order to refine and clarify their involvement in refusing evil. I spend sections in both of the next two chapters illustrating why possession of one capacity without the other is not adequate for choosing the right thing to do. I suggest, however, that viewing them as separable within the notion of Moral Acuity is artificial; that when one speaks of Moral Acuity, one should not consider it a combination of two separable talents or capacities, but one sort of response or faculty that culminates in a clarity of moral vision. When one is Morally Acute and exposed to suffering that can be considered evil, that suffering or potential suffering is at the center of one's field of vision and as many morally relevant aspects as possible within that field of vision are in sharp focus, unclouded by personal issues or others' wishes. I recognize the criticisms and problems of vision as metaphor. I respond more thoroughly to those issues in Chapter IV.

a. Practically without Thinking

"I could have been twenty-three next July; / I gambled on what mattered most, / The dice were cast. I lost."[30] These words are lines in the last poem written by Hannah Senesh, a commissioned officer of the British Army trained as a saboteur and parachutist. A Zionist, she was executed by the Nazis on November 7, 1944, after having been engaged, in Hungary, in attempts to rescue Jews. She was immersed in fighting for a cause to which she was completely committed. The above lines testify to that commitment, and to a resignation about the costs--her life. They also illustrate an aspect of refusing evil that I find one of the most interesting. This aspect is illustrated well in Casualties of War, and is obvious in the example of the Serbian soldiers who refused to rape.[31] When confronted with evil, the Morally Acute person is compelled to refuse regardless of the cost(s) to self. Hannah Senesh could not have done other than she did because she believed so strongly in her cause. Eriksson and the Serbs that I have mentioned were unwilling to rape even when threatened with death because they believed it was wrong. In the case of the three Serbs and Senesh, the threat was carried out. Acting practically

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[30]Andrea Dworkin, "The Unremembered: Searching for Women at the Holocaust Memorial Museum." Ms., November/December, 1994, 57-58.

[31]Chapter I, p. 8.

without thinking is associated, in these cases, with ignoring potential costs to oneself. That issue will be considered more fully in Chapter V.

Next, however, I will briefly address two different responses to matters of refusing evil which are imaginable in the sorts of cases under discussion here. It can be imagined that the person who refuses evil is unwilling to be a party to that evil. She or he is likely unwilling to cause great suffering to another. It may also be the case that the person does not want to be, or does not want to be seen as, a person who commits or encourages some evil. I believe these are two separate issues. One requires the privileging of the victim, and the other puts self at the forefront of such decisions. It may be impossible to decide definitively whether someone refuses evil because one does not want another to suffer or because one does not want to be a person who has caused suffering or both, and I will not dwell on the matter. I am assuming for present purposes that my examples are demonstration of the former. Evidence for this, as I see it, is that if a person refuses evil even upon threat of death, she or he is exhibiting a concern for the alleviation of the suffering of another which transcends the desire for preservation of self. One might submit, therefore, further, that one's regard for self-image could also transcend a desire for self-preservation, but in the examples I use I find this idea incongruous because the need

to refuse appears to be so great. In Chapter IV, I discuss what appears to be a suspension of ego in cases of Moral Acuity. This phenomenon addresses the issues I have raised here. An investigation of the religious martyrs of the world or politically motivated suicides and the like might prove profitable in regard to this matter, but for now, I will move on. I suggest that the two views of those who refuse evil, while perhaps inseparable to the observer, say different things about the person refusing.

Regardless of the previous, for one to refuse evil, one needs to be aware of the evil in some vital way. Part of that awareness requires recognition of at least some of the consequences of the evil one is refusing, e.g., the suffering of the victim, the potential damage to one's self-image, etc. Evil, for my purposes, is the causing of great harm. While Eriksson never refers to the rape and murder of Phan Thi Mao as evil in Daniel Lang's book, he does recognize the events as something in which he <u>could not</u> participate. It was vital that he not participate. He could not be a part of the suffering of Phan Thi Mao because it was a horrible thing to do.

One's Morally Acute response to evil often has a particularly interesting element that will surface repeatedly throughout this study. Acting <u>practically without thinking</u> appears to be a commonality between all the examples I have used thus far. The moment the main

characters in my examples were confronted with evil, they knew beyond a doubt that they would not participate, and they knew this despite threat of personal harm. Sigrid Lund, from the Norwegian resistance, is quoted as saying:

> In one way we were always frightened, we always knew that something could happen, either to yourself or to one of the family or the rest of your friends. But that didn't hinder us from doing it. We had to do it, it was a natural thing which couldn't be avoided.[32]

They had no hesitation about the right thing to do. They had a clear sense of what should be done without receiving guidance from society at large or any of its authorities. Going against that sense of what was right was out of the question for Lund, as it was for Eriksson, no matter what the costs. It appears that they considered it better to die than to live with the knowledge that they had participated in something so evil.

It is doubtful that those who refuse evil are going about in the world with a ready set of criteria for what evil is and what their responses should be when those situations arise, refusing evil in some particular way when those criteria match up with current events. Rather, it seems, one refuses evil practically without thinking when one encounters a situation which provokes one's response. Sigrid Lund's sense of right and wrong, in that respect, was absolute. In other respects, it can be seen as context-

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[32]Sim 102.

specific. "[I]t couldn't be avoided," she said of her participation in the resistance.[33] This brings out a curious element. It was not her sense of right and wrong generally that was absolute, as many of her actions during the war attest. But, it is implicit in her testimony that she knew, practically immediately and absolutely, the right thing to do once a situation involving evil arose. This exemplifies the "instinct" on which Arendt reflects. Her instinct is not the instinct of nature which exists outside the moral realm, and generally absent a neo-cortex. It is rather an ability to know "practically without thinking" the most transparent or the most obvious answers to "elementary questions of morality."[34] In many cases of evil as I intend the notion, Morally Acute people do not have much to ponder. The evil, to them, is obvious.

Maybe other lesser moral issues would have been harder for Lund or Eriksson or the Serbian soldiers to decide. We do not know enough about any of them to say. One can see that Lund's decisions and actions were context-specific, at least in matters regarding the underground. She acted when the situation demanded it. Lying in general was wrong in her strict Protestant household; lying to the Gestapo in order to throw them off the track of a Jewish family fleeing

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[33]Sim 102.

[34]"Elementary questions of morality" is Arendt's phrase. Eichmann 295.

to Sweden was imperative. Family closeness, love and sharing were very important; letting another member of the family know your role in the resistance could be life-threatening to all, so it was not done. They had secrets from each other only because the situation demanded it. Sigrid Lund refused evil, practically without thinking, even while she knew the potential harm awaiting her. So did Eriksson. "It was impossible for [him] to have any part" of increasing the suffering of Phan Thi Mao.[35]

Part of the view I am developing implies that one who refuses evil has a moral sense which has been developed over time. Often, Moral Acuity has evolved over time in a person possessed of it. Having the ability to think for oneself as well as an ability to be aware sympathetically of another's suffering is likely to produce a thought-full human, a reflective, aware, lucid human. In the instances I have described, one's reaction to evil is practically instantaneous because one already knows beyond a doubt the most vital aspects of morality. This sense of rightness and wrongness is a resource, so to speak, built up over time, for when one is compelled to act by a situation and its agents, for when one refuses evil. In Chapter III, I will emphasize how practically without thinking is quite different from the thoughtlessness that I associate with Behavors. But, at this point, I want to acknowledge that

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[35]Lang 34.

one's history, one's community, one's upbringing likely influences one's ability to refuse evil. Through a variety of influences, some people are more prepared prior to their exposure to evil to respond in such circumstances in an active positive way. This is not the place to ponder a person's socialization and its relation to morality. The important part of "practically without thinking" for this study is that being thought-full, reflective, sympathetically aware can predispose one to do the right thing in the face of evil. I propose that most people brought up without significant moral training will and do have quite different responses to questions of evil. Examples such as The Lord of the Flies or A Clockwork Orange would demonstrate my meaning here.

I do not mean to imply that one's background necessarily restricts one's potential responses when confronted with evil. In fact, refusing evil will not always be a matter of acting practically without thinking as the next section illustrates. This is a rather different example from the ones I have described up until now. Floyd Cochran's response to evil is anything but "practically without thinking," even though he ends up doing the right thing.

b. A Different Illustration

There is a true story about a former neo-Nazi who began "seeing" things more clearly when he was informed that his son, who was scheduled for surgery on a cleft palate, would not be welcome in the new Aryan Nation. In fact, he was told by superiors that when the Aryan Nation came to power, his son would "have to be euthanized."[36] He has since become an outspoken critic of white supremacist ideology. I referred to Floyd Cochran briefly on page 13 of Chapter I. To quote from an article in Mother Jones:

> Floyd Cochran brought to Aryan Nations something that few such hate groups have had: media savvy and an instinctive flair for marketing. When reporters visited, he served them coffee and doughnuts instead of chasing them away. He became Aryan Nations' chief recruiter and took the group's racist message to young people with music videos. Calm, articulate, with a knack for the headline-catching phrase, Cochran quickly became the group's national spokesperson.[37]

It could be said of Cochran that he was an independent thinker, self-confident and capable of thinking on his feet. He was creative and thoughtful, his "flair for marketing" was original and successful. He was articulate and confident about his beliefs. But he was not, at that time, Morally Acute. He lacked sympathetic awareness of the suffering of others, suffering that could be a direct result

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[36]Adam Hochschild, "Changing Colors" Mother Jones (May/June 1994) 55.

[37]Hochschild 55.

of the prejudices he harbored and the establishment of the Aryan Nation that he and others envisioned. Prior to the enlightening words regarding his son, it had never occurred to Cochran "that the hate he'd preached could circle back to people close to him."[38] Sympathetic awareness, not noticeably present in Cochran prior to this experience except as regards those closest to him, was awakened in him by the suggestion that his son would have to be killed in keeping with the tenets of the Aryan Nation. He was shocked into the recognition of what consequences his beliefs could foster.

Cochran is now on the lecture circuit. He is part of a support network for people who become disillusioned with the white supremacist movement and need an escape route. He knows now what the right thing to do is in regard to race relations and human rights, but his years of ingrained prejudice at times make him incapable of acting practically without thinking, as he himself admits.[39] A statement he made in Mother Jones pinpoints the issue at hand. "'If ever anybody tries to tell you that a change like this happens overnight, . . . don't believe them. It's a long business. For me it's still going on."[40] His concern for his family and his fellow neo-Nazis has been expanded to include a much

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[38]Hochschild 55.

[39]Hochschild 55.

[40]Hochschild 55.

wider variety of people. His recognition of suffering is more global now. He understands the harm that his old beliefs could have and did cause. Refusing evil is now his daily task, even while he must fight against the old habits of hatred at the same time. Loretta Ross, a black civil rights worker and friend of Cochran's, notes: "[I]t's been fascinating for me to watch his growth."[41]

The implications that this example has for my account of Moral Acuity relate most directly to the necessity for acknowledgement of an alternative to acting practically without thinking. It cannot be assumed that living even the most reflective, throught-full moral life imaginable will give one immediate answers in every situation. Cochran also attests to my suggestion that the potential for Moral Acuity exists in everyone. I pursue this further in the next chapter. It may happen that in time Cochran will have such a handle on his old prejudices that he will be capable of acting practically without thinking. For the time being, it seems, he is committed to careful analysis of his thoughts and actions, vigilant for those old habits hard to break.

6. Summary

In this chapter, I have examined my use of "evil," and I have suggested ways of viewing the notion of refusing evil. I have been suggesting that at least two things are

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[41]Hochschild 57.

going on in many instances of refusing evil. The capacity for sympathetic awareness is activated, as is one's ability to make independent judgments. These two notions combine in what I am calling Moral Acuity. I intend the following chapters to analyze these notions and their relation to refusing evil more thoroughly. I have been suggesting that the role of the victim is key to this notion, but not in itself enough to produce refusal. My view also incorporates the notion of acting "practically without thinking." I do not claim that this is a necessary condition for refusing evil. Rather, it is one of the expressions of Moral Acuity in action. I will, in the coming chapters, suggest reasons why neither independent thinking nor sympathetic awareness alone is sufficient for refusing evil, why neither without the other can be seen as Moral Acuity.

I have also suggested that when one is Morally Acute, one may find oneself compelled or moved to respond to a situation where suffering is or could be occurring. My view suggests that being concerned about the suffering and capable of thinking independently provides a suitable environment for being inspired to act to alleviate another's suffering.

CHAPTER III

THE CAPACITY FOR INDEPENDENT JUDGMENTS

1. Introduction

From Eichmann in Jerusalem, where that striking phrase "the banality of evil" originates, to her last work, The Life of the Mind, where she proposes that "to think what we are doing" might "make [humans] abstain from evil-doing or even actually 'condition' them against it," Hannah Arendt has been concerned with many of the same issues I raise.[1] She implies, for instance, by the words just quoted, that evil may have its origins in the failure to think. If "thinking what we are doing" correlates to possessing the capacity for independent judgments--and I believe there are parallels--this is, indeed, a part of what occurs when one refuses evil, but, only a part. This chapter examines how having the capacity for independent judgments plays a role in knowing the right thing to do in matters of evil. In combination with sympathetic awareness, which will be examined in the next chapter, I am suggesting that the capacity for independent judgments assists one in making

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[1]Arendt, Mind 4, 5.

choices based on a moral clarity regarding the specific situation or issue in question.

In this chapter, I make comparisons between the sorts of people I am describing as Actors and those I call Behavors.[2] My use of these notions is meant to help clarify what I mean by independent judging ability by pointing out general differences between those who are confident and original and capable of setting things in motion, and those who are not. Actors, in my view, generally think what they are doing. Behavors do not. "[T]hey get used to never making up their minds," says Arendt in a different, although not wholly unrelated, context.[3] It should be noted that in the previous two chapters, I have been using the words "behavior" and "action" interchangeably. In separating those I view as Behavors from those who can be seen as Actors, I, also, consequently, intend separate connotations for both "behavior" and "action," from this point on.

Categories and generalizations are necessary but of limited use for purposes such as mine. I consider my distinction between Behavors and Actors to be helpful in accomplishing my goals because it produces generalizations,

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[2]While I have credited Arendt with inspiring this notion, both Lani Roberts and Cheyney Ryan suggested the spelling, which is meant to imply "one who does that thing" more strongly, I believe, than would the correct spelling of behaver.

[3]Arendt, "Thinking and Moral Considerations," Social Research 38 (Autumn 1971) 436.

which, if not overused or too broadly applied, become a device for organizing such issues as I am raising. I intend this distinction to help in suggesting a plausible view of the role of one element of my notion of refusing evil, the capacity for independent judgments. By distinguishing between Behavors and Actors, I do not mean to imply that a person will be one or the other exclusively. I am suggesting, rather, that people in general seem inclined towards one or the other of these tendencies, even though they may exhibit some of the characteristics of the opposite on occasion.

During my discussion of Behavors, an interesting aspect of that notion emerges which I address in section 4 of this chapter. In that section, I distinguish between the phenomenon of being influenced by others' opinions and that of seeing another's point of view. At first it might seem that the former would not be possible without the latter. I suggest, however, that Behavors, while they are easily influenced by others' opinions, are not readily able to see that other's point of view. I suggest that there is a relationship between understanding another's point of view and a kind of self-reflectiveness in which Behavors seem deficient. This connection seems more obvious when the comprehension of points of view is seen as often involving formation of one's own opinions on the topic, something in

which Behavors are not practiced as they most often rely on others for judgments of that sort.

Through the course of this project, I have been attempting to keep my distance from Arendt, while acknowledging the huge debt I owe her as inspiration and guide. I spend the rest of this introduction more firmly establishing both the distance and the proximity of this work to hers. There are differences between the view I am proposing and Arendt's implications in the quote with which I began this chapter. I intend these differences to surface in my exploration of why having the capacity for independent judgments is not sufficient for refusing evil. I do not intend my notion of independent judgments as equivalent to Arendt's "thinking as such," but I do believe that the capacity for independent judgments can be seen as a small piece of what Arendt means when she speaks of thinking. I have mentioned before her use of "arrogance" in reference to thinking for oneself. The serious intentions for her ironic use of that word in reference to people who are "'arrogant' enough to trust only their own judgment" comes closest in my mind to my intentions for the capacity for independent judgments, thus separating my notion from Arendt's broader and more complex views on "thinking as such."[4] Arendt is generally dismissive of the emotional life, so one can be fairly certain that emotions do not play a role in her view

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[4]Arendt, Eichmann 295.

of "thinking what we are doing." One's emotions generally, sympathetic awareness particularly, are an important piece of one's moral life in the view I am developing. But, Arendt, staying close to her Kantian roots, sees emotions as generally superfluous. She sees a lack of permanence in emotion, an absence of "'a standing still and remaining' at least long enough to be perceived."[5] As regards sympathy at least, I see perceptibility where she sees none.

When one refuses evil, in my view, sympathetic awareness can moderate the potentially more destructive effects of independent judgment as I hope to make clearer in this chapter and the next. Neither capacity without the other appears adequate to the task. It seems reasonable to suggest that if one has the capacity to think and act independently of others, yet lacks concern for the potential harm that could be caused by some action, one will likely leave suffering in one's wake. The penultimate section of this chapter pays special attention to this question.

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[5]Arendt, Mind 40. It may be interesting to note a difference here between Arendt and her mentor and lifelong friend, Heidegger. Permanence has conflicting connotations for these two thinkers, and this contrast highlights the originality of both of them. The "coming-to-be and passing-away" of Heidegger's later work expresses the determination that lingering only for awhile is the optimum expression. Attempting any kind of permanence is a betrayal or an obstruction of Being. This is contrary to Arendt's intentions in what I have quoted in the text, above. See, e.g., Martin Heidegger, Early Greek Thinking, trans. David Farrell Krell and Frank A. Capuzzi (New York: Harper, 1975), esp. 13-58.

I want briefly to summarize relevant aspects of Arendt's views on action, so as to spotlight differences between what she has to say about action and my use of Actor before moving on to explore my Behavor/Actor distinction. In The Human Condition, Arendt distinguishes between labor, work and action. Briefly, Arendt defines labor as that which we do to survive; that which ceasing doing would cause our death. It is necessary, repetitive and futile activity. Work, for Arendt, is what produces our world, the world in which we live. Work is not futile in the way that labor is because it produces permanence and useful objects. But, it is mostly solitary in its production of things, and, thus, not the essence of being human, according to Arendt. Action, for Arendt, gets closer to that essence. The public life of a human being, that which humans do in the company of others, that which makes up the world of human affairs, houses the potential for action, in Arendt's view. Action, in this public sense, is the essence of being human because it produces originality, because new things are set in motion, because it is done in the company of others, but, perhaps, most importantly for Arendt, because it is unpredictable. A pertinent consequence of action's unpredictability is that the rightness and wrongness of an action and its repercussions can only ever be educated guesses for humans, in Arendt's view.

My notion of Actor correlates, in small part, to what Arendt intends for her more complex notion of action. She writes in The Human Condition that "to set something in motion" is "to act, in its most general sense."[6] It is this most general sense which appears most related to my notion of Actor. One who takes initiative, one who can conceive of ideas and carry them out, independently of others, is an Actor, in my view. A creativity is involved, an originality lying outside particular spheres of influence. An Actor is one who has an ability to think for herself or himself and choose actions based on her or his previous individual conclusions. I agree with Arendt that one can never know all the consequences of one's actions. But it is a large part of my view that an Actor's guesses can be enhanced by being sympathetically aware of suffering. When one already has the capacity for independent judgment, one is more likely to know the right thing to do when one also possesses a tendency toward sympathetic awareness of suffering. I leave the discussion of sympathetic awareness for Chapter IV.

My intentions for Behavor correspond, in part, to Arendt's scant but insightful references to what she sees as the consequences of modern society, that which has become the subject matter of the behavioral sciences.[7] Arendt

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[6]Arendt, Human Condition 177.

[7]Arendt, Human Condition 42, 45.

talks of conformism, "statistical uniformity" of behavior, "behavior [having] replaced action," etc., as she describes what she sees as a result of human society.[8] She writes that "the more people there are, the more likely they are to behave and the less likely to tolerate non-behavior."[9] While I will not attempt to support or reject Arendt's claim that the world's increasing population escalates the tendency toward monotonous homogeneity, my notion of Behavor does involve, as will become evident in the following pages, a kind of thoughtless conformism or rule-following similar to what Arendt suggests in what I have quoted above.

The last matter I will deal with in this chapter is what I mean by "independent" in my notion of the capacity for independent judgment. If I acknowledge a culture's effects on every member of that culture, and if I recognize the effects of one's community, namely, one's socio-economic level, one's geographic and demographic situation, etc., what can I intend by suggesting that people may possess independence of judgment? Section 6 discusses issues raise in that vein.

2. Behavors and Actors

Before embarking on a discussion of the examples that epitomize my intentions first for Behavor and then for

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[8]Arendt, Human Condition 41, 42.

[9]Arendt, Human Condition 43.

Actor, I want to distinguish these notions from a, perhaps, more obvious pair: that of leader and follower. Behavors are conformists, ordinarily unlikely to be at variance with the norms of their community, while Actors, although not necessarily consistent non-conformists, are not interested in whether or not they are going along with the majority or the crowd. The leader-follower combination emphasizes more goal-oriented activity than my pair does. It suggests a relationship between the leader and the follower not of particular importance to my Behavor/Actor distinction. Although, as in the case of Andre Trocmé, who was the spiritual leader and prime mover of a whole village, there could be overlap amongst the emphases of these two sets of notions. It is clear that Trocmé's propensity toward what I call Morally Acute action infected the whole village. How that infection was manifested is a bit more elusive, and different aspects come into focus depending on one's perspectives or intentions. For instance, Trocmé's infection could be imagined as having transformed the whole village into a village of Actors, a possibility that seems unlikely but which I am reluctant to dismiss. The entire village could also be seen as a collection of Behavors merely doing what they saw their neighbors and their minister doing. One could also view the inhabitants of Le Chambon as followers being led and encouraged by the charismatic Trocmé. Amongst Trocmé's followers, if such

they were, there might have been Actors as well as Behavors. Both pairs of notions might apply in describing those kinds of situations, depending on one's perspective.

An Actor is most concerned with the action, the means and the goal. A leader could be seen as being more intent on being a guide, as more closely linked to her or his followers. The notions of leader and follower, in my view, are more dependent on each other. Followers assume someone to lead them. Leaders must have someone to lead. Behavors conform to those around them, most likely to those in their social sphere or people they admire. These others can be other Behavors, culturally similar leaders, Actors, followers, whoever happens to be ready at hand. I do not intend this list to be all-inclusive. Behavors respond the way their upbringing or community expects them to respond, often without thinking. While similarities can be seen between Behavors and followers, between Actors and leaders, I have chosen the terms I have in order to eliminate superfluous implications. In the next section, I offer some examples of what I consider my notion of Behavor to be trying to convey. One example of Behavor is from Arendt, another from Sinclair Lewis. Later sections deal with the notion of Actor.

3. Behavors

A person who unthinkingly conforms to the rules and norms of society, in my view, would be called a Behavor. One who does what is expected of him or her dependent upon one's social standing or position in the cultural strata, a person who rarely if ever questions his or her place in that society, one who looks to neighbors or churches or communities of other kinds to see how to behave, who fails generally at self-examination--even if that person attempts to break out of the mold on occasion--can be labelled a Behavor. Sinclair Lewis's fictional character, Babbitt, from the book of the same name, and the all-too-real Adolph Eichmann, head of the Reich Center for Jewish Emigration during World War II and almost singlehandedly responsible for shipping millions of innocent people to the sites of their executions, are two powerful instances of what I mean by that notion. Lewis says of Babbitt, as example, that none of the newspapers Babbitt read "had ever had an editorial on the matter [the subject in question is the teaching of Shakespeare in high school], and until one of them had spoken he found it hard to form an original opinion."[10] This is the core of a Behavor as I intend it.

As I have said, Arendt pinpoints modern or mass society as the cause of what she sees as a displacement of action

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[10]Sinclair Lewis, Babbitt (1922; NAL, 1961) 64.

with behavior. In her view, the public spaces where action can take place are lost when conformism is the norm. In a significant way, societies generally can be seen as having the tendency that Arendt claims they do: they tend to encourage behavior or conformism rather than value divergent deeds and thoughts. A person who follows the rules of a society has a better guarantee of a place in that society, and that place seems to be a common, if not universal, desire. Rule-following in a society or community guards against ostracism, which rarely seems desirable, and often, I suggest, substitutes for thinking. Marcuse's work, One-Dimensional Man, depicts modern industrial society as enslaving the individual within a society which often ignores the reality of other ideologies.[11] His use of thought responds to my use of the notion of Behavor. "Thought," Marcuse says, is "any mode of thinking which is not confined to pragmatic orientation within the status quo."[12] My notion of Behavor involves a similar kind of thoughtlessness, echoed in both Arendt and Marcuse.

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[11]The recent trend toward awareness of the plight of indigenous peoples, harm to the environment, animal rights, etc., seems to be a forging past what Marcuse saw as so detrimental to the individual. Or, perhaps, his warnings have been heeded. Regardless, his main ideas are still worthy of note.

[12]Herbert Marcuse, One-Dimensional Man: Studies in the Ideology of Advanced Industrial Society (Boston: Beacon, 1964) 185.

Manuel and Rafe, the two soldiers pressured into rape in my Vietnam example, can be labelled Behavors. They were not out to accomplish anything or set anything in motion. They were intent on following orders and getting along with the rest of the patrol. That is, in large part, what makes them Behavors. In what follows, I look at Eichmann and then Babbitt in their illuminating roles as Behavors in order to solidify my use of that notion as a tool for gaining some understanding of what refusing evil entails. An examination of Manuel and Rafe follows.

a. Eichmann

Eichmann in Jerusalem, Arendt's report on Adolph Eichmann's war crimes trial, gives us a rich real-life example of some of the qualities or traits a Behavor might possess. Despite the proliferation of Nazi-era examples in the literature of moral philosophy and elsewhere, I cannot resist such an archetypical illustration as Eichmann. Eichmann, without doubt, "put on his beliefs like a pair of clothes."[13] He never, as far as can now be known, stopped to analyze or question his beliefs or aspirations, his deeds, the premises on which the political party to which he had dedicated a good portion of his life stood, or his place in that party. Like Babbitt, who will be examined in a

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[13]This is a phrase I have borrowed from Cheyney Ryan. It is a paraphrase of a sentiment expressed often by Henry Thoreau.

moment, Eichmann, with few exceptions, excelled at conformism. He knew what his superiors expected of him and this motivated him to carry out those wishes with zeal--until such time as circumstances pressed him to alter his allegiance. Prior to his war crimes trial, he had complete reversed his loyalty, in part, because of his perception of public opinion. Eichmann could be said to have been genuinely enthusiastic about carrying out the expectations of those on whom he placed his loyalty, regardless of where he placed it. Examples of this enthusiasm are found in the next paragraph.

While living under an assumed identity in Argentina prior to his kidnapping/arrest for war crimes, Eichmann must have become aware of the changing attitudes towards the facts, the horrors, of Hitler's regime, particularly among the new generation of young German adults. Of course, he would not have fled to Argentina if he had not already been aware that National Socialism was no longer the party with which to be affiliated, but it is likely he kept himself informed of public sentiment within his beloved homeland throughout his stay in Argentina. Upon his arrest, he wrote in a statement to the court that he "wanted to do [his] part in lifting the burden of guilt from German youth, for these young people are, after all, innocent of the events, and of the acts of their fathers, during the last war."[14] If these

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[14]Qtd. in Arendt, Eichmann 242-43.

words of Eichmann's had been anything but lip service paid to public sentiment, Arendt suggests that Eichmann should have rushed back to Germany to turn himself in, or at least have taken the initiative to notify Israeli authorities of his whereabouts.[15] He did neither. Not until he was arrested, did he conform almost completely to the new attitudes that were displayed around him. His jailers were now his superiors, and he adopted their opinions and attitudes immediately. He offered no resistance to his arrest, trial or conviction, even volunteering information, according to the records, immediately upon being apprehended. Having been illegally removed from Argentina, where he had never formally applied for asylum, he personally composed a statement agreeing to be tried for his war crimes. If he had not been so cooperative, it is likely he would never have been tried, because, practically speaking, his arrest was an abduction, and thus, a breach of international law.[16]

Seemingly incapable of making major decisions on his own or holding opinions contrary to prevailing influences, he nevertheless eagerly espoused whatever seemed to be the popular views of the day. In his own paraphrase of Nietzsche, he spoke more than once at trial of the

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[15]Arendt, Eichmann 243.

[16]Arendt, Eichmann 238-41.

"revaluation of values prescribed by government."[17] Assumedly, he was referring to the predicament in which he found himself of having to swap loyalties whenever political pressures pronounced. First, his family, and then, Hitler and the Nazis, had demanded his loyalty. Then via the Allied victory and world-wide outrage, he found his loyalties tied to those opposed to Naziism. While a member of Hitler's bureaucracy, Eichmann was consummately obedient to that fascist power structure and the demands of its leader. Once that organization no longer existed and he had slipped into Argentinean society undetected, he adapted to that new structure without causing a stir. When tracked down and returned to Jerusalem to stand trial, he immediately became obedient to that new atmosphere and did his best to be as helpful as possible to those in power in that time and place. This kind of behavior reinforces Arendt's label of unthinkingness and validates my view that Eichmann can be seen as a Behavor.[18] That he saw no contradiction in his behavior I also regard as evidence. His final statement to the court proclaimed that his only

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[17]Arendt, Eichmann 287.

[18]"Unthinkingness," "thoughtlessness," "remoteness from reality," etc., are applied to Eichmann again and again in Arendt's reportage of Eichmann's trial. E.g., Arendt, Eichmann 287, 288.

guilt was "obedience, and obedience is praised as a virtue."[19]

b. Babbitt

Lewis's Babbitt is most assuredly another example of a Behavor.[20] And, he is immediately recognizable. He lives next door or down the street. We can even see him, at times, in ourselves. Sinclair Lewis describes George F. Babbitt, during a conversation with his son about correspondence courses:

> Babbitt was again without a canon which would enable him to speak with authority. Nothing in motoring or real estate had indicated what a Solid Citizen and Regular Fellow ought to think about culture by mail.[21]

Babbitt is an exemplary Behavor, a true conformist. He is readily, and without forethought, influenced by others' opinions. Babbitt is portrayed by Lewis as having a limited ability to think for himself; in my words, he is possessed of a limited capacity for independent judgments. I suggest

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[19]Arendt, Eichmann 247.

[20]Fiction is often the medium which offers the purest character types, the most perfect examples. This does not mean that literature is inapplicable to the comprehension of real life. One can gain an understanding of people, their actions and their motives through the detail that a careful author can provide, which is unlikely to be available often in reality. I suspect that few readers feel the need for a forced suspension of disbelief when reading Lewis's novel. I find this example to be particularly useful for present purposes.

[21]Lewis 68.

he also is generally incapable of self-examination, and that this is accompaniment to the limited capacity of Behavors to think for themselves. They appear to rely on others' opinions because they find it difficult to form their own. What is missing for those who can be labelled Behavors is a part of what I believe Arendt was referring to when she spoke of "the activity of thinking as such."[22] It is found in what I believe Marcuse meant by "thought."[23] Arendt is not referring to a lack of intelligence or a chronically faulty memory. What she means specifically is beyond the scope of this project, but I believe what I am calling the capacity for independent judgment can be incorporated within its boundaries. This capacity is lacking in Babbitt, it is absent in Adolph Eichmann, and, it is what was missing for Manuel and Rafe, the two hesitant participants in the rape of Phan Thi Mao, who will come back into the discussion in the next pages.

As demonstration of this unthinkingness, witness the influence that Seneca Doane, former college classmate of Babbitt's, renowned labor sympathizer and radical lawyer, has over Babbitt in a chance meeting on a train. Babbitt has a short conversation with Doane, to whom he has not spoken in years. This tete-a-tete sufficiently impresses Babbitt to the extent that he begins to tout simplified

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[22]Arendt, Mind 5.

[23]See Chapter III, p. 108.

paraphrases around town of a few of Doane's sentiments about labor and unionizing. These remarks, as well as other similar behavior, serve to alienate him from his Booster Club buddies and business associates and worry his family, eventually leaving him cut off, ostracized, from the society of the town of Zenith. By the time he receives a final chance to redeem himself in the eyes of his family, his neighbors and fellow businessmen, he is so grateful to have his social position returned to him, that:

> [w]ithin two weeks no one in the League was more violent regarding the wickedness of Seneca Doane, the crimes of labor unions, the perils of immigration, and the delights of golf, morality, and bank-accounts than was George F. Babbitt.[24]

As with Eichmann, Babbitt never analyzed himself, his words or his deeds. He got caught spouting the "wrong" opinions in this instance merely because Doane impressed him. Doane was a kind, respected, self-confident professional and Babbitt could not resist adding a bit of what he had heard from Doane to his cliche-driven speech. He was not only impressed with Doane's articulateness and politeness, he was pleased that he had the attention of someone so renowned. He never had clear reasons for defending unions and whatever motivation he had had after his encounter with Doane was long-forgotten by the time Babbitt found himself isolated from his very means of self-identity: his job, his family and his Booster Club

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[24]Lewis 311.

membership. At the end of the book, Babbitt denounces that to which he had paid lip service, but never understood. He was influenced for a time by Doane's words, by Doane's prestige, but he never had a grasp of Doane's point of view. He was eventually more strongly influenced by his own social group and his desire to belong once he was aware of the costs of nonconformity. All of Babbitt's opinions are hand-me-downs. As he learns, he must acquire them from his own social group and community, however, or risk banishment.

I will return to Eichmann and Babbitt from time to time, but I want now to revisit my Casualties of War example, which illustrates well an important difference between Actors and Behavors. What I have said about Eichmann and Babbitt has elements of this distinction as well.

c. Casualties of War

Manuel and Rafe were the two soldiers on Eriksson's patrol to whom I have referred as being less than eager participants in Meserve's scheme. As I mentioned in Chapter I, "fear of derision" and ridicule were their explanations for why they took part in raping Phan.[25] This kind of justification helps to label them as Behavors. They had been witness to the epithets Eriksson received and each believed himself incapable of withstanding such attacks.

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[25]Lang 35.

This kind of response pinpoints one way in which I wish to distinguish Behavors from Actors. Other people's opinions and desires often take precedence over one's own, if one has the tendencies of a Behavor. These borrowed opinions are often adopted as one's own without significant weight being applied to the reasons why such opinions should be held. Just as with Babbitt, those who have distinguished themselves in some way are those to whom Behavors turn first for opinions to adopt or for desires to fulfill. Members of a particular social group or community often hold opinions in unison. In many ways, those opinions or beliefs define the boundaries of a community. Babbitt's social group made sure Babbitt knew that was indeed the case in the town of Zenith. This is important to maintaining group identity. Behavors are prone to adopting the beliefs and opinions of their community without analyzing or critiquing those beliefs. Actors, as will be illustrated later in this chapter, tend to exhibit a self-confidence or, as Arendt has phrased it, the capacity for being "'arrogant' enough to trust only [one's] own judgment."[26]

Evident in the testimonies of both Manuel and Rafe during their trials was acknowledgement that, had they not been pressured into it, neither of them would have raped Phan Thi Mao. They could not withstand Meserve's pressure

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[26]Arendt, Eichmann 295. Let me remind the reader that "arrogant" is used ironically here.

to participate. They did what they were told to do. They allowed someone else to make some very important decisions for them. The following dialogue between Manuel and the prosecutor at Manuel's trial gives evidence that, even though he would not have participated if not pressured, Manuel was not particularly remorseful about his role in the rape and death of Phan Thi Mao, further evidence of his qualification as a Behavor.

> Q: Do you feel you are involved in any way in this rape and murder?
> A: No.
> Q: You feel that the government has done you a grave injustice in bringing you here today for trial?
> A: No, sir, I've got nothing against the government.
> Q: Well, you feel you are not involved in any way?
> A: Yes, sir, I feel that way.
> . . .
> Q: As a matter of fact, you have complained [from the stockade] that your promotion was being held up?
> A: I wrote my senator. I told him I was being wrongly brought to trial.
> . . .
> Q: You don't believe the military gives a choice between rules, orders, and conscience?
> A: The Army expects you to do it the Army way, and that's follow orders.[27]

In Lang's words, "it appeared to be Manuel's judgment that he had taken part in a reasonable enterprise, and the justification that he gave for doing so was military discipline."[28]

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[27]Lang 98-99.

[28]Lang 99.

Adolph Eichmann considered himself a victim, a victim, in part, of his self-proclaimed virtuous obedience.[29] Babbitt never understood, never contemplated, what had caused his ostracism, even while he was relieved and happy to be back in favor again. He has an inkling that something is still amiss at the end of the book, when, on the last page, he admits that "I don't know's I've accomplished anything [in my whole life] except just get along."[30] Lang substantiates this picture in his recording of Eriksson's narrative, describing Manuel's attitude toward authority as "simple and automatic" and saying of Rafe that he "generally wound up by going along with whoever seemed to be the leader."[31] None of the people or characters I have discussed so far have any significant grasp of the consequences of their deeds. The Behavors I have depicted do not truly bring to mind the suffering they have caused. They have no real grasp of why their behavior is viewed as wrong. The following section offers a suggestion for why that might be the case.

4. Seeing Another's Point of View

I wish to draw closer attention to the distinction between the phenomenon of being easily influenced by other

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[29]Arendt, Eichmann 247.

[30]Lewis 319.

[31]Lang 23.

people's opinions and something Arendt said Adolph Eichmann lacked and which I have also pointed out about Babbitt. What Arendt found most peculiar about Eichmann was his "almost total inability ever to look at anything from the other fellow's point of view."[32] At first glance, this observation seems to conflict with the suggestion that other people's opinions often dictate a Behavor's beliefs and conduct. If one cannot see another's point of view, how can one know that person's opinions well enough to be influenced by them? If phrased in the following way, it should be clearer that: putting yourself in another's shoes or seeing another's point of view is different from being influenced by and/or adopting another's opinions or beliefs. Behavors, as I see them, would be nearly incapable of the former and quite susceptible to the latter.

The next chapter discusses the capacity for sympathetic awareness, which I suggest also has a bearing on seeing another's point of view. For now, I want to clarify what distinguishes points of view from opinions in order to better illustrate the significance this distinction has for independent judgments. Perspectives or points of view can be seen as deeply held opinions. At the same time, it seems that generally opinions are not considered as well-rooted as points of view. Points of view, for present purposes, can be seen as the position from which one considers opinions,

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[32]Arendt, Eichmann 48.

beliefs and other matters. What concerns me here is how points of view and opinions, the two notions of interest in the phrases "seeing someone's point of view" and "being influenced by another's opinions," differ in relation to a Behavor.

We can look upon a point of view as a position or perspective from which a person observes or considers a particular something, such as one might share with those of similar cultural or religious backgrounds, comparable educations, etc. A Ph.D. in economics, for example, most likely has a different point of view regarding the importance of the raising and lowering of interest rates or what qualifies as full employment, than, say, a sculptor, so engrossed in her or his art that she or he rarely reads a newspaper. The observations or conclusions one reaches or the opinions one forms are often colored by the perspective or standpoint from which one began the observation. Philosophy, as well as many other fields, have been recognizing this for some time, with the help of feminist theory, the increasing recognition of diversity issues and other critiques. Maintaining a point of view presupposes a particular slant on some topic, a specific impetus which brought one to a particular view. Being an active member of an indigenous tribe in North America gives one a different starting point from which to view industrialization, the U.S. government, the earth's resources, etc., than a city

kid of middle class, northern European heritage. One's emphases, the things one notices, the angle from which one approaches particular issues, are different. I cannot watch a movie, for instance, without critiquing its portrayal of gender roles and contemplating, usually sympathetically, the plight of the female actor in Hollywood, who may from time to time wish to play a role other than a prostitute or a mother and/or a rape victim. Having been engrossed in women's studies and feminist issues generally since my freshman year in college, my perspective is colored by a yearning for an equality that mainstream filmmakers will probably be amongst the last to recognize. Noddings is also illustrative here in her self-appointed task of looking at evil from a woman's perspective.[33] Her standpoint--that generally women experience different kinds of evil than men do--produces a consideration of evil which focuses on suffering and pain more than traditionally male perspectives of evil have. My own standpoint within the present project, while not directly related to assumptions about women's perspectives, incorporates the view that the victim's experience needs to be included in moral philosophy to a greater extent than has been done traditionally. I may have arrived at this conclusion because I am female and have been socially conditioned to be especially considerate of others. Maybe I have been witness to great suffering. Perhaps I

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[33]Noddings, Women e.g., 5.

just think it is a very worthwhile dissertation topic--or something else entirely. Regardless, one's perspective is usually grounded in justifications that one believes to be supportable. Including the victim's experience in moral matters, for instance, adds a layer of meaning that historically has been ignored or dismissed as of minor significance, and this deficiency has influenced the work I have done here.

Babbitt demonstrates well the distinction between being aware of a person's point of view and being influenced by another's opinions. The need Babbitt had for espousing opinions similar to Doane's is motivated by the fact that Doane impressed him. It is as though he believed that anyone who expressed interest in what George F. Babbitt is saying must hold views worth repeating. Babbitt has no idea what the ramifications are of being pro-union. He spouts the Doane-isms because he likes the man, not because he is a labor supporter or has an real clue about the issues involved. He returns to his former ardent anti-union views as soon as his Booster Club buddies allow him a graceful re-entrance into their clique. Babbitt is motivated, in the end, not by the content of the views, but by how his friends and neighbors believe he should behave. But, even Babbitt is not a pure Behavor. I have suggested no one is. Sometimes, he understands when he is hurting his wife's feelings, which might mean he occasionally sees another

person's point of view. He has a great deal of fondness for his children, although that is hardly definitive proof of thinking for oneself. Regardless, he is readily--even eagerly--influenced by others' opinions, as has already been seen, especially if those others are of higher social standing or objects of respect for some other reason.

It has been implied by the foregoing that one who is influenced, as Babbitt is, by another's opinions, is often, correlatively, unable to see another person's point of view. The ability to see another's point of view requires some kind of independent thinking. If Babbitt were to be able to grasp Doane's point of view, he would have had to have some exposure to management versus labor issues, be privy to at least some of the historical dimensions of the labor movement, and, perhaps, understand some of the basic problems of class. Seeing another's point of view requires some level of comprehension of the issues involved. It requires being able to scrutinize and challenge, if necessary, the elements of an argument. This last can be seen as a consequence of understanding another's point of view. For, if one is capable of arriving at an understanding of another's perspective, one is likely also to have an opinion about it. This appears to be the case if understanding is seen as involving analytic skills acquired through one's education and training which, it could be

argued, has helped to produce one's set of beliefs or points of view.

To bring this discussion back to the refusal of evil, I have been suggesting that one often needs to be able to think independently of others in order to refuse evil. One must be unwilling to accept other's opinions without analyzing them, something that I have been suggesting is a part of the capacity for independent judgments. In addition, my view suggests that when one is capable of discerning, fairly accurately, another person's point of view, one may not only be exhibiting the capacity for independent thinking, but may also be demonstrating awareness of the importance of another's opinions, a kind of sympathetic awareness. The Serbian commander from Chapter I, who was forced to see the situation from the 20-year-old's perspective, changed his actions accordingly. Truly bringing to mind another's point of view would involve the capacity for understanding that point of view, as well as employing an interest in or a concern for, that view. Being consciously aware of another's point of view, while not necessarily motivating one to agree with that point of view, may make one more understanding of the perspective of the other and, thus, more observant of the needs of the other. Anti-abortion activists, for example, may not possess points of view to a pro-choice activist's liking, but understanding the religious convictions of those who most actively oppose

abortion and sympathizing with the need to hold some such beliefs, can bring compassion and sensitivity to an otherwise often ugly debate.

Truly bringing the point of view to mind may not sway one towards accepting that point of view, but, then again, it might. What harm, for instance, is there in a sports team being named the Braves or the Indians? It is possible, if not pursued too deeply, to view such a practice as a glorification of an honorable tradition or as a harmless amusement. If, however, one makes an effort to understand the points of view of the people who are criticizing the practice, one's focus changes. The people who feel they are victims of prejudice see this convention as destructive to an already badly damaged collective self-image. They see a continuation of ages of discrimination, and a reluctance on the part of team owners, players, sports writers, fans and the public at large to acknowledge any complicity in the matter. By comprehending the points of view of the Native Americans and others who are concerned with this issue, one becomes more aware of their suffering and potentially may become more capable of recognizing some available action which may help to alleviate suffering. This is a matter of listening to the victim's voice. Managers and players may also have opinions or points of view on the matter and their voices deserve to be heard, but not to the point of drowning out the others.

I suggest that the ability to discern another's point of view involves a capacity for independent judgment, as well as sympathetic awareness. The propensity a Behavor has for blindly accepting other's opinions involves neither. In my view, one's interest in and comprehension of another's point of view can be an expression of Moral Acuity.

The distinction between understanding a point of view and being influenced by others' opinions, brings out a further, related observation about what it means to be a Behavor. They seem generally to be incapable of self-examination. By self-examination, I mean a kind of reflectiveness that enables one to come to one's own points of view, and more generally, I mean some kind of on-going analysis of one's moral life. The incapacity for self-examination seems related to the inability to see another's point of view. For instance, since Babbitt does not pursue another's line of reasoning, often or well, he cannot come to conclusions about that person's points of view or perspectives. He seems just as deficient in attending to or developing his own perspectives. The capacity for following a line of reasoning or understanding an argument, his own or anyone else's, is absent or dormant. Babbitt waits for editorials or societal dictates before spouting opinions on new topics. As Arendt said of Eichmann, Babbitt was incapable of seeing things from another person's point of

view.[34] For Eichmann, all views were easily interchangeable depending upon prevailing powers, which implies that they were never grounded very deeply, if at all, in Eichmann's mind. For Babbitt, it is the same, although he must learn the anguish-ridden lesson that his own social group has the most power over him, and thus he should look only there for views to adopt.

One must have a recognition of the existence of such a viewpoint, an interest in another's viewpoint, and a desire to examine another's perspective in order to attempt to comprehend it. Recognition of the importance of other's views is part of emphasizing the victim in moral matters. It is part of what I suggest goes on in the practice of Moral Acuity. If Behavors generally lack the ability to see another's point of view, it may seem likely that Actors would generally have this ability. While the ability may often be present in an Actor, the interest in or concern for the other's point of view may be lacking. The pivotal issue in this case appears to be sympathetic awareness so I will postpone further discussion of these issues until the next chapter. I want to continue my discussion of the capacity for independent judgment by turning next to an examination of my notion of Actor. I look once again at Casualties of War in order to illuminate the sort of person which I have contrasted with Behavors like Eichmann and Babbitt.

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[34]Arendt, Eichmann 48.

5. Actors

a. Casualties of War

Manuel and Rafe allowed the opinions of others to dictate their behavior, thus, they were, at least in this instance, Behavors. I suggest that both Eriksson and Meserve were Actors, in part, because they were not swayed by others' opinions, even though they expressed their capacity for independent judgments in very different ways. I attempt in the present section to provide support for the view that both Meserve and Eriksson acted, that they made choices based on no one's opinions but their own. I accept that here, too, viewpoints or perspectives come into play. The actions of both Meserve and Eriksson originate, in some ways, in their social and cultural experiences and the communities in which they had been raised or with which they have identified or been connected. I do not believe this interferes with the view I am developing.

Meserve may have been in the jungle too long, led too many patrols, killed too many enemy soldiers, or been raised by abusive parents. Meserve's place in my project as an Actor is still secure, in my view, because of the initiative he took to produce this event which I have labelled evil. Meserve was pleased with his plan. He even saw his proposal as a morale booster for his squad.[35] It was well-enough

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[35]Lang 26.

thought-out for Meserve to assume he could get away with it, since he informed the squad a half day before they left on patrol. There would have been plenty of time for any of them to have reported him. Meserve was blinded by racism, sexism, and, perhaps, war weariness, to the suffering he was causing Phan Thi Mao, but it was he who set this evil in motion.

The actions of Eriksson and Meserve run counter to the behavior of Manuel and Rafe. Meserve and Eriksson both attempted to get something done, to accomplish something, on their own, without the assistance, encouragement or approval of others. This is the sense in which they are Actors. In contrast, Manuel and Rafe had nothing in mind but doing what they were told. One who sets in motion--a phrase I borrow from Arendt--in the sense of taking initiative, satisfactorily describes my notion of Actor.[36] The commander of the patrol consciously and independently planned and set in motion the kidnapping, rape and murder of Phan Thi Mao. Regardless of how it originally occurred to him, he chose, without input from others, to carry out his plan. Similarly, Eriksson set in motion his own refusal despite potentially dire consequences, the investigation, the criminal proceedings and his endless personal soul-searching. He refused to do evil, despite threat of death, possible ostracism and the insistence of a commanding

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[36]Arendt, Human Condition 177.

officer in time of war. He refused to rape and he refused to murder an innocent young woman. Both Meserve and Eriksson acted independently of the influence of others. As I observed in Chapter I, Eriksson acted, in large part, because of his awareness of the plight of Phan and her suffering. The influence of Phan's presence on Eriksson should not be confused with the kind of influence of others to which I have been referring in regard to Behavors. Eriksson did not take the action he did merely because he was aware of Phan's specific preferences, although I doubt that that kind of awareness was absent from the equation. He can be seen as being compelled by sympathetic awareness of her experience of suffering to act as he did; he was motivated by his desire not to add to another's suffering, as I maintained in Chapter I.[37] For Eriksson, the victim was at the center of his assessment of the circumstances before him, and he chose his actions accordingly.

Meserve acted without the kind of awareness of suffering that Eriksson demonstrated. This is, in part, why I propose that one who refuses evil possesses more than the capacity to think independently. Meserve chose to kidnap, rape and murder. Eriksson refused to participate and attempted to have justice served. The large differences between their actions, in the view I am promoting, is due to the existence of sympathetic awareness of suffering on

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[37]See e.g., Chapter I, pp. 21-22.

Eriksson's part and the lack thereof on Meserve's. I think it is safe to say that Eriksson would not have been able to stand up to his commander, go against orders and withstand death threats unless he was convinced that he was doing the right thing. This is a key element in my view of those who refuse evil throughout this project. Actors possessed of sympathetic awareness confidently respond in a way that they believe is right in specific situations.

The next two subsections each offer an example of an Actor which together are intended to emphasize that being capable of independent judgments, of thinking for oneself, does not ensure the privileging of the victim. I hope to illustrate that acting can be seen as a part, but only a part, of refusing evil. It seems fitting to start with an illustration from one of Arendt's superb essays.

b. Pope John XXIII

Arendt writes of Pope John XXIII, who represented the papacy from 1958 to 1963, that he exhibited "the complete independence which comes from a true detachment from things of the world, the splendid freedom from prejudice and convention which quite frequently could result in an almost Voltairean wit."[38] These words exemplify well my notion of

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[38]Arendt, "Angelo Giuseppe Roncalli: A Christian on St. Peter's Chair from 1958 to 1963," Men in Dark Times (1955; New York: Harcourt, 1968) 63.

Actor. The following anecdote reinforces that characterization.

> When he protested against closing the Vatican gardens during his daily walks and was told that it was not fitting his station to be exposed to the sight of ordinary mortals, he asked: "Why should people not see me? I don't misbehave, do I?"[39]

Angelo Giuseppe Roncalli should never have been Pope. Arendt quotes a Roman chambermaid's simple and insightful words: "how could it happen that a true Christian would sit on St. Peter's chair?"[40] History informs us that he was chosen as a kind of "transition" Pope because those who decide such matters, could not. They assumed that Roncalli would be inconsequential, giving them time to make up their minds. Despite these expectations, Pope John XXIII instigated far-reaching church reforms inside and outside the Vatican walls. Whether it was his pay raises for Vatican employees who had been earning "starvation wages," his formation of an Ecumenical Council, his prison visits, "the first change in the Canon of the Mass in a thousand years," or his rejection of the custom of appointing relatives to Vatican posts, his actions reflected his determination that "justice comes before [even] charity."[41] One of the Pope's former secretaries writes that "his clear

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[39]Arendt, Men 63.

[40]Arendt, Men 54.

[41]Arendt, Men 62, 65, 68.

consciousness of his own worth before men [was] so clear as to be disconcerting."[42]

According to Arendt, he was not a terribly bright man, but he had "enormous self-confidence [which] enabled him to treat everybody, high or low, as his equal."[43] The two notions that I am attempting to separate in my analysis of refusing evil are collapsed in this statement. Along with self-confidence, which I see as connected to the capacity for independent judgment, which in turn I am emphasizing as key to being an Actor, Pope John XXIII also displayed enormous compassion or sympathetic awareness of others, in part, by "treat[ing] everybody . . . as his equal."[44] The self-confidence the Pope exuded seems to involve a stepping outside of one's personal whims and desires, allowing one's moral vision and sense of justice to be clear and acute, unclouded by superficial, selfish or petty matters.[45] Arendt speaks of the Pope's "strength of daring simplicity," and in Roncalli's case, that strength can be seen as a combination of self-confidence in judgment, moral and

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[42]Arendt, Men 64.

[43]Arendt, Men 65.

[44]Arendt, Men 65.

[45]I pursue this further in the last section of Chapter IV where I discuss the partial suspension of self-interest.

otherwise, and a ready compassion or active sympathy.[46] He was an Actor possessed of sympathetic awareness.

He was assuredly no Behavor. His deeds were never, from young adulthood on, as far as the records show, a mere matter of rule-following or unthinkingness. If many of his decisions were made seemingly "without any forethought,"[47] they can be characterized as the "practically without thinking" that both Eriksson in Vietnam and Lund in Norway can be said to have exhibited. Roncalli's actions suggest an almost immediate clarity about what should be done in any variety of situations. Acting seemingly without forethought in no way suggests, in this context, the thoughtlessness of an Adolph Eichmann or Behavors in general. In fact, it is quite the opposite. "Practically without thinking" or "seemingly without forethought" are phrases which, for present purposes, denote such a confidence in one's moral judgments that one knows almost immediately what action to take. This implies, in my view, that, some time in one's past, various rules of conduct, beliefs, opinions and potential bases for action, ways of being in the world, have been reflected upon, thought-out and scrutinized. Pope John XXIII had spent most of his life doing exactly that. I do not mean to suggest, here or anywhere else in this project, that there is one right response for everyone in questions

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[46]Arendt, Men 68.

[47]Arendt, Men 59.

of refusing evil. I do not believe that need be the case for there still to be a best response for a particular individual in a given situation, especially as regards evil.

The point of origin of well thought-out rules of conduct, conscientiously formed opinions and beliefs, morally acute modes of being, is not the issue here. The ability of a Morally Acute person to often act practically without thinking is. Whether one's community, one's genes, a particular set of circumstances, etc., provides or inspires the tools for refusing evil is not a concern at present. Examples abound for most explanations one could invent or discover. I give examples in my final chapter of circumstance awakening Moral Acuity, for instance. One can only guess at the contributions in the upbringings of the Erikssons, Roncallis and Lunds of the world to the formation of their convictions, if such there were. That would be the work of a different field of study. Whatever the reason, it is obvious that Pope John XXIII was thought-full. There is also evidence that Eriksson was. If he had not been, one result that seems likely is that he would not have been so persistent in bringing the matter to trial. Lang, in fact, tells us that "it had been [Eriksson's] hope that the trials

would help him unravel his reactions to [Phan Thi] Mao's fate."[48]

> He had imagined that he would be able to ask how it was that he alone of the patrol had come to act as he had. He had wanted to tell of the way the episode with Mao had affected him, and why it was that he had felt impelled to report the others . . . He had wanted to unburden himself of his doubts about whether he had done all he might have done for Mao in her travail--doubts that gnaw at him to this day.[49]

Similarly, detailed information is not available on Meserve. Lang did not interview the others involved in the rape and murder as far as I can tell. My next example, however, solidifies the notion that Actors such as Meserve are, if not thought-full, carefully thoughtful, they are, at least, independent thinkers. Although a couple of centuries and a reputation built on hearsay separate us from the following historical figure, there is enough verifiable information on him to vouch for his sanity, at least as concerns present purposes, thus making his writings and way of life indicative of his possession of the capacity for independent judgments and for action.

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[48]Lang 16. Lang's practice of using Phan's first name in every reference to her but the first, is another example of what I previously drew attention to as regards the ethnic pseudonyms of Manuel and Rafe. Be it sexism or racism or both, it is significant and I am compelled to, at least, acknowledge the diminutive nature of such usage.

[49]Lang 16-17.

c. The Marquis de Sade

To an even greater extent than Meserve in Casualties of War, the Marquis de Sade can be seen as all but devoid of sympathetic awareness. I suggest that his rules of conduct, beliefs and actions are illustrative of my notion of Actor, albeit one who is decidedly lacking in sympathetic awareness. De Sade exhibited a self-confidence in, or independence of, judgment, which, had it been accompanied by sympathetic awareness, would have manifested itself in quite different ways. Let me note quickly that he was no doubt aware of suffering. He was not, however, sympathetically aware.

That he was one of the most original thinkers of his day, or ours for that matter, is evidenced in his writings and their surrounding controversies. His perspective, whether political or personal, distanced him greatly from most norms and conventions of his day, as well as this. He was principled, although not in a Morally Acute way, not in a way that would put him in a position to refuse evil. Evidence of his principled-ness is his rigid iconoclasm, his uncompromising rationality and an invariability in general regarding the positions or beliefs he held regarding, inter alia, the importance of power, the conflict between pleasure and love and between pain and pleasure, the solitariness of each human being. I do not intend to stay long with this

example, but I believe there are some interesting points to be made here that are useful to the present project.

De Sade's writings are often cogent and lucid, his words and those of his actions that have been recorded are purposeful and bold. One of his biographers, Gilbert Lely, writes of Sade's atheism, for example, in the following way:

> Sade against God means Sade against the absolute monarchy, Sade against Robespierre, Sade against Napoleon, Sade against anything which immediately or even remotely seemed in any way to lay a restricting hand on the golden fleece of human personality.[50]

De Sade acted on principle, the kind of principle apparent in Lely's quote, and he did so unfailingly.

There are enough details of de Sade's life outside of prison to allow a confident label of "libertine." While his actions were in large part, motivated by--shall we say?--an aberrant sexual appetite, his justifications for same are carefully and thoroughly thought-out and often recorded. Let him speak for himself for a moment in a letter to his wife.

> My manner of thinking, so you say, cannot be approved. Do you suppose I care? A poor fool indeed is he who adopts a manner of thinking for others! My manner of thinking stems straight from my considered reflections; it holds with my existence, with the way I am made. It is not in my power to alter it; and were it, I'd not do so. This manner of thinking you find fault with is my sole consolation in life; it alleviates all my suffering in prison, it composes all my pleasures

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[50]Gilbert Lely, The Marquis de Sade: A Definitive Biography (New York: Grove, 1961) 302.

> in the world outside, it is dearer to me than life itself.[51]

Almost everything he says in this quote is consistent with what I have said about Actors, about people capable of making independent judgments: he refused to rely on others' opinions; his opinions were formed over time and with care; his responses to situations were practically without thinking; he held the opinions he did and acted on the basis of them regardless of the threat of personal harm. Yet--while he was not blind to the suffering of others, he was dismissive of others' desires not to suffer. He lacked sympathetic awareness. This sort of blindness will be examined in the following chapter.

I want to reinforce the point here that the capacity for independent judgments is not enough for refusing evil. Whether or not de Sade often exercised, as well as writing voluminously about, a lack of concern for others' pain in order to seek personal pleasure is a matter of sparse record. He was imprisoned often for sexual improprieties, but most often for alleged illegal practices involving consenting adults. One kidnapping and "flogging" is documented, of a woman named Rose Keller, who, after agreeing to accompany de Sade, escaped from a locked room

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[51]The Marquis de Sade, Three Complete Novels: Justine, Philosophy in the Bedroom, Eugenie de Franval and other Writings, trans. Richard Seaver and Austryn Wainhouse (New York: Grove, 1965) 137-38.

and pressed charges.[52] I recognize the difference three centuries can make on one's view of such things, and I hesitate to place the label here that I have so readily applied to more recent cases. His does not need to be a matter of evil in order for his actions and rules of conduct to be viewed as unacceptable morally, and in large part, this can be seen as due to the absence of sympathetic awareness.

> [W]hat do these pains occasioned in others do to us? Hurt us? No; on the contrary, we have just demonstrated that from their production there results a sensation delightful to us. For what reason then ought we go softly with an individual who feels one thing while we feel another? Why should we spare him a torment that will cost us never a tear, when it is certain that from this suffering a very great pleasure for us will be born?[53]

6. Independence of Judgment

The last thing I need to do in this chapter is to focus on what "independence" means in the present context. It is obvious that individual choice, one's morals, viewpoints, principles, modes of behavior and thought, habits, whatever combine to make up the socially interactive part of every human being, develops within a particular community of others or group of communities. One is born and raised in specific socio-economic level(s), in rural, urban or

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[52]De Sade 78.

[53]De Sade 252-53.

suburban communities, with a particular ideology or set of ideologies, and a variety of expectations. These kinds of particulars may change over the course of one's upbringing. Each may be more or less influential. But it cannot be denied that one's early experiences are key to forming one's ways of going about in the world.[54] One is born within a particular culture or cultures and has a multitude of influences; one accepts and conducts oneself within a framework of specific norms and mores or risks ostracism as Babbitt's experience within his tiny segment of culture demonstrated. If one breaks particular rules of a society and is caught, one spends time in jail or is institutionalized, or one exists as a fugitive. The culture, the socio-economic class, the community with which one identifies will probably change to some extent over time, but the core values of an entire community are expected to be followed and rarely shift dramatically very quickly.

The communitarian debate is concerned with these issues but I am going to discuss what I mean by independent judgments outside of that debate. The previous paragraph is meant to confirm my recognition that one's self or personhood is cultivated within a community. The values and norms of one's original community are the first ones a human

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[54]This is not the time or place to ponder how much, how long, when or why. Those involved in the communitarian debate are engaged in dialogues of this kind.

encounters, and, often reverberate throughout one's life. I recognize that possession of what I have called the capacity for independent judgments must be viewed from within whatever viewpoint(s) or perspective(s) one comes. While this has not been the focal point of my view, I do not see this acknowledgment as detracting from the issues I am raising. The community or ideology one was born into and raised in is the basis, the source, for one's earliest viewpoints or perspectives. These views take innumerable forms. Where Marx saw only bourgeois and proletariat, for instance, there are a multitude of other ways of separating ourselves from each other, especially in American culture. Whether one identifies with particular religious institutions, political ones and/or economic ones, and most likely in combination, one's self and thus one's thinking--one's perspectives, beliefs, opinions--can be said to have been molded by one's experiences with those and other identifications. Being raise in a rural setting as opposed to the inner city, being raised in an upper class environment as opposed to a poor one, in a Native American community rather than an Asian one, ad infinitum, one will have different ways of going about in the world depending on a multitude of facts and influences.

So, if I recognize these various influences, what can I be referring to when I use the notion of "independent judgments?" My Behavor/Actor distinction is meant in part

to demonstrate just those intentions. One's community may or may not contribute to one's potential for Moral Acuity. One's propensity for the capacity for independent judgments may be cultivated or developed because of or despite one's community or ideological underpinnings. As I have been saying, one's perspectives are generally formed in concert with those around one, with those with whom one identifies, but those perspectives and opinions may be of more or less rigid construction, depending upon any number of influences or lack thereof. What I mean by this is that when one's perspectives are rigid or immovable, as a Behavor's might be, one has not attempted to question them, analyze and critique them. Such a person holds on inflexibly to her or his belief system. One possessed of the capacity for independent judgments can be seen as more willing to evaluate her or his opinions and beliefs when the need arises, or as a matter of course. Those with rigid perspectives or, conversely, completely malleable modes of conduct, i.e., Behavors, may not recognize the need, much less be willing to question the assumptions with which one goes about in the world.

A Behavor with unanalyzed fixed rules of conduct or none to speak of aside from those that members of his or her community provide, is far removed from the Actor who has scrutinized a particular principle, views it as the best choice and refuses to yield any ground even despite enormous

pressure from other sources. Think of the Socrates of Plato's Apology.[55] He was unwavering in his position, unwilling to agree to any of the compromises evidently available to him. Not only did he feel he would be dishonest to his fellow Athenians if he agreed to refrain from public dialogue, but he would be treating himself unjustly as well were he to agree to refrain from public speaking or be exiled. He was committed to his pursuit of knowledge. He believed it was more important than self. It was a principle to which he was committed regardless of consequences. I can, however, imagine other circumstances where he may have been willing to be more flexible, thus, demonstrating his ability to think things through and act accordingly, as opposed to reacting with a complete rigidity of beliefs. Suppose there were others in Athens just as wise as he. Suppose all the citizens of Athens were experts in Socratic dialogue, were well aware of the transient nature of knowledge and pursued, in similar ways to Socrates, that elusive quest for truth. Socrates would then have likely been more flexible. Of course, if all Athens loved and pursued knowledge in the manner of Socrates he would probably never have found himself on trial for irreligion and subversion. But, be that as it may, the issue would be the same. His immovability was well-thought

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[55]Plato, Euthyphro, Apology, Crito, trans. F. J. Church (1948; Indianapolis, IN: Bobbs, 1956).

out. His reasoning was accessible to anyone who asked him (and many who did not). Yet, under different circumstances he might not have refused to compromise.

An inflexible Behavor is only so, in my view, due to the support of her or his community or immediate surroundings. Imagine the site of an abortion clinic demonstration with equal numbers of demonstrators on both sides of the abortion issue. Not all present need be Behavors, but suppose there is at least one person from the anti-abortion side who could be seen as a Behavor (I am not denying a similar likelihood of Behavors on the pro-choice side). That person is closely connected to his or her fellow demonstrators, in that her or his presence at this demonstration stems directly from association with members of a particular church, let us say. This church has repeated over and over in various forms that abortion is sin. Abortion is sin because it is killing a baby. This demonstrator is horrified at the idea of killing babies as most if not all demonstrators present on both sides would be. This Behavor-demonstrator thinks no further. The core, if not the whole, of the congregation of her or his church agrees with this church's views--embodied in the minister--and this person does not question the argument. This person may be so emotionally involved in this issue that he or she is willing to go to great lengths to end what she or he believes is unquestionably murder. This Behavor may be

unwilling to be silenced on the issue. Yet, this person has never scrutinized the underlying arguments, never questioned the multitude of issues surrounding abortion, never questioned the views held by those belonging to the same congregation, never spoken to anyone in need of an abortion. Hence, this person's convictions are far removed from the kinds of convictions held by Socrates, who never ceased to question, who possessed, in my view, the capacity for independent judgment.

One's community or background can influence the form of one's perspectives or beliefs via the role that one's upbringing plays in one's either remaining static within one's community of beliefs and norms or being encouraged to develop the ability to "criticize, challenge and question" the norms given to one by her or his community.[56] One can be raised to unquestioningly accept the beliefs and norms of one's community--in some cases, be forbidden to question--or one can be raised to think critically about the ideas and beliefs with which one is presented, be encouraged to think things through for oneself, even while being encouraged to embrace that community's well-thought out views. To a greater or lesser extent, I see the community as playing a

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[56]Seyla Benhabib, Situating the Self: Gender, Community and Postmodernism in Contemporary Ethics (New York: Routledge, 1992) 74. Benhabib sees this challenging and questioning as a "specifically modern achievement" (74) and the ramifications raised by that claim are another dissertation entirely. Although, if I am reading her correctly there are grounds for such an assertion.

role in developing a person's tendencies towards responding as a Behavor or as an Actor. One could also develop tendencies in one direction or the other through exposure to communities other than one's own, but the open-mindedness or lack thereof with which one attends to the beliefs and norms of other communities may well come from the influences of the community in which one was raised. In other words, one may be willing to ponder the ramifications of some new lifestyle, some different way of thinking to which one is exposed, or one may tend toward or be spurred toward quick rejection of ways of living or thinking different from one's own.

That said, my view allows that a person is not destined to be a Behavor or an Actor dependent on the type of community to which she or he belongs or has belonged. Many of us know people from insufferably bigoted backgrounds who have a heightened awareness of and sensitivity to issues of prejudice because of that upbringing. Someone raised in the inner city or amongst the rural poor surrounded by role models who failed to break out of the cycle of poverty or drug addiction or teenage pregnancy, may still awaken to alternatives. While this need not be the case, my suggestion is that the potential for developing the tendencies of one or the other may be increased or decreased depending upon the type of individual a particular community

encourages. A case in point is the following example already mentioned in Chapter II.[57]

a. Floyd Cochran

In Chapter II I suggested that Floyd Cochran was an Actor while a member of the Aryan Nation, that he had the capacity for independent thinking, even before his change of heart. In Chapter V I will use him again to demonstrate that Moral Acuity is not necessarily a matter of practically without thinking.[58] Here, I use him to demonstrate how one's community, one's culture, can affect one who can still be considered to exhibit the capacity for independent judgments. Cochran had creative marketing plans, he had remarkable public relations skills, he chose to propose a variety of new approaches to the organizational setup, essentially opposing the structure that was in place before his appearance as an integral member of the movement. This Actor had, just as Meserve did, blind spots in his independent judging ability, in that his racist views were not up for analysis. His cultural programming had left some important issues imbedded to such a degree that they had not been noticed as in need of analysis. He had never questioned his communities' doctrines. He never spent time critiquing his basic supremacist ideology, even while he was

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[57]Chapter II, pp. 93-95.

[58]Chapter V, p. 256.

creative and questioning and critical as regards a variety of other matters within that ideology. He was also devoid of sympathetic awareness towards those outside of his immediate circle until he was jolted to that awareness by the suggestion that his son would have to be euthanized when the Aryan Nation came to power. Prior to that, while he may have been sympathetically attuned to those to whom he was close, he did not extrapolate that sensitivity to strangers, especially those with different ethnic backgrounds than his own.

In the present context, I am concerned with the influence of Cochran's community on his ways of thinking. By his own admission, Cochran had been engrossed in the literature and ways of racial hatred for 25 of his then-34 years.[59] He was raised in a community that supported and was entrenched in those kinds of ideas. The viewpoint or perspective from which these ideas issued was so embedded as to be invisible to Cochran's otherwise well-honed intellect. Being told that his son would have to be euthanized sparked the realization for the first time "that the hate he'd preached could circle back to people close to him."[60] This realization in turn forced him to question the ideology on which he had based his entire career. He was soon forced by his new doubts and beliefs and by his own admission of those

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[59]Hochschild 55.

[60]Hochschild 55.

doubts to leave the compound where he had been living. Not long after that, he was crossing the country, speaking out against the kind of racism he had so recently advocated. Cochran has been forced to rethink his entire belief system as regards race issues, something on which his former community had been particularly keen; something that, for Cochran, was embedded deeply in his sense of self, his personhood; something that he acted upon "practically without thinking." For example, after his change of heart, his first encounter with a Jew was difficult. One of the white supremacist ideas that Cochran had preached was that "white people had positive electrons [and] Jewish people . . . had negative electrons." In his words: "[t]he first time I met Leonard, I kept walking around both sides of him. I didn't say a word. Finally Leonard said, 'I shut 'em off.'"[61] Shedding decades of prejudice is not easy, but, especially with the help of a community that supports alternative ideals, changing one's ingrained responses is possible. Cochran's Moral Acuity is probably not yet a matter of "practically without thinking," but it eventually could be. As Loretta Ross, a black civil rights worker and friend of Cochran's, notes: "'[I]t's been fascinating for me to watch his growth.'"[62] What I glean from this example, for the matter at hand, is twofold: 1) one can be possessed

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[61]Hochschild 56-57.

[62]Hochschild 57.

of the capacity for independent judgment and still miss important yet buried perspectives in need of critique. And, 2) one can be possessed of Moral Acuity without acting practically without thinking.

Cochran's community has changed, but, his original community, the one in which he was born and raised, is still influential. It did not insist that he question and scrutinize the issues held dear by that community. That is something his new community is asking of him. His new community is more attuned to the suffering of others and is helping him to refine his new-found sympathetic awareness. His old community has the tendency to make death threats on ex-members, something that is making Floyd Cochran even more aware of the suffering caused by his old belief system.

That some individuals are capable of thinking for themselves, and that this ability can be nourished within a community can be seen as an important way for communities and individuals to change and evolve, to grow. It is also a way of envisioning what I mean by the capacity for independent judgments. It is a way for ideas to be exchanged between, as well as within, cultures and communities. Some individuals will develop the potential for and willingness to question, to think critically, to be Actors, with or without the support of their community, and others will not, also either regardless or because of their community. Independence of judgment does not refer to any

kind of absolute autonomous thought processes, but it does have to do with a kind of self-reliance and existence free from the necessity of following the crowd.

If, as Benhabib suggests, the ability to question the set of beliefs or ideologies that one inherits from one's family and/or community is a modern phenomenon, perhaps human beings' analytical capabilities will improve with practice. A Ms. magazine article which discusses a one-woman crusade to change the embedded beliefs amongst fellow Ethiopians about the necessity for female genital mutilation in the minds of the mothers of of-age daughters, demonstrates this point.[63] Generations of indoctrination has blinded whole peoples to the devastation to a woman's life and well-being incurred by this practice. It has often taken one of their own, a woman who has suffered what they are suffering and what they intend their daughters to suffer, to break the chain. Meserak (Mimi) Ramsey, Ethiopian by birth, was inspired to call up every Ethiopian woman she could contact residing in the U.S.--over 90 in all--and persuade them all to admit their pain and open a dialogue "to prevent the next generation of girls from being harmed."[64] She awoke to the horror of what had been done to her during a rare visit to a doctor. Once attuned to the

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[63]Rita Henley Jensen, "Mimi Ramsey," Ms. January/February 1996, 51-52.

[64]Jensen 51-52.

issues raised by such a practice, she was motivated to attempt to change the thinking of a large number of people. Her energies presently are focused on Ethiopian women living in America, but many if not most of the daughters of these women would likely undergo the same procedure as their mothers without intervention from the likes of Ramsey. Ramsey, raised to ignore the great cost and the suffering such a practice generates, raised to believe it is the right thing to do, has broken through her community's views. She has learned to question generations-old beliefs and, like Cochran, is doing everything she can to limit further suffering.[65]

Some communities foster skills that promote development of the capacity for independent judgments. Some value and encourage the development of the capacity for sympathetic awareness. Some do both. Some undoubtedly do neither. Philosophically, it is not relevant which individuals and which communities will do which. It is significant philosophically that this range of possibilities exists. It is also significant that fostering challenging, critical

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[65]I recognize the complexity of such an issue, and I have great respect for the beliefs of other cultures when they are not as physically debilitating as this one can be. I do not think one is surpassing one's limits as moral judge when one condemns a practice that not only removes the capacity for sexual pleasure in a human being long before they are old enough to understand the significance of such a loss and which can cause such a large variety of medical complications, but also guarantees that intercourse will be painful and that the woman will suffer in a number of other ways throughout her life.

ways of thinking and sympathetic awareness of others' pain and potential pain and points of view, especially amongst the children in a community, may increase the likelihood that Moral Acuity will be practiced when the opportunity arises.

b. Further Concerns

In this context, Benhabib raises an issue that can be recognized in the undertones of the criticisms Arendt levels at modern society. This issue also has ramifications for my Behavor/Actor distinction, as well as being related to my notion of independence. Within communities where reflection and the capacity for independent judgments play a prominent role, might not the questioning and criticizing implied here itself become "routinized?"[66] And, were that to be the case, what are the dangers of such routinization? The suggestion of routinization raises some interesting concerns, some reminiscent of the work of the Frankfurt School. Foremost among these concerns is the potential for deadening the potency of challenging and scrutinizing. In regard to the notions with which I am concerned, if questioning and scrutinizing becomes routine or habitual, will the differences between Behavors and Actors be somehow diminished? And, would routinization lessen the possibility of individuals awakening their potential for Moral Acuity?

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[66]Benhabib 86.

From Arendt's perspective, routinization would either make it practically impossible for members of mass society to "set things in motion," to begin new things, or, if that very setting in motion were the thing routinized, the implications of new beginnings would, it seems, be dramatically altered.[67] Benhabib's view is not as drastic as Arendt's on this point, but the questions both thinkers raise deserve attention.

I have acknowledged that Actors often act practically without thinking. This in a way is already a routinization of the principles or modes of conduct or ways of going about in the world upon which one chooses to act. I would argue that routinization or the formation of habitual responses to specific circumstances does not a Behavor make, as long as the habits are based on well-thought out ideas that one has responsibly ceased to believe need rethinking.

Does the increasingly everydayness of views and values which, at least, traditionally, have been considered outside the dominant culture, diminish one's ability to act, to think critically, to practice Moral Acuity? The issues raised by this question remain similar to those first introduced by the notions of Behavor and Actor at the beginning of this project. If one has adopted some set of ideas and values because others in one's community have or

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[67]I, of course, cannot pursue this here, but the issues surrounding such matters are especially intriguing to me.

because those were the ones one was taught as a child or because adopting them might get one accepted into the community to which one wishes to belong, or other reasons along those lines, one can generally be seen as a Behavor. If one criticizes what others criticize because those others are doing it, or challenges some dominant issue because others are, but fails to "truly bring the issues to one's mind" (to paraphrase my own paraphrase of Hochhuth), one may be accomplishing something worthwhile, but one is hardly poised for the awakening of Moral Acuity. In order to be an Actor, one must have given careful thought to the ideas that have been presented. And, one must have ready access to the rationalization behind that careful thinking. Even if a particular value or opinion is held by practically everyone, an Actor who held that particular opinion would likely have a reason for holding that view, would be able to justify it. An Actor would also be willing to change that view if more information were introduced which reasonably contradicted what one already knew. If one is an Actor, routinization should diminish little; it can be seen as a manifestation of "practically without thinking," with which I have already spent a good deal of time.

In order to be Morally Acute, I have been suggesting, one must, along with the capacity for independent judgments, be capable of sympathetic awareness of suffering. The idea that sympathetic awareness could be routinized seems almost

easier to picture than the idea that independent judgments could. Although co-dependents or martyr-like parents and the like may be examples of people with misplaced, almost automatic sympathies, one who is always attuned to the possibility of suffering, one who is looking for occasions to alleviate suffering, one who is willing to truly bring the victim to mind, even if that victim is oneself, is going to be able to recognize the victim of harm more quickly than a person not generally acquainted with suffering and its myriad manifestations.

7. Summary

I will leave the discussion of sympathetic awareness, absent in Meserve and de Sade, for the next chapter. Here, the juxtaposition of Pope John XXIII and the Marquis de Sade is meant to illustrate that possession of the capacity for independent judgment is no guarantee of one's refusal of evil. Arendt wonders whether "the habit of examining whatever happens to come to pass or to attract attention" can reduce the likelihood of choosing badly in moral matters.[68] The Marquis de Sade is a counter example to such a claim. He was brilliant. He analyzed his views continually, but he was not sympathetic, not much concerned with the suffering of others. Independent judgments, a small part, I suggest, of what Arendt means by "thinking,"

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[68]Arendt, Mind 5.

is a component that must often be paired with concern for another's well-being, a sympathetic awareness of suffering, in order for it to be constructive in the moral realm.

Arendt does not include emotions amongst "mental activities" generally, nor do most of the thinkers of the classic philosophic tradition.[69] Thinking, "the habit of examining," is a mental, a cognitive, activity, for Arendt. That which I have labelled the capacity for independent judgment is a small part of that "thinking," as I see it. And it does not, I believe, necessarily lead directly to action. I have been suggesting that those with the capacity for independent judgments are capable of setting things in motion, of acting. The view I am developing, however, suggests that emotion, specifically sympathetic awareness, is more likely to play a significant role in compelling one to act. The difference between "the capacity for" and "being compelled to" helps to make sense of Heidegger's claim, which Arendt uses as an epigram in The Life of the Mind, that "[t]hinking does not endow us directly with the power to act."[70] For Arendt, however, it does prepare the ground. In my view, one can be capable of acting, but without sympathetic awareness, one is less likely to be compelled to act in a way that involves refusing evil--when the need arises. One's emotions, tempered by or combined

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[69]Arendt, Mind 32.

[70]Arendt, Mind 5.

with that portion of "thinking" I call independent judgments, is more likely to be impetus for action, in my view, especially when one is responding to the suffering or potential sufering of another.

I have attempted in this chapter to highlight the differences between people who act and people who behave, between people possessed of the capacity for independent judgment and those who are not. I am suggesting that Behavors do not ordinarily have the capacity to refuse evil. Having said that, what of the villagers of Le Chambon in France during World War II? Here was a whole village working together to rescue as many refugees as possible from the clutches of the Nazis and their sympathizers. I do not believe this scenario, orchestrated by one man, Andre Trocmé, contradicts my view. That they were one of the only examples of this kind to come out of the Nazi era is support for their having been a special case, for their having been inspired by Trocmé, a Morally Acute individual. They can be seen as followers of a very principled self-reflective man. He understood the evil of the German occupation and compelled his fellow villagers to work along side him to frustrate the spread of that evil. It may be worthy of debate, as I suggested earlier, whether the villagers as individuals refused evil, and thus had been transformed into Actors, or whether they were Behavors and simply followed Trocmé's lead in his refusal of evil, thus, in this case,

doing the right thing. It seems worth conjecturing that the villagers' propensity for behaving could have been overridden by the force of Trocmé's principles and beliefs and that many villagers may have become Actors through his example. The specifics are not important. No one can come away from Philip Hallie's book Lest Innocent Blood Be Shed without the conviction that Trocmé was the prime motivation behind the town's resistance. This example, I believe, supports the view I am developing.

The examples of Pope John XXIII and the Marquis de Sade are meant to solidify the suggestion that refusing evil involves more than the capacity for making judgments independent of others. Both of these historic figures had a self-confidence in themselves that was solid and unswerving. At the same time, sympathetic awareness of another's suffering is present in the Pope and is absent in the Marquis. This awareness is the topic of the next chapter. As I have said, my suggestion is that sympathetic awareness of the victim's experience must accompany the capacity for independent judgments in order to be Morally Acute, often, in order to refuse evil.

This chapter concludes with a discussion of what independence can mean if one is a product of her or his environment. I have stressed the need to be able to form opinions, see things from the other person's point of view and, in general, analyze, scrutinize and criticize whatever

new information comes into one's world. From this practice and this kind of information, one can make thoughtful judgments. An important piece of the puzzle, as the next chapter proposes, is that sympathetic awareness encourages the making of the best choices.

CHAPTER IV

THE ROLE OF SYMPATHETIC AWARENESS

1. Introduction

Part of my chosen task in this study has been to present a plausible account of why neither sympathetic awareness nor independent judgment without the other is adequate for refusing evil. It seems reasonable to suggest that one who has a cultivated capacity for independent judgments but who does not possess a concern for others or does not attend and respond to his or her emotions in moral dilemmas, would have a more difficult time recognizing the need for refusing evil, the necessity of attempting to alleviate suffering. Conversely, one who has a refined sense of sympathetic awareness but consistently backs down in the presence of assertive personalities or the popular majority may be able to recognize suffering and be miserable about it, but would have a harder time responding to that suffering. If one is not practiced in or prone to making decisions for oneself, if one is not accustomed to setting things in motion, the outcome of some specific event is probably not up to that particular person. This chapter attempts to more fully develop my view of the role of

sympathetic awareness in refusing evil, while keeping in mind that emotion alone is inadequate to the task. As Aristotle reminds us:

> [T]o experience . . . emotions at the right times and on the right occasions and towards the right person and for the right causes and in the right manner is the mean or the supreme good which is characteristic of virtue.[1]

The view I am developing suggests that in making choices based in part on sympathetic awareness of the victim, one is more likely to do the right thing. I also, and relatedly, suggest in this chapter that sympathetic awareness towards suffering increases one's depth of understanding regarding the experience of the victim and this, in turn, can clarify what action would be best to take. Sympathetic awareness gives one a clearer vision of the wrong being done by being more attuned to the harm. One can be compelled to act to alleviate suffering when, I suggest, one has a clear and accurate picture of what the victim is experiencing and that suffering is in some way shared.

In the present chapter, I discuss how sympathetic awareness can lead to the proper action. I discuss how a clarity regarding another's suffering can move one to act, keeping in mind that the capacity for independent judgments is an important accompaniment in matters of evil. To aid in

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[1]Aristotle, The Nichomachean Ethics, trans. J. E. C. Welldon (London: MacMillan, 1923) 46 [Bk. II, Ch. 5].

these discussions, beginning in Section 4 of this chapter, I am assisted by Rolf Hochhuth's play, The Deputy. Having read The Deputy only since beginning this project, I find that it speaks to so many of my concerns and enthusiastically rely on some of it here. Hochhuth produced a fictionalized version of many of the actual facts surrounding the collusion of the Catholic Church with Hitler prior to and during World War II. He did so in order to make a variety of moral claims about conscience and morality and to expose the role of the Catholic church, especially of Pope Pius XII, in perpetuating Nazi atrocities. There are incredible speeches in this play that do much to illuminate quite poetically the intent for my entire project.

I do not consider this a prescriptive study and make no attempts to fill the gap between is and ought. The examples I have used thus far are meant to demonstrate that the possession of sympathetic awareness is more likely to contribute to one's ability to refuse evil than an absence of same. This is reminiscent of Hume's view of "our passions" and their bearing on morality.[2] Incorporating one's sympathetic response generally into one's morality is conducive to making the best choices, in the view I am developing, and a matter, it seems to me, of common sense.

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[2]David Hume, Treatise of Human Nature, ed. L.A. Selby-Bigge (Oxford: Oxford UP, 1989), e.g., 484.

As I intend to make clearer in this chapter, my notion of sympathetic awareness is meant to express more, and, perhaps, less, than the more common notions of sympathy or empathy. It is meant to denote a concern for another's well-being while also suggesting an alertness, a capacity for absorbing and sharing the implications of suffering. When combined with independent judgments, one can be moved to act, to respond to the pain, when one's awareness of suffering is vivid and accurate enough. My choice of the phrase sympathetic awareness does not necessarily avoid the questions raised in recent literature regarding sympathy and empathy and the connotations of each. But, the criticisms raised about one notion seem to me to be readily applicable to the other and I see my notion, with the addition of awareness, as at least once removed from those various debates, furnishing a reminder that I am suggesting a more accurate view of the circumstances than sympathy alone is likely to provide. One of the questions raised in the literature regarding the language of sympathy/empathy issues involves the observation that there is an implied condescension, a power differential, between the sympathetic person and the one with whom one is sympathetic. It seems to me, however, that empathy can allude to the same power differentials that sympathy can. In fact, Lorraine Code, in an essay entitled "I Know Just How You Feel: Empathy and

the Problem of Epistemic Authority," suggests just that.[3] She proposes "empathy-at-its-best" as expression of a concern which escapes the "power asymmetries" within empathetic relationships which can produce "imperialistic, coercive practice[s]."[4] It seems that either notion, sympathy or empathy, can suggest the same negative or unequal relationship.[5] I attempt to avoid the obstacle of this sort of asymmetry and draw attention to my wish to avoid it by my use of sympathetic awareness rather than sympathy or empathy alone. I can imagine a medical professional who gives an automatic and inauthentic "I know just how you feel" response to every patient she or he sees, whether it is supposed to express sympathy or empathy. As example of that inauthenticity, a close friend of mine, diagnosed with cervical cancer, related how, at a university medical facility, she tolerated a string of strangers, all residents, all in the room at the same time, all with varying degrees of appropriate bedside manner, taking turns inserting fingers into her vagina in order to have firsthand experience with a cancerous cervix. Regardless of any

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[3]Lorraine Code, "I Know Just How You Feel: Empathy and the Problem of Epistemic Authority," Rhetorical Spaces: Essays on (Gendered Locations) (London: Routledge, 1995) 137. See 126 for an initial discussion of "empathy-at-its-best."

[4]Code 137.

[5]Code uses the example of asymmetrical empathy in a professional setting (138).

sympathy or empathy those residents may have evoked for the occasion, I cannot, nor could my friend, consider the loss of dignity experienced under those circumstances to correlate with any expression of understanding of her suffering. These medical professionals were not sympathetically aware.

While Code's "empathy-at-its-best" correlates, in ways, to my intentions, I find more ambiguity in her phrase than serves my purposes. Philip Mercer, whom I mentioned in Chapter I, offers an alternative which employs sympathy in a manner which corresponds more directly to my intentions for sympathetic awareness. He uses the example: "[t]he dockers struck in sympathy with the railway workers."[6] I do not see this sentence as implying any condescension or power asymmetries. As I read it, it suggests that the dockers are acknowledging a bond with the railway workers. Whatever the reasons might be for the railway workers' strike, they are recognized by the dockers as something worthy of attention. Maybe they believe that a similar injustice could happen to them or that the issues raised by the strike have repercussions for the dockers. Or, the dockers may feel so strongly about the issue over which the others are striking for other reasons that they want their voices heard too. At any rate, the dockers are attuned to the matters involved. They are aware of the issues and agree with the strike; they

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[6]Mercer 3.

respect the strikers. This use of sympathy is closer to my use of sympathetic awareness than the more general emphasis on the sympathy or empathy of a healthy or well-off person for another less well off. The latter approaches more closely the notion of pity, in my mind.

I turn in the next section to a discussion of sympathy in general in order to narrow down my use of, and concretizing my intentions for, sympathetic awareness. A consideration of the analogy of sight to moral issues follows. Throughout this project, I have been using variations on the language of seeing to demonstrate my intentions for the notions of "awareness" and "acuity." I intend the following sections to aid in clarifying and justifying my references to sympathetic awareness and to sight, since both have problematic histories and are meant here to imply more than everyday language would suggest.

2. Morally Relevant Emotion

While emotions can be a detriment or a benefit, a nuisance or a catalyst for attaining a variety of goods, I want to suggest that being aware and confident of the veracity of one's specific emotions and their sources can assist one in making the best moral choices. Particular emotions, when paired with the capacity for independent judgments, can assist in confirming the right thing to do in a variety of circumstances. Situations where evil is

present are of most concern at present. Aristotle's quote from the beginning of this chapter is a reminder of the need for both emotion and thought-full-ness. Hume recognized this when he posited that emotion had more influence on morality than did reason.[7] Acting impulsively or rashly as a result of one's emotions can, of course, have negative consequences. When not paired with a reflectiveness, emotions can lead down destructive paths. Acting solely on the basis of one's emotional reaction, reacting out of anger or jealousy or hurt or pride, etc., is not likely to provide the best answers. If, however, one is actively seeking the best choice(s) in a given set of circumstances and one clearly and honestly perceives one's anger or other emotion as justified, listening to that emotion may well lead to one making good decisions. Showing unconditional love to a co-dependent or a drug abuser is not, under most circumstances, the best course of action. One is not, in that kind of situation, perceiving of the circumstances clearly and honestly. My point is that the responses to be made in many of these kinds of circumstances can be enhanced by specific emotions incorporated into one's decision-making process, especially when those emotions are tempered with an ability to think for oneself. In my view, if one's anger, for example, is paired with one's confidence in the appropriateness of that anger, it can be a simple matter to

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[7]Hume 415.

challenge another's ill-conceived position, motivate oneself to take action, encourage others to participate in some cause. If one is emotionally involved in some issue, that "energy" can prove beneficial. I am not suggesting it always will. When one is sympathetically aware of another's suffering, one is less likely to cause or fail to attempt to alleviate that harm because one recognizes the negative consequences of such harm, one shares in the suffering in some way. My view suggests that the presence of sympathetic awareness contributes to an enhanced ability to refuse evil, especially when combined with a capacity for independent judgments.

The word sympathy has a host of functions in our daily language and it can arouse controversy as I pointed out above. It serves, however, a variety of purposes, some of which describe an active concern for others; other uses can be seen as more passive. One can assuredly be sympathetic towards others and not be motivated to act, but it is my view that one can also be sympathetically aware of a situation in such a way that one is moved by that situation to act. I will pursue that further in a moment. I turn first to Philip Mercer's paradigm for sympathy which seems applicable to present purposes. He defines sympathy in the following way: "A sympathizes with B about some circumstances of B or in some of B's feelings."[8] This

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[8]Mercer 4.

seems, in large part, right. In other words, sympathy is between people and about something, and it follows, according to Mercer, that there is a logical connection between the someone with whom one sympathizes and the something about which one sympathizes.[9]

As can be seen in Mercer's definition, sympathy connects the sympathizer to the sufferer. It does not follow, however, that the one who sympathizes will necessarily be compelled to act because of that sympathy. By using sympathetic awareness instead of sympathy, I mean to stress a clarity, an accurate understanding, regarding another's suffering not addressed in Mercer's definition, which I suggest can compel one to respond to specific circumstances. This narrower or more specific account of a sympathetic kind of response better describes the emotional matters I find related to the refusing of evil. I intend this chapter to solidify my intentions for sympathetic awareness. The view I am developing includes an account of how a sympathetic response to suffering can help move one to action.

I do not mean to imply that the kind of action which culminates in refusing evil must be based solely on a specific emotion, although it is not hard to conceive of

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[9]Mercer 6. The question of one's sympathizing with self is eliminated by Mercer and also will not concern us here, although I am more inclined than Mercer to leave that question open.

choices or actions unrelated to evil which are.[10] Being so pleased to see an old friend on the street that one, practically involuntarily, gives her or him a hug; being compelled by anger to throw a punch or to yell obscenities (especially, in my experience, through one's car window). Fear can induce paralysis or flight or a superhuman adrenaline rush; joy can make us act silly; etc.

But most of these examples are not specifically moral issues. In the moral realm, the connection between emotion and action is not so obvious, as Hume observes. Kant, for one, saw sympathy as a naturally sentimental disposition one possessed or did not possess, and which has "no true moral worth."[11] Whether one is sympathetic by nature, or by training, or not at all, is irrelevant to one's dedication to the moral law, in Kant's philosophy. In my view, sympathy, and emotions generally, play an integral role in one's moral choices.[12] Hume did us a vast service, in my

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[10]Hume wrote: "Reason is, and ought only to be the slave of the passions." At the same time, he insisted that he could find no logical connection between the two, between passion and morality. Hume 415.

[11]Immanuel Kant, Grounding for the Metaphysics of Morals, trans. James W. Ellington (Indianapolis, IN: Hackett, 1981) 11 [398].

[12]Justin Oakley has produced a work with just that claim. Morality and the Emotions (London: Routledge, 1992). His emphasis is on emotions generally, with limited mention of sympathy or empathy.

opinion, by insisting on the role of emotions in morality. Much in feminist theory has continued that emphasis.[13]

3. A Sight Continuum

While I am relying in part on visual metaphor for demonstrating my intentions for the notion of refusing evil, I am aware of the history of problems associated with such reference. I do not mean to suggest that I am basing ethical choice on some spectral frame of reference or on some special faculty of moral perception. The relationship between seeing and objectifying is obvious and it alone could persuade one to proceed most cautiously in the realm of ethics and visual metaphor.[14] My claim that Eriksson saw the events differently than did the others obviously refers to much more than the sensory impact of images on the retina. It has to do with the accurate interpretation of those images, the understanding that goes along with reacting to or acting because of the sense one makes of what one is experiencing.

In employing a continuum based on sight, I recognize the limitations of any analogy's relation to the phenomenon

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[13]See, e.g., Annette C. Baier, A Progress of Sentiments: Reflections on Hume's Treatise (Cambridge, MA: Harvard UP, 1991).

[14]E.g., Catherine MacKinnon suggests caution on exactly that topic in a 1983 article when she speaks of "visual appropriation." "Feminism, Marxism, Method and the State: Toward Feminist Jurisprudence," Signs: Journal of Women in Culture and Society 8 (1983) 636, n. 4.

it is meant to clarify. I also acknowledge the rich and controversial history that vision-as-metaphor has already accumulated in philosophical inquiry from the Enlightenment forward. Iris Murdoch is but one notable recent example.[15] At the same time, I find it useful to talk in sensory terms regarding one's ability to make moral choices. Morality is more likely a mixture of all of one's senses and abilities than it is one particular aspect.[16] I believe there is something gained by the analogy to sight, if only in the simplification due to the language ready at hand. Saying, for instance, "She saw the light!" is often not a direct reference to having one's eyes fall on a light source. It has to do with figuring something out, having the right answer dawn on one, or finally giving up an old way of thinking for one more accurate or appropriate. This metaphorical way of speaking is already in our language. It does not seem strange to use vision for non-visual references. I intend the visual metaphor to suggest a clarity of perception or apprehension which enables one to understand the pain of another, to share in the pain in some meaningful way. I also use it to demonstrate a lack of

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[15]See Iris Murdoch, The Sovereignty of Good (New York: Ark, 1986).

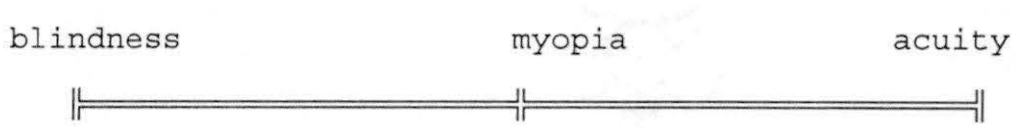
[16]Arendt referred to common sense as "the sixth and the highest sense" because "it is the one sense that fits into reality as a whole our five strictly individual senses and the strictly particular date they perceive." Human Condition 274 and 208, respectively.

concern for suffering, a blindness to another's pain. In the clarification of my view, I hope that more is gained by my use of the sight metaphor than is lost.

I believe that what I have to say about how Eriksson saw the events can be said outside of the various controversies. It seems a modest, yet, accurate and revealing claim to say that Eriksson was aware of the suffering of Phan Thi Mao in a way that the others were not. His actions were influenced by his more perspicacious awareness and his capacity for independent judgment. Eriksson was moved to act differently than the others in his patrol by his knowledge, his perception and apprehension, of the events he witnessed. In this way, he saw things differently.

If the soldiers on patrol in the Casualties of War example were placed in various points along a continuum meant to demonstrate the presence or absence of what I am calling sympathetic awareness, one may get a more intelligible account of the view I am developing and the use I am making of the visual metaphor. On one end of this continuum is blindness--blindness to suffering, to pain and/or blindness to concern for the victim. Those that would be represented by this end of the spectrum could be either unconcerned about the suffering they are causing, or simply blind to the fact that they are causing it. Also included here would be those who get pleasure from another's

pain. I discuss why in the next subsection. In the middle of this continuum is myopia which I will elucidate in a moment, and, at the opposite end from blindness is acuity, acute sympathetic awareness. I do not mean to be confusing here. The acuity of Moral Acuity and the acuity on this continuum of sympathetic awareness are not synonymous. Acuity, as regards this continuum of sympathetic awareness, involves a clear and concerned apprehension of suffering. Acuity on the sympathetic awareness continuum involves a depth of understanding towards victims and their suffering. As will be seen in the next chapter, Moral Acuity is an awareness involving the motivation to act, the sharpened or honed ability to choose the best course of action, an awareness of the alternatives and the most significant details, a confidence in one's capacity for judging the events. Below, I discuss each of the three general segments of this analogy of sight.[17]



[17]A person may fall anywhere along the continuum in any given situation, although I am inclined to say that it seems if one spends a good deal of time in activity falling in one general area on this continuum, the likelihood of moving far in either direction is diminished.

a. Blindness

In Daniel Lang's book, those who eagerly participated in the rape of Phan Thi Mao can be viewed as blind on this continuum. They were blind to Phan's experience, to her desire not to suffer. They did not see, did not realize, and/or did not care about the harm they were causing her. Those who do not see the suffering are grouped on this continuum with those who are aware of it but are unconcerned with it or even relish it. While potentially problematic and perhaps not identical in evilness, I am lumping these kinds of people together because they are similar in the lack of sympathetic awareness they exhibit. A person who gets pleasure from another's suffering is not viewing the suffering in the same way as one who is motivated to try to alleviate that suffering.[18] There is no concern for the well-being of the other in the former case. There is a sort of absolute zero on my sympathetic awareness scale when blindness to suffering includes pleasure in its occurrence. Seeing the suffering and being concerned about it are often different ways of perceiving. Being concerned about the suffering and being moved to help alleviate suffering are also often different as far as one's apprehension of the circumstances. I will return to this later.

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[18]I am eliminating the pathologically impaired from this discussion.

I characterized Meserve as an Actor since the kidnapping, rape and murder of Phan were initiated solely by him. He is an Actor who lacks sympathetic awareness. Proof of Meserve's blindness to suffering was his willingness to cause it. If Meserve had sympathetic awareness of Phan's pain, potential or actual, coupled with his ability as an Actor, he would most likely have been compelled to do other than he did. If he had been generally sympathetically aware, it is improbable that he would ever have come up with the idea in the first place. His second in command, Clark, was also blind. Clark was enthusiastic about the plan from the beginning. He watched while others were raping Phan. He laughed and bragged about holding a knife to her throat, after he had taken his turn.[19] Her suffering had no effect on his eagerness or his deeds.

Blindness refers to those who see suffering and are not moved by it as well as those who fail to see it. The fact, as related by Eriksson, of Phan's screams and moans ensures us that Meserve and the others could not have been oblivious to the fact of her pain.[20] They were, however, oblivious to the need for concern for the experience of that pain and suffering. Meserve was, in fact, bent on causing it. Blindness to suffering in this case was a matter of Phan's suffering being irrelevant. In Clark's case especially,

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[19]Lang 37.

[20]Lang 36.

blindness also refers to those who enjoy causing suffering. Those people would not be insensible to the pain of another, neither would they be merely unconcerned. The question arises under these circumstances whether there is such a thing as a sane and reasonable person who enjoys others' suffering or whether there are pathological impairments which provoke a desire for another's suffering.[21] This is not the place to ponder whether someone who enjoys causing or witnessing another's suffering can be considered a reasonable person.

b. Myopia

Myopia lies in the center of my sympathetic awareness spectrum, and is, in my mind, the most complex of the three notions. Myopia suits my needs here because the analogy to near-sightedness is a fertile and telling one.[22] When near-sighted, one can only see objects clearly that are near to oneself. Increasing an object's distance from self causes

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[21]It can be imagined, however. In the film, Death and the Maiden, Sigourney Weaver plays a tormented but sane woman who was a political prisoner and victim of torture in an unnamed South American country. She never laid eyes on her torturer. Years later when he (played by Ben Kingsley) serendipitously turns up on her doorstep, she recognizes his voice and is hellbent on revenge. She is certain that his suffering will ease hers. (Dir. Roman Polanski, Fineline Pictures, 1995.)

[22]Tunnel vision also seems a likely candidate for analogy. In that case, one's peripheral vision has been reduced or eliminated, so one can see only that on which one has directly focused, that which is in the very center of what would normally be a much wider field of vision.

that object to blur, to go out of focus, and, depending on the distance, to disappear entirely. One's perceptions are weakest and even non-existent when the objects are farthest away. The physical distance blocks the images, in a manner of speaking. With actual near-sightedness, it is physical distance that makes the most difference. As far as my analogy is concerned, distance can be psychical or physical. Starving Somalians or the unemployed in Britain commonly receive less sympathy from members of this culture than they would if they lived next door or were some fond relation.[23] Psychical distance can be lengthened or shortened depending upon what seems more important than the suffering to the observer or the perpetrator of suffering. Pope Pius XII in The Deputy, which I begin to discuss in the next section, could be an example here. He let "reasons of state" blind him to the suffering of millions as I will discuss later.[24] War is another similar example. Winning a war for territory or power is frequently seen as more important than protecting the life of the individual, enemy or not.[25] The

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[23]Actually, proximity such as living next door seems less and less to be a criteria for concern, as the recent anti-immigrant legislation in California and New York implies.

[24]Chapter IV, p. 212.

[25]I recognize the cultural biases here. It is not a given that the life of the individual is more important than the existence of a country's borders, for instance. Citizens of ancient Greece, as example, held the opposite view. Making generalized assumptions either way may be the crux of the problem.

psychic distance in this case is provided by the reasons for the war. The long term "positive" gains produced by killing individual enemy soldiers is seen as worth the loss of human life in wartime. Lust for territory and power, ethnic pride, training, and so on, increases the psychical distance between self and the suffering of another, as can racial, cultural or gender differences.

Manuel and Rafe are good examples for demonstrating my intentions for myopia. Manuel and Rafe were the less eager participants in the rape of Phan Thi Mao. They were visibly uncomfortable taking part in the rape, according to Eriksson's description of that day at the command post.[26] But they did participate. These two men were myopic within the present metaphor. The orders Meserve gave, the epithets he heaped on Eriksson, Manuel's and Rafe's fear of being literally or figuratively abandoned by their fellow soldiers, all contributed to an increased psychic distance from Phan's suffering. These particulars and others obstructed a rudimentary sympathetic awareness of the harm they were causing. It created a distance between them and Phan which diffused the capacity for doing what they thought, at first, they should. In my view, their potential for sympathetic awareness was blurred or obscured by the pressure of others' opinions and expectations, by their propensity as Behavors. Eriksson's lone refusal was not

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[26]Lang, e.g., 34.

enough to bring the victim back into focus. It was not enough to counteract their commander's orders and their fears of being abandoned or killed or found unmanly; it was not sufficient motivation or incentive for re-focusing their sympathetic awareness on the victim. My notion of Behavor does not require one to be comfortable or pleased with one's behavior in order to go along with others' wishes or demands. One does not even need to have an opinion on the matter, which is frequently a part of the Behavor motif. One must simply be coercible. Evidence of this coercibility, which in Rafe's case finds expression in his eagerness to please, is apparent in Eriksson's account of the events. For instance, when the patrol arrived at Phan's village and began their search:

> . . . Rafe, ever his amiable, accommodating self, pointed to a white hootch ahead and called out, 'There's a pretty girl in there! She has a gold tooth!' . . . Astounded by the enormity of his own suggestion, Rafe looked miserably at Manuel and Eriksson as Meserve and Clark entered the hut [where Rafe had found the young woman] . . .[27]

Additional evidence is established after their arrival at the command post and Meserve announced it was "time for some fun," i.e., time for the gang rape to begin. Clark, the second highest ranking soldier on the patrol, "appeared to be beside himself with anticipation, . . . and Manuel and Rafe appeared less so."[28]

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[27]Lang 27-28.

[28]Lang 34.

So, Manuel and Rafe can be considered near-sighted or myopic because other people's opinions and desires outweighed, blocked or covered up any momentary or potential sympathetic awareness of the suffering they were causing. They showed signs of concern for Phan initially; they were not eager to participate. But, Phan's pain was forced out of focus, so to speak, by the influence or coercion of the others on the patrol. Myopia can be conceived as a failure to keep pain and suffering at the center of one's field of moral vision, in focus, or in close proximity to one's psychical self, regardless of where the victim may be in one's actual sensory field of vision.[29] In this sense, the notion of myopia works well as analogy in its application to sympathetic awareness.

c. Acuity

On the end of the continuum yet to be discussed lies acuity. As I said at the beginning of this section, this is not to be confused with my notion of Moral Acuity which I equate with refusing evil. Acuity, on this continuum refers to the focusing of one's sympathetic awareness on the appropriate pain and suffering, the apprehension or comprehension of the significance of suffering. It is meant to suggest an understanding, an awareness, a sharing, of the

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[29]I remind the reader that I refer to an apprehension or understanding or lack thereof when referring to seeing or vision.

suffering of the victim in a clear and honest way. By "honest," I mean a view unclouded by self-absorption or insecurities which might otherwise misdirect one's judging ability.[30] Eriksson, the one who refused to do evil in Casualties of War, possessed this kind of acuity in regard to Phan Thi Mao's suffering; he was sympathetically aware of the suffering caused by the evil committed at her expense.[31] He was not only acutely aware of her suffering, but was capable of making decisions independent of the peer pressure I have described, which included threat of death; thus, my claim that he was Morally Acute as well.

Eriksson saw clearly and sympathetically the harm being caused to Phan Thi Mao. There was little psychic distance between himself and Phan and her suffering. Unlike the others, Eriksson was capable of seeing the transpiring events honestly, of recognizing the evilness, even if not by name. Because he was so acutely aware of the evil, "[i]t was impossible for [him] to have any part" of the rape and murder of Phan Thi Mao.[32]

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[30]Murdoch refers to transcending one's all-too-absorbing self-love. I believe my intentions here are similar to hers. E.g., Murdoch 66-67.

[31]I pointed this out in Chapter I, pp. 21-22.

[32]Lang 34 (emphasis mine).

d. A Cautionary Note

Examples abound, especially in the hypothetical world of theorizing, of moral issues that are not clear cut, of situations where there are no obviously right answers. I have focused on issues of evil, as I have said from the beginning, specifically to position this project outside such gray areas. But even within these constraints, situations may arise which exhibit an ambiguity. I want to acknowledge at this point that an active concern for another's suffering can be overridden under particular circumstances, even when a person is ordinarily Morally Acute. An example from Noddings comes to mind.[33] One has the kidnapper of one's children in custody, and has reason to believe that the kidnapper knows where the children are and that they are still in grave danger. The kidnapper is reluctant to provide the necessary information. Is torture an option for a sympathetically aware and/or Morally Acute person? This is the sort of question that I intend to avoid in this project. Often it seems senseless to ask such hypothetical questions. Were this scenario to occur in real life, there would be innumerable context-specific facts and perceptions available to guide one towards the appropriate response, many more than are given in the few sentences above. One's depth of understanding would be enriched by

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[33]Noddings, Women 207.

the reality of details, some morally relevant, some not. When three or four extremely general bits of information are all one has in regard to a moral dilemma, one's depth of understanding is greatly curtailed and one's ability to make the right choice, in my view, is substantially reduced. Hypothetical queries and circumstances have their place, but the elements that are missing when one theorizes in such a way, often make it a barren place within which to sort out moral dilemmas. I leave the question of a Morally Acute torturer open, and move on.

4. The Deputy and Truly Bringing to Mind

Portions of Rolf Hochhuth's play, The Deputy, are especially illustrative of my intentions for sympathetic awareness. While Hochhuth admits to the play's fictional aspects, most of his characters are based on actual participants in the drama of World War II. His portrayal of Pope Pius XII, for instance, and many minor figures in the play, are based largely on historical fact. The moral dilemma faced by a young Jesuit priest, Riccardo, who is not a specific historic figure, highlights some key points related to this project. While he is not based on fact, Hochhuth admits that Riccardo's character is "freely drawn" from a priest, Provost Bernhard Lichtenberg of Berlin Cathedral, who died in 1943 on his way to Dachau, a journey he voluntarily took upon himself in order to pray for and

comfort those on their way to the death camps.[34] Riccardo's dilemma in Hochhuth's play is how to awaken Pius XII's assumed potential for what I call sympathetic awareness. In what I quote below, Riccardo is trying to convince his father, a confidante of Pius XII, that the only way to stop the horrors of this war is for the Pope to speak out publicly and adamantly, even fiercely, against the policies and actions of the Third Reich. Riccardo express himself as follows:

> The victims--does he [Pius XII] truly bring them to his mind? Do you believe he does? The world press, the ambassadors, our agents--all come with gruesome details. Do you think that he not only studies the statistics, the abstract figures, seven hundred thousand dead--starvation, gassing, deportation . . . Do you think he is <u>there</u>, that he has ever watched with his mind's eye--has ever seen the way they are deported from Paris: three hundred suicides--before the journey even starts. Children under five snatched from their parents. And then Konin, near Warsaw: eleven thousand Poles in mobile gas chambers--their cries, their prayers--and the laughing SS thugs. Eleven thousand--but imagine you and I--that we were in it.[35]

And a few speeches later:

> Does nobody here realize--you, Father, surely you realize . . .
>
> A deputy of Christ who sees these things and nonetheless permits reasons of state to seal his lips--who wastes even one day in thought, hesitates even for an hour to lift his anguished voice in one anathema to chill the blood of every

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[34]Hochhuth 14.

[35]Hochhuth 101-02 (emphasis and ellipsis in original).

> last man on earth--that Pope is . . . a criminal.[36]

My notion of Moral Acuity is akin to what Riccardo says in the first speech, above, about "truly bring[ing the victims to one's] mind."[37] In this chapter, I am concerned with the role of emotion in Moral Acuity, specifically with the role of sympathetic awareness.[38] "Truly bringing the victims to mind" seems especially relevant to refusing evil. It addresses my specific concerns about privileging the victims, which I will return to in a moment. Riccardo's second speech, above, is also helpful in distinguishing the two separable notions of independent judgment and sympathetic awareness, which, I have been suggesting, together are a way of understanding Moral Acuity. A person who "sees these things," as Riccardo speaks of it, would be a person who is sympathetically aware. If I am not mistaken, he means seeing in the sense that he means "truly bringing to mind," a clear, focused, sympathetic manner of comprehension. A person who sees the things Riccardo is

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[36]Hochhuth 102 (ellipses in original).

[37]I will be using this phrase in various forms throughout the rest of this study. I will not cite its reference each time.

[38]For two thoughtful discussions of emotion in morality, see Margaret Olivia Little, "Seeing and Caring: The Role of Affect in Feminist Moral Epistemology" Hypatia 10 (1995): 117-37; and, Martha Nussbaum, "'Finely Aware and Richly Responsible': Literature and the Moral Imagination," Anti-Theory in Ethics and Moral Conservatism, eds. Stanley G. Clarke and Evan Simpson (Albany: State U of New York P, 1989) 111-34.

referring to and still lets "reasons of state seal his [or her] lips" is a criminal as far as Riccardo is concerned. At least a Pope who does so is, although I hardly think Riccardo would limit his charge in that way. The sort of person Riccardo is describing as criminal could, in my view, possess sympathetic awareness and be lacking the capacity for independent judgments. One who comprehends and views as tragic suffering of great intensity and yet does nothing is a criminal in Riccardo's mind. That person is a sympathetically aware Behavor in my words. Further, I suggest that Behavors in general, whether or not they are sympathetically aware of the suffering, since they are lacking the capacity for independent judgment, would likely "permit reasons of state to seal [their] lips."

If one were in possession of both sympathetic awareness and independent judgment, seeing the things Riccardo sees would be especially likely to unseal one's lips, to move one to act. Riccardo is aware of the enormity of the suffering. He can barely imagine that others can see the suffering and not doing anything about it. But, he concedes that one who is aware of the enormity, the immensity, of the suffering of the victim and is not compelled to help alleviate that suffering is the incarnation of what Riccardo means by criminal. Thus, Riccardo's dilemma: he does not believe, cannot believe, that the Pope is criminal. Therefore, Pius XII must not be aware in any clear way of the suffering.

Hochhuth seems to be saying through Riccardo that Pope Pius XII is, in some fundamental way, not aware of the suffering and the victims. In Hochhuth's presentation, he does not appear to be a Behavor. Riccardo, in a characteristic genuine gesture of sympathetic understanding, does not believe that Pius XII "sees these things," regardless of how many times he (Pius XII) has heard detailed reports. Good Catholic that he is, Riccardo has a hard time viewing the Pope as criminal. Riccardo is not implying that Pope Pius XII relied solely on others' opinions, or had no capacity for making his own decisions. That he did not act could be, and I believe this is Hochhuth's/Riccardo's point as well, demonstration of an absence of a moral emphasis on the victim. Pius XII expresses little more than a superficial sense of sympathy for those suffering. He would never be, as the dockers were as regards the railway workers in Mercer's example, in sympathy with the victims of the Holocaust. He failed to comprehend the magnitude of the evil, even while he arguably had the ability to make independent judgments. Pius XII, in Hochhuth's play, deftly defends his policies and positions against the attempts of Riccardo and his father, as well as others, to sway his stance. He is presented as being reasonably capable of thinking for himself.

Pope Pius XII had let himself be distanced from his flock, from humanity generally it seems. This is where my

notion of myopia seems most appropriate. I devote Section 6 of this chapter to Pius XII's myopia. That distance, as a kind of psychical absorber, I suggest, allowed him to remain untouched by much of the suffering around him and to continue to be committed to abstract notions of some greater evil than the death of millions of human beings. Evidence of this, in Hochhuth's opinion, is that Pius XII never spoke out against Hitler. If he did not speak out in part because he did not bring the suffering to his mind, he also did not speak out, in part, because the Concordat, an agreement between the Vatican and the Third Reich which had been drafted and signed years before the extermination of the Jews began, kept him silent. Pope Pius XII felt it was more important to honor a document and the spirit of such a document, which, for all intents and purposes, had been invalidated by the succeeding years' events, than it was to speak out regarding atrocities that hit as close to home as within "the very shadow of St. Peter's."[39]

If Pius XII had seen things in the way that Riccardo and I mean, he would have been affected by the suffering. He would have been as horrified as Riccardo, and, thus, Riccardo believes, consistent with my view, would have been

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[39]Gerald Reitliner, The Final Solution, qtd. in Hochhuth 125.

moved to act.[40] Pius XII let the Concordat and other reasons of state guide his actions because he irrationally envisioned a greater threat, a worse set of circumstances. As Hochhuth puts it in his own commentary on the play: "we cannot conceive of anything worse than what was actually happening--the most ruthless manhunt in human history."[41] Pius XII had justified in his mind the suffering and deaths of millions of humans because he was convinced that Germany must remain viable as a buffer against "the East," i.e., against atheism and communism. He, in Hochhuth's portrayal, believed that "disaster looms for Christian Europe" if Germany does not exist to affect the balance of power.[42] My project incorporates the view that nothing could conceivably prevent a reasonable person from considering the suffering and horrendous deaths of millions of people as more

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[40]This is the kind of sympathy Philip Mercer means when he talks of "conative sympathy" (Mercer, e.g., 4). He points out several different ways in which we use the word sympathy, at least one of which denotes a desire to help. This can be seen as the sense in which Riccardo sympathizes with what he sees in "his mind's eye" in The Deputy. Mercer also points out that H. B. Acton, in a paper entitled "The Ethical Importance of Sympathy," claims that "'a certain amount of sympathy is required if anyone is even to notice that someone else is in need of help'" (Acton qtd. in Mercer 120 [emphases in original]). If one does not have sympathetic awareness or a clear concern for another, one will be hard-pressed to recognize the need for help. Acting out of a sense of duty or religious conviction, for example, will not be justification enough for doing the right thing, if one is not competent at recognizing suffering.

[41]Hochhuth 329.

[42]Hochhuth 205.

important than some future potential invasions or changes in borders. Pius XII put excessive, irrational stress on those reasons of state. He was willing to believe that it was worth the sacrifice of an incredible number of lives to ensure some abstract notion of "the peace of Europe" and the separation of the East and West. "Great lords remain good friends only when their lands do not adjoin," explains Hochhuth's Pope.[43]

In Hochhuth's/Riccardo's view, Pius XII's response to the horrors of Hitler were, without question, inadequate. While Pope Pius XII can be seen as an Actor, although a less archetypical one than those I have already discussed, he is by no means Morally Acute. Yet, it may also be possible to argue that he was using the Concordat and his knowledge of the desires of Hitler to choose his actions for him. Such tendencies would shift him closer to a Behavor than an Actor. Or, Pius XII can be seen as choosing, independent of others, to follow the Concordat because it seemed to him, regardless of others' opinions, to be the best choice, the most likely to keep Germany intact. In such a case, he can be seen as more of an Actor. In either case, it is clear that the suffering of others, not to mention the attempted annihilation of a whole people, did not bear enough weight to influence his decisions. Deciding how much of an Actor Pius XII actually was seems futile, and is not necessary to

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[43]Hochhuth 209.

the development of my view, although I believe both behavior and action are encountered in his words and deeds.

Riccardo is, more obviously than the Pope, not easily swayed by others. He is clearly an Actor. And, he is extremely sympathetically aware of the suffering of others. Riccardo sees the "starvation, gassing, deportation;" he sees the suicides and the abuse of children.[44] Because he sees these things, truly brings them to mind, because he is Morally Acute, Riccardo reacts strongly, practically without thinking, to the suffering around him. Because of his personal conception of the harm perpetrated by Hitler and his policies, he ultimately gives his life in attempts to ease the suffering of others.[45] The sympathetic awareness that is demonstrated by Riccardo's torment, his repeated attempts to persuade Pius XII to act despite resistance from every front, as well as his final act of joining the victims themselves, is an exceptional example of Moral Acuity.

Possession of the capacity for independent judgments without sympathetic awareness may well have led to the sorts of conclusions arrived at by Pope Pius XII. If Riccardo had possessed the reverse, sympathetic awareness without independent judgments, he may well have been tormented but paralyzed. Hochhuth depicts Riccardo as extremely

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[44]Hochhuth 101. Again, seeing is an analogy wrought with potential criticisms, but not merely a reference to the sense of sight.

[45]Hochhuth 102.

frightened by his own decision to join the victims. Because he is an Actor, however, and a Morally Acute one, because he has truly brought the victims to mind, that fear does not incapacitate him.

5. Depth of Understanding

Riccardo's kind of seeing, "truly bringing the victim to mind," is related to a depth of understanding, a depth obtained by a clarity of perception or comprehension, in my view. If one's awareness of great suffering is acute and sympathetic and not easily repressed, as Riccardo was, one is likely to be moved to respond. This section discusses why.

It is a reasonable suggestion that Pius XII in Hochhuth's play does not possess the sort of depth of understanding or awareness that Riccardo does, regarding the victims of the Holocaust, and, as I will illustrate momentarily, regarding human beings in general. Because of this lack of depth, Pius XII does not grasp the severity of the evil being done, the enormity of the fact of millions, humiliated, dead and dying. If he had done more than read the statistics, if he had actually brought to his mind the suffering of even one of the victims, Riccardo is convinced he would have had no choice put to speak out. He would have been moved by the circumstances to respond. Yet, he did not respond. Riccardo said it would be criminal for the Pope to

be aware of the suffering and not do anything.[46] At the same time, Riccardo does not believe that the Pope is criminal. Is it possible that hearing and reading descriptions of such atrocities would not be enough to bring the victims to the mind of Pope Pius XII? In order to make sense of his lack of response, Riccardo presumes exactly that. My notion of sympathetic awareness presumes that as well. If Pius XII had truly brought the victims to mind, Riccardo believes he would immediately have acted against Hitler. Hochhuth has the Pope referring to the "bad behavior" of the Germans, the assurance of a lack of "pardons" for "murderers," the "wretchedness" of Hitler, the "menace" which is Germany; the Pope declares that "the terror against Jews is loathsome," that "the Pope--in deepest sympathy, stands on the victims' side."[47] Yet, he does nothing.

I will indulge in another of Riccardo's speeches in order to illustrate what Hochhuth/Riccardo, even here compassionately, sees as Pius XII's problem, in order to further pursue what I mean by depth of understanding as regards acute sympathetic awareness. In conversation with his father once again, Riccardo implores:

> I mean--he stands so very high above the destinies of the world, of men. For forty years he's been immersed in canon law, diplomacy. He's

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[46]Hochhuth 102.

[47]Hochhuth 198, 206, 208, 211, 210, 211-12, respectively.

> never been--or only for two years--and that in the last century--a priest, working with people, entrusted with the care of souls. He never condescends to say a word to one of the Swiss guards at his door. Neither in his garden nor at table can he tolerate the face of a fellow man. His gardener, remember, has strict orders always to keep his back turned to the Pope! Oh, Father--is there anything he loves except his dictionaries and the cult of the Madonna?
>
> I see the way he cleans his pen with utmost care--and, worse yet, expatiating on that ritual--and I ask myself whether--or rather I no longer ask if he was ever able to regard a single one of Hitler's victims as his brother, a being in <u>his</u> image.[48]

It is clear to the reader of Hochhuth's play that Riccardo is quite certain that Pius XII has not seen with his mind's eye, has not been "there"--to the ovens or the death camps or the train platforms during deportation or the homes of the people when they are arrested or are having their children snatched from them. Pius XII's "view" of the suffering has been blocked in some way. Further, it is evident that Riccardo's solution to Pius XII's inaction requires the Pope to do just that, to be "there," to remove whatever obstruction is causing the "oversight" (to continue the visual metaphor). Pius XII does not have to imagine being Jewish and suffering abuse personally, but he must see it happening to others in his mind. He must focus on the suffering; he must share in it in some way. If the ghastly scenes could be truly visited by Pius XII in his mind, he would be moved to respond. Riccardo is certain that Pius

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[48]Hochhuth 99 (emphasis in original).

XII would then have no choice but to do what seemed so clearly the right choice: to publicly and stridently condemn Hitler's policies. As I quoted earlier, this condemnation would entail "lift[ing] his anguished voice in one anathema to chill the blood of every last [hu]man on earth."[49]

If, Hochhuth's view implies, Pius XII had not been so distanced from the people in general and the suffering going on around him in particular, he could not have done other than speak out. Hochhuth's point is that to truly bring the victims of the Holocaust to mind is to "conceive" of the worst possible human behavior, and to truly conceive of such a thing is to be moved to respond.

Pope Pius XII lacks a depth of understanding that emphasizes that no human being should have to endure what millions did. In my view, his is a shallow grasp of the suffering because it does not emphasize the victims. Horrendous, evil deeds towards other human beings often have as their focus the causing of pain or death. At other times, it is a secondary consequence, with mere indifference the driving force, as in the planned extermination of a whole people. Hitler's ambition, as example, was the outright elimination of all Jews from Germany, among other goals, by whatever means necessary. While early in Hitler's p(r)ogram, deportation was an option, by the time the war

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[49]Hochhuth 102.

was in full swing, deportation merely referred to transportation to the death camps. Evil deeds may be done for other reasons than the causing of suffering, but evil, as I am using the word, has a central consequence, the causing of great harm to another. If one's understanding of such activities does not include a concern for suffering at its core, one is missing significant facts regarding the deed. One's depth of understanding is limited.

There may be reasons why alleviation of a person's suffering at the hand of another should not take priority, but not, in my view, in situations of evil. Scarry says it best, I think, when she explains how pain takes away one's world.[50] Alleviation of pain is hopefully a return to one's world. Pain and suffering deprives one of a significant portion, important aspects, of one's life. When it is caused by another human who could have prevented it, it becomes a matter of special importance. One has a deeper understanding of suffering if one acknowledges that, under most circumstances, attempting to alleviate the suffering, giving the person back their world, is the right thing to do. I have used examples of addiction, growing up and childbirth as examples where alleviation of pain is not always best, but these are not as a rule instances of evil.

Royce might insist that "truly bringing the victims to mind" is a matter of imagining the suffering happening to

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[50]Scarry 50.

one's future self.[51] But, it seems to me that one is almost as remote from the experience of one's future self as from one's neighbor's present experience. It is likely that if one were to picture oneself as the victim of some serious crime or unpleasantness, the reasonable person would most likely view such an event as something to be avoided. If it happened to one's neighbor, especially if that neighbor were likeable, it would probably also be something one wished could be avoided. Still, the reasonable person is likely to be more concerned for self and family than for a neighbor. Remember Floyd Cochran from Chapters I and II? Until his child was an object of hatred, it never occurred to him that the prejudices he was spouting could circle back on himself and his family.[52] That realization turned out to be motivation for rethinking 30 years of indoctrination. As I see it, he was relating the suffering of unknown others to that which could or would be experienced by those close to him. He was forced by his experience to truly bring others' suffering to his mind, and when he did he changed his actions accordingly.

Truly bringing to mind differs from simply imagining what the other is feeling. As should be clear, the depth of

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[51]Josiah Royce, "The Moral Insight," Vice and Virtue in Everyday Life, eds. Christina and Fred Sommers, eds. (1985; New York: Harcourt, 1989) 58.

[52]Hochschild 55. As I have said, I do not consider Actors to be purely such. Cochran, as example, had this particular blind spot.

understanding that I am speaking of is not just a matter of having the information. Torture is a suitable, if extreme, example of having fairly accurate knowledge of the suffering--in fact, counting on it, and making no move to alleviate it. Pope Pius XII's unwillingness to act despite reports is another. Truly bringing to mind is a matter of knowing and it is a matter of perceiving or realizing in a particular way, of being capable of understanding in a sensitive, concerned manner, what the suffering of another means to that other. It is a genuine kind of sharing of the pain.

One does not have to have a clear idea of the actual pain of each victim to discern, for example, that it is unconditionally wrong to kidnap, gang-rape and murder a person. Any reasonable person can acknowledge that to be forcibly removed from one's home, to have one's possessions confiscated, to be separated from one's children, and to be shipped off in cattle cars to an anguished death for no better reason than the fact of one's ethnic background, is maltreatment of the worst conceivable kind.
Riccardo/Hochhuth claims that "seeing these things," the gruesome details of the Holocaust, is all that should be necessary for action to be taken. "Seeing these things" can move one to respond. This was the case with those whom I described previously as having refused evil, e.g., Eriksson, Lund and Senesh (the British parachutist and saboteur).

Riccardo believed, as others did of themselves, that his mission was to awaken the Pope to the victims in the sense of truly bringing them to his mind. Once that was accomplished, Riccardo was sure Pius XII would act. It would be a simple matter of elucidating some of the poignant details and events. In the first two acts of the play, Riccardo is certain that all he has to do is gain an audience with the Pope, describe in detail the atrocities being committed, and the Pope will at once publicly denounce Hitler. Such denouncement would, in Riccardo's estimation, unite 500,000,000 Catholics, 100,000,000 who were then subjects of Hitler, to rise up and foil the attempts of the Third Reich to exterminate any more human beings. Riccardo ends up sorely disappointed. Pius XII did not consider the potential saving of millions of lives to be a persuasive argument against remaining silent. He assumedly did not have the suffering of the victim at the forefront of his moral gauge. He was not in the habit of privileging the victim; he did not believe that the millions of lives lost was the worst conceivable outcome. I pursue this further in the next section.

6. Pope Pius XII and the Sight Continuum

The sympathetic awareness continuum, it will be recalled, runs from blindness, through myopia, to acuity. With the words "does he truly bring them to his mind?"

Riccardo is asking, for my purposes, where on this continuum the Pope falls. As a Jesuit priest, one of Riccardo's dilemmas is the unfathomability of this Pope's inaction while remaining convinced that the Pope, any Pope, would never be completely blind to suffering. It is obvious to Riccardo that the Pope is not acutely aware of any suffering; if he had been, he would have acted. But for a time Riccardo expects the Pope to awaken to the need or the capacity for conceiving of the suffering in a clear and sympathetic way.

I see Hochhuth's representation of Pope Pius XII as more or less myopic on my continuum, rather than blind. He, for example, does not deny the horrors going on around him. He expresses concern. He is appalled that others might view him as unconcerned, as doing less than he might for the plight of the Jews. I have suggested that the Pope was, at least in a limited way, an Actor, as his adamant stance against Riccardo and his father indicate. But, it is also possible to view the Pope as Behavor. He claimed he was doing all that he could under the circumstances. That which was in authority over him, if such there was, could be seen as disallowing him from doing more, regardless of the wishes of those whose opposing opinions carried less weight. Pius XII's token gestures of throwing money at a few of the most urgent needs within and around Rome appears to have eased his conscience. He expected such gestures to satisfy

everyone else as well.[53] Hochhuth, while of course not present for any of the dialogue that he constructs in his play, presents the Pope as outwardly, superficially, sympathetic. He has the Pope remarking that it is "tactless of the Germans to carry off the Jews of Rome;" that "it is only natural that We will do all in the power that God has given Us to aid, as always, the unfortunates."[54] Still, the Pope considers his hands tied by the Concordat between Germany and the Vatican and by the fear of invasion by the presumably godless "East."

I suggest that this is what blurs or covers up the Pope's awareness of suffering. Earlier, I used the word "oversight." Webster's has it as "a failure to notice or consider," or "an omission or error due to carelessness."[55] It is an appropriate notion for present needs.[56] The Pope failed to emphasize the pain and suffering. He failed to consider human beings first, he neglected to consider the human factor. In my opinion, Pope Pius XII gave unreasonable weight to reasons of state. His myopic

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[53]"We have hidden hundreds of Jews in Rome. Have issued thousands of passports!" is the Pope's indignant response to the suggestion that he has not done enough. Hochhuth 200.

[54]Hochhuth 198 (emphasis in original).

[55]"Oversight," Webster's, 1983 ed.

[56]It is curious that "oversight" has an opposite meaning as well. It may be worth mentioning that the Congressional Oversight Committee is not bent on neglect, but supposedly the reverse.

sympathy was reinforced by his position of power. He stood firm on the ridiculous conviction that "[w]hoever wants to help must not provoke Hitler."[57]

The only sense that Riccardo can make of the Pope's response is that "he has [n]ever watched with his mind's eye" the suffering of the victims.[58] If one agrees with Riccardo that the Pope has not truly brought the victims to his mind, has not demonstrated sympathetic awareness, and if one agrees with Hochhuth that the Pope's speaking out would have saved hundreds of thousands of human lives, one can conclude that in this case, the Pope's lack of sympathetic awareness has increased the likelihood of the causing of harm.[59] The Pope failed to alleviate great harm, i.e., the Chief of the Roman Catholic Church allowed evil. The failure to privilege the victim in this moral dilemma

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[57]Hochhuth 200.

[58]Hochhuth 102.

[59]There is evidence to support Hochhuth's claim which he details in his historical appendix. E.g., in Rumania, "deportations had been stopped after the Nuncio there intervened." "Hitler drew back from the extermination program as soon as high German clerics . . . or the Vatican, represented by a Nuncio, forcibly intervened. Then Hitler drew back--in every, every single case." Hochhuth 328 (emphasis in original).

resulted in a great deal more suffering if Hochhuth's reports of history are accepted.[60]

a. How Manuel and Rafe Compare

It might be helpful to compare Manuel and Rafe from my Vietnam War example to what I have said about the Pope since I have labelled all three myopic on my continuum. There are similarities in both examples that confirm their position on my scale. I consider Manuel and Rafe myopic because they were resistant to the idea of the rape but let themselves be persuaded into participating. The Pope is myopic because he let "reasons of state" take precedence over the lives of millions for whom he claimed to have concern. Manuel and Rafe were not enthused with the idea of raping Phan. Pope Pius XII expressed his feelings of "ever greater compassion" for the victims of the "present conflict."[61] Neither Manuel and Rafe nor the Pope chose the best course of action despite initial hesitation or verbal expressions of concern. Did these men truly see the harm they were to cause, and then take no steps to avert it? in fact, cause a greater degree of suffering? These examples suggest that myopia requires some rudimentary expression of sympathy, but not of

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[60]I have not turned to any other sources for this example. The fictional aspects of this account do not detract, in my mind, from the insights. Indeed, I find much of value here, whether or not they are based on historical events--"the moral of the story" remains the same.

[61]Hochhuth 212.

an active nature. Manuel and Rafe were originally opposed to the idea. It appears that they brought Phan's suffering to mind momentarily, initially, but other particulars took priority over, crowded out, their concern for her pain. In my view, Manuel and Rafe did not truly bring Phan's suffering to their minds anymore than the Pope could be seen as having brought the relevant victims to his mind. As I have said, all three seem to have expressed some amount of compassion or sympathy at some point during the respective events I have described. Their sympathy was covered up or forced out of focus by other, to them, more pressing matters.

There are other scenarios possible, too, regarding the oversight of another's suffering. Through the view I have been developing, it is possible to imagine an acutely sympathetically aware person who is so much a Behavor that they can be coerced into causing suffering. Here is another ready at hand World War II example. Rudolf Höss, as commandant of Auschwitz, admitted getting physically ill at the brutality he ordered and witnessed.[62] At the same time, he gloried in his own obedience to authority.[63] Regardless of whether Höss was acutely sympathetically aware, he did express concern and even horror for his own deeds and those

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[62]Fred E. Katz, Ordinary People and Extraordinary Evil: A Report on the Beguilings of Evil (Albany, NY: State U of New York P, 1993) 65.

[63]Katz 66-67.

he forced on others. To use Arendt again, a person who has had a gun put to one's heart and been ordered to shoot one's best friend, if a Behavor, is most likely to shoot, no matter how concerned one is for that friend's existence.[64] One's ability to resist temptation, in this case the temptation is to save one's own life at the expense of another, corresponds to one's ability to think for oneself, to exhibit the capacity for independent judgments.[65] Sympathetically aware Behavors would likely shoot. Sympathetically aware Actors would be more likely not to.

Compare these examples to the scenario from Chapter I of the Serbian commander dissuaded by a rape camp victim from raping her by being reminded that he would not want that sort of thing done to his sister. Once this officer was made aware of the suffering in this way, he could no longer carry out his plans. He could not have been sympathetically aware of the woman he was about to rape and still carry through with the rape, in my view. In the case of Manuel and Rafe, any sympathetic awareness they might have exhibited was obstructed or repressed. It is unlikely that the Serbian commander could have clearly perceived of the suffering, been sympathetically aware, and not be disposed to help or cease to harm the victim under such

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[64]Arendt, Eichmann 295.

[65]I would not argue here that it is always the case that one should choose another's life over one's own.

circumstances. Unlike Manuel and Rafe or Pope Pius XII, the commander was compelled, through mention of his sister, to truly bring this captive's suffering to his mind. As long as that image stayed, it appears he was incapable of causing the harm that he had intended. There may be some question about whether his response was truly sympathetic awareness or a more physiological response to the images the woman had conjured up in his mind. What I quoted in Chapter I ended with the commander's promise that the woman would not be bothered in this way again. This suggests to me that the image of his sister produced more than a suppression of arousal; that he truly had seen the harm he was to cause, in its relation to his sister. He had become sympathetically focused on the victim.

Further consideration of Pope Pius XII and Manuel and Rafe reveals other similarities relevant to their myopia. The Pope's response to Hitler and Manuel's and Rafe's responses to Meserve appear to have parallel themes. One theme is their apparent uncomfortableness with transpiring events. This may be associated with that small degree of sympathy they experienced. When Manuel and Rafe were to take their turns in the hut, their expressions displayed reluctance, according to Eriksson's account.[66] Myopic sympathy produced a similar reaction in the Pope. Fontana,

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[66]Lang 34.

Riccardo's father, makes a plea to the Pope, after being convinced by Riccardo of the need for the Pope to speak out:

> Your Holiness, may I ask in all humility: Warn Hitler that you will compel five hundred million Catholics to make Christian protest if he goes on with these mass killings![67]

The Pope, according to stage directions, "senses that he must answer this seasoned adviser to the point. He is embarrassed and vexed."[68] Embarrassed, perhaps because he knows he does not have an answer that will satisfy the Fontanas, the Pope tries to change the subject for most of the scene between himself, Fontana and Riccardo. As Hochhuth presents it, the Pope had convinced himself that he must remain impartial, that it will not do sufficient good to nullify the Concordat. But there is something that bothers him about that conviction, he is visibly uncomfortable. Similarly, Manuel and Rafe were persuaded that it was not a good idea to go against the commander's wishes, while wishing apparently wholeheartedly that they were not involved. Manuel and Rafe had the real threats of the war, the jungle and their commander to obscure the suffering of the woman they were coerced into raping. The Pope had his position as a world religious leader and his personal belief that Germany must remain intact in order to stem threats to Christianity to block out the reality of the

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[67]Hochhuth 204 (emphasis in original).

[68]Hochhuth 204.

mass of sufferers. "Herr Hitler must not be disposed of unless the Reich survives his downfall as a buffer state between the East and West," he claimed.[69]

The evident myopia in these two scenarios is exhibited in different ways. All three were aware, but not clearly aware and not for a sufficient length of time, of the suffering they caused and/or failed to alleviate. Neither Manuel and Rafe nor the Pope saw the victim as at the center of the moral equation. None of them kept the victim and the suffering in focus, thus, in my opinion, they overlooked the most important elements. All of them caused further and greater suffering. All three remained uncomfortable with the consequences.

One of Hochhuth's most telling ironies and his play's most dramatic device occurs near the end of Act Four, when the Pope appears to capitulate to the Fontanas by dictating a proclamation, in which, in the elder Fontana's words, "not one word . . . can be construed as a reference to the Jewish problem."[70] The Pope had evidently expected the proclamation to placate both Riccardo and his father. In his agitation at the Fontanas' responses, while signing his signature to the ineffectual proclamation, the pen slips from his fingers. Ink smears his hand and "he holds it out

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[69]Hochhuth 209.

[70]Hochhuth 216.

reproachfully so that the others can see."[71] Later stage directions state that the Pope "again looks at his ink stained hand, normally so painstakingly groomed, and deeply offended, shows it to the others like a wound."[72] He expects sympathy for having soiled himself, while tens of thousands--how many at that very moment?--of Naziism's victims are being gassed and worse. This juxtaposition would be humorous if not for the gravity of the comparison. The lack of understanding or sensitivity demonstrated by the Pope brings out yet another parallel with the myopia of Casualties of War. Despite being uncomfortable with what he had been manipulated into doing, Manuel testified at trial that, even after having admitted to the rape, he still felt he had been unjustly brought to trial.[73] The Pope, via Hochhuth's dramatic device, is, I believe, exhibiting a similar lack of remorse.

b. Questions Raised

In Hochhuth's view, Riccardo's question, "does he truly bring the victims to his mind?" is asking whether the Pope is consciously aware of the monstrous offenses against

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[71]Hochhuth 217. As Dr. Karla Schultz reminded me, that stain has a rich metaphoric history, from Pontius Pilate's hand-washing to the bloodstains in MacBeth. I am also reminded of the story of Blackbeard.

[72]Hochhuth 217.

[73]Lang 99.

hundreds of thousands of human beings with something approaching the clarity of moral vision that I have been discussing. If he has envisioned the suffering in this way and done nothing, Riccardo states, then it is criminal not to take action. For Riccardo, it seems, someone who is not aware of the suffering of others deeply enough to act--while or if the potential for such awareness exists--is less criminal than a person who has the capacity for truly bringing the suffering to mind and yet fails to act. I do not intend to resolve that issue here, but it is one worth pondering. Through the better part of the first four acts of a five act play, Riccardo is depicted as believing he only had to be sufficiently persistent and the Pope would become truly aware of the atrocities before him and thus would act. This may or may not have been an impossible task. Riccardo, at any rate, exhausted his resources trying.

Is it criminal, as Riccardo's says, to have the suffering right before one's eyes and not truly see it? This seems an especially valid question if one is in close proximity to the suffering, as Meserve or Manuel and Rafe were, or if the suffering has repeatedly been brought to one's attention, as in the case of Pope Pius XII.[74]

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[74]Of course, there is a concern that one will become numb to the horrors if revisited too frequently. Consider, again, the Rodney King video. Imagine comparing one's experience of the first viewing with one's experience of the 38th time.

Riccardo believes the Pope did not truly see the pain and suffering of the Holocaust victims, even after several attempts by Riccardo, his father, the Nuncio in Berlin, and others, to force him to bring these things to his mind. It is possible that in some conscious way he was refusing to see. Distinguishing refusing to see from not seeing or being incapable of seeing in such circumstances may be impossible, but the former seems, at least preliminarily, just as "criminal" as actually seeing and failing to act. I raise the question but reserve pursuing them for a future project.

I have not discussed the possibility that some people might be incapable of sympathetic awareness and/or independent judgments. It is an implication of this study that it may be possible that the non-pathological among us in general have the potential for Moral Acuity. The Serbian commander talked out of rape is small demonstration of the awakening of such a potential. Riccardo firmly believed for four acts that the Pope could be reached. He was ultimately forced to admit that Pope Pius XII would not be moved and had to make due with the sentiment that "God shall not destroy His Church only because a Pope shrinks from His summons."[75] The matter of potential cannot easily be settled, if at all, but I will pursue some of these issues as well in Chapter VI.

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[75]Hochhuth 220.

Blindness to suffering may be, in part, as I have previously acknowledged, due to such factors as racism, sexism, the extenuating circumstances of wartime, belief in a greater good, etc. But the fact remains, Phan Thi Mao suffered and died because of Meserve's actions. That is the most significant fact in the experience that Eriksson related in Casualties of War. The Pope, in Riccardo's/Hochhuth's view, caused exorbitantly more suffering by remaining silent. That is the motivating force and the most significant detail behind Hochhuth's telling of his story.

The Pope did not act. Manuel and Rafe did rape. Whether or not the potential was there for doing otherwise, the facts speak for themselves. There is one further issue raised by my notion of sympathetic awareness that is appropriate to the current chapter. It pursues a significant difference between those who refuse evil and those who do not. The following section considers it.

7. Suspension of Self-Interest

Sympathetic awareness involves concern for the other; in my use of the notion as regards refusing evil, it involves an active concern. The Pope exhibited indifference to others. So did the members of Eriksson's patrol. It is historical fact, according to Hochhuth, that Pope Pius XII did indeed act as Riccardo charges: he never spoke to his

guards, he refused to dine with others, he required his gardener to keep his back turned.[76] The Pope, in effect, did not acknowledge that the people in his own household had feelings and personhoods, and were worthy of respect.[77] The same can be said of Eriksson's patrol regarding Phan Thi Mao. It can also be said of Meserve regarding Manuel and Rafe and Eriksson. He had little interest in the real desires or feelings of any of these people.

Philip Mercer's discussion of conative sympathy pinpoints a pivotal issue applicable to the present discussion. He writes:

> [T]here is always a sense in which my sympathetic feelings are necessarily my own feelings, at the same time it makes sense to say that through conative sympathy we are provided with some kind of awareness of another's feelings which is rather different from merely knowing that [she or] he is experiencing certain feelings. Such sympathy broadens our horizons, partially releases us from the egocentric predicament and informs us of the needs of others.[78]

My concern with attaining a particular depth of understanding through sympathetic awareness may be similar

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[76]Hochhuth esp., 351-52. Hochhuth's indignity comes through in the Epilogue to The Deputy where he discusses the historical facts of Pope Pius XII's reign:

> He was not a "criminal for reasons of state;" he was a fence-sitter, an over-ambitious careerist who, having attained his goal, wasted his time on inconsequential trifles while the tormented world . . . waited in vain for a word of spiritual leadership from him (352).

[77]Compare this mode of being to that of Pope John XXIII whom I discussed in Chapter 3.

[78]Mercer 83-84.

to the "broadening" of which Mercer speaks. It is not clear to me whether the "broaden[ing]" of one's "horizons" allows for Mercer's conative sympathy or whether the experience of conative sympathy does the broadening. Nevertheless, reaching a deeper understanding of a great harm, as I have been suggesting, may help to increase the emphasis on the victim and clarify one's options for action. That which I find especially enlightening in what Mercer says here fits neatly in with much of my discussion so far. A "partial release from the egocentric predicament" seems essential to sympathetic awareness; it seems necessary to the concerned recognition of suffering. This, I suggest, is in part why Lund, Eriksson, and the others I have mentioned, could act practically without thinking even when threatened with great personal harm. This also seems to be what the Pope is lacking as the ink stain episode demonstrates so sharply. What seems highly trivial in the midst of a conversation about the greatest evil the modern world has ever known is genuinely and thoroughly distressing to Pope Pius XII. Small personal indignity taking precedence over the massive suffering and persecution of millions is confirmation of the egocentric nature of the Pope's mode of being, his lack of release from it.

Counter to the Pope, Eriksson can be seen as experiencing a detachment from just such an "egocentric predicament" in Casualties of War. He was aware that his

life was in danger because he refused to participate in Meserve's scheme, yet, "it was impossible for [him] to have any part of what [he] knew was to take place."[79] Self-preservation did not rank higher than an aversion to increasing Phan's suffering in Eriksson's mind. He was not thinking solely or even slightly, it would seem, about his personal welfare. Not being a cause of her suffering took precedence over staying alive in the jungles of Vietnam. While Manual and Rafe, the hesitant participants, had somehow distanced themselves from Phan's cries sufficiently to carry out the deeds that were demanded of them, and while it appears that Meserve had only his own selfish desires guiding his actions, Eriksson was acutely aware of this other person's experiences and this awareness guided his actions. He had suspended self-interest in some ways.

I see a counter-argument here for what I have just said, although not a completely convincing one. It could be argued that Eriksson based his actions more directly on a personal desire not to be a rapist or a murderer than concern for another. His actions could be seen as having little to do with the fact of Phan and her suffering and that he was acting primarily from self-centered motivations. However, the reasons for not wanting to be a rapist or murderer circle back, as I see it, to the fact of suffering. Rape and murder are condemned in this society, when they are

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[79]Lang 34.

condemned, we like to think, because of the harm to the victim. The taking of a life, the violation of another's body, under particular circumstances have severe consequences because of the harm caused. The inference, at least as regards these sorts of crimes and social taboos, appears to be that there is concern for the victim. Even if one had a selfish desire not to be a rapist, it would most likely be because it is not a good thing to want to be because it harms another person. One chooses not to be a rapist, if it can be phrased that way, because of the suffering rape causes or because of what a rapist has to do. Ultimately, this does not seem to me to be solely a matter of personal desire. Deciding not to be a rapist or a murderer, or never being tempted to be, does involve concern for the other, as I see it. Concern for breaking the law or contradicting a religious tenet and the like, instead of personally desiring not to harm another, could also be reasonable arguments for avoiding such actions or behaviors. Although, here too, the taboo circles back to the relevancy of the victim. Eriksson's experience, as told to Lang, leaves little doubt that he was concerned with the well-being of Phan Thi Mao more so than his own self-image or personal well-being. A suspension of ego seems the most likely explanation for his emphasizing the victim over self.

Suspension of ego is a factor in sympathetically aware action, in my view, and in Moral Acuity in general. The

lack of this suspension can lead to the sort of dilemmas that Pope Pius XII, for instance, experienced in his stance towards Hitler's Germany. Perhaps being the Pope clouded his judgment. He was the spiritual leader of 500 million people worldwide--a responsibility not to be taken lightly. If too much emphasis is placed on position, people, the individuals, can be forgotten. His career track, as Riccardo supposes, had left him inexperienced in the practice of caring for others and of exercising his emotions. Further testimony of his permanent grip on self-interest is plentiful: the vexation he often expressed, the alleged insolence he refused to tolerate, engrossment with his position--exemplified in his establishment of precedents intended to lead to his own canonization,[80] his reaction to inconveniences such as the ink stain and the persistent questions from the Fontanas, etc. Hochhuth is insisting that this Pope was too self-engrossed to be capable of truly bringing the victims to mind.

If one displays enough sympathy towards something or someone for the object of that sympathy to take precedence over what one would otherwise be doing, one is, at least partially, replacing one's own needs with those of another. As example, a friend of mine had recently spent two months in Mexico. Arriving at the airport, she was, of course, in a hurry to get off the plane, to get to her cozy home, have

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[80]Hochhuth 348.

a beer, and reconnect with her animals. A favorite friend was waiting in the terminal to take her there. But, on the way off the plane, there was an elderly woman having a difficult time maneuvering the walkway from the plane. My friend offered an arm in assistance and it was gladly accepted, thus, delaying the attainment of some of her most important pleasures. Helping the elderly person at that moment became more important than all those things to which she had just spent a 6-hour flight looking forward. She had partially suspended self-interest at least momentarily. In these sorts of cases, and in the examples of refusing evil that I have described, one can be seen as genuinely unconcerned about one's personal well-being. Concern for another has taken precedence. One suspends concern for self because of the more immediate needs of another.

It is a common enough occurrence, I believe, that a person becomes so engrossed in a particular something that all or most other needs are ignored. It is easy to imagine an artist so engrossed in her or his prose or painting that even physical needs are neglected. Other examples come to mind as well: reading an especially good book that one can hardly bear to put down, downhill skiing in perfect powder, skillfully maneuvering a raft in Class IV rapids, valuing and being on the verge of losing the last one percent of old growth forests, captaining a ship, successful and satisfying moments in the raising of a child, performing surgery--there

are innumerable possibilities. Anything that demands basically all one's attention for some period of time is an instance of the suspension of ego. The situation or context often provides the motivation. If one encounters suffering and one's sympathetic awareness is engaged, another's suffering may demand all, or practically all, of one's attention in a similar way. Eriksson, years after the incident, was still questioning his role in the abuse and murder of Phan: whether he had done all he could have at the time, what things could have been different, "why it was that he had felt impelled to report the others."[81] As far as the last question is concerned, I suggest that his possession of Moral Acuity is the stimulus for most, if not all, of his actions surrounding the events I described in Chapter I. I need to note at this point that the foregoing does not contradict the possibility of being Morally Acute regarding self. This will come up again in Chapter V.[82]

8. Summary

In this chapter, I have tried to solidify my view of the role that emotion can play in morality. I have been specifically engaged with a concerned kind of response to suffering that I am calling sympathetic awareness. I have tried to distance this notion from that of sympathy or

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[81]Lang 17.

[82]Chapter V, pp. 239-40.

empathy generally in order to denote a more accurate or acute way of viewing suffering. With the help of the play, The Deputy, I have deliberated about that more acute view of suffering which I find echoed in the phrase "truly bringing [suffering] to mind." How one can have all the information and still not truly bring suffering to mind is a large part of what I have pondered in this chapter. One conclusion is that one often needs to have the capacity for independent judgments in order to respond to evil circumstances no matter how sympathetically aware one is.

In the next chapter, I recombine the capacity for independent judgments with sympathetic awareness in order to discuss Moral Acuity as a whole. This brings out, once again, the need for privileging the victim. It also helps to ferret out Arendt's reference to an "instinct" for morality. I believe my notion of Moral Acuity provides a handle for understanding Arendt's intent. Her "instinct" relates in large part to the phenomenon of acting "practically without thinking" with which the next chapter also will be concerned.

CHAPTER V

MORAL ACUITY

1. Introduction

In the view I have been developing, sympathetic awareness and the capacity for independent judgments, when they are exhibited together by a moral agent, manifest themselves in what I am calling Moral Acuity. This chapter is intent on fixing these two capacities inseparably in the consideration of one's refusing evil via Moral Acuity. My notion of Moral Acuity requires both the capacity for independent judgments and for sympathetic awareness for the perception of as many relevant moral elements of a given situation as possible. Throughout this project, I have been suggesting that these two components, as Moral Acuity, can be present in the person who refuses evil, and, up to this point, the relationship between Moral Acuity and refusing evil has remained somewhat ambiguous. I intend, in this chapter, to clarify that connection. I also attempt to explicate the view that some kind of clarity regarding a situation, be it perceptual or sensual or seemingly intuitive, characterizes the presence of an integration of independent judging ability and sympathetic awareness in the

moral agent, without implying any sort of core truth or universal moral certainties.

The Oxford English Dictionary attests that the word "acuity" originally referred to the sharpening of, most likely, a needle.[1] Moral Acuity, in my view, is a honed or sharpened clarity about right and wrong. This is not meant to allude to some sort of definitive divining rod inside the individual or out in the world that will point one towards the right answers. Rather, I am suggesting that Moral Acuity allows one to gather more information than might otherwise be the case, and this in turn can increase the likelihood that one will refuse evil, will do the right thing. In one sense, the capacity for independent judgment is clarity and sympathetic awareness focuses that clarity on the harm. Since some elements of a particular set of circumstances, even while varying from culture to culture, may be more morally relevant than others, to have the capacity for analyzing and critiquing those morally significant features, sorting the morally relevant features from those which are not and basing judgments on one's conscious, clear awareness of specific issues, allows for a higher probability, it seems, that one will choose the best course of action.

I spend most of this chapter elucidating the notion of Moral Acuity as a whole, analyzing it as one notion instead

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[1]"Acuity," Oxford English Dictionary, 1989 ed.

of the two I have been positing since the beginning of this project. When it is not separated into parts, Moral Acuity looks less like a process or mechanism and more like a response, something that my adverbial "practically without thinking" is meant to convey. In discussing the intact notion of Moral Acuity, practically without thinking gets a more thorough elucidation than heretofore. It may not seem at first that practically without thinking is a common sense notion, but I intend this chapter, especially Section 5, to rectify that. My emphasis is on the practically of practically without thinking and the notion is not intended as an automatic or instinctual response except insofar as it can be an almost instantaneous response exuding out of habit or practice.

Throughout most of this chapter, I concentrate on the role of Moral Acuity in the refusing of evil, on the phenomenon that some people can be moved by a situation involving great harm to such an extent that it is, as Eriksson claimed, impossible to do otherwise. For those I have used so far as representative of the Morally Acute, it was impossible for each of them not to attempt to alleviate the pain of another and/or to refuse to contribute to another's pain. They were compelled to fight against the evil in some way. The sort of clarity of moral vision that my notion of Moral Acuity is meant to demonstrate is similar to that which Hochhuth is posing via Riccardo in his play,

as I suggested in the last chapter. While I used the phrase in the previous chapter to refer chiefly to sympathetic awareness, "truly bringing the [victims] to mind" corresponds also and more completely to what I consider to be the topic of the present chapter, i.e., Moral Acuity.[2] I glean more from Hochhuth's fertile work for the present chapter, choosing this time to focus on Gerstein, a character based on, not just drawn from, an actual person.

This chapter will conclude with an extrapolation of my notion of Moral Acuity to topics outside of the realm of evil. Despite all of the foregoing, if this notion is to be in any way convincing as a characterization of the ability to refuse evil, it would be troublesome if it did not relate to morality more generally. If it were to apply strictly to evil, the suggestion would be that something specific about evil or the agent of evil prompts isolated, distinct moral responses to those acts of evil or its agents. While that possibility is not necessarily precluded by anything I have said, I do not believe that my notions of Moral Acuity and refusing evil coincide with such a suggestion. I suggest that my distinction between Behavor and Actor does not dissolve when applied to lesser kinds of immorality nor does my emphasis on privileging the victim. Compare Eichmann and Babbitt. One was involved in perpetuating evil and the other was not. They both can still be considered Behavors.

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[2]Hochhuth 101.

The capacity for independent judgments is as applicable to Eriksson as it is to Pope John XXIII. It is applicable to refusing to rape Phan Thi Mao despite threats to one's life as well as to refusing to engage in nepotism as Pope despite a poverty-stricken brother-in-law in need of a job and a long tradition of hiring relatives. If the grey areas of morality are acknowledged, if doers of evil are recognized as just as human as refusers of evil despite their deeds, and if evil is not regarded as an entity unto itself, partitioning moral responses into those which apply to evil and those which apply to all else seems at best ambiguous and arbitrary. If rape and murder and genocide and torture are not on one's daily agenda, Moral Acuity should still prove to be a valuable notion. At the same time, it does not need to be seen as the only option for responding to the evils and the moral dilemmas of the world.

I turn first in this chapter to some examples from the philosophic tradition whose work may seem to resemble what is going on here. These are thinkers who have used the language of perception in some way to demonstrate moral issues. I briefly discuss their work and then express the distinguishing features of my project.

2. Philosophers of "Vision"

Many moral philosophers have written in a variety of ways about moral perception. Amongst contemporary

philosophers, Philip Hallie is a good example. He has used the phrase "the morality of seeing" in an attempt to understand "the evil that [humans] think . . . and do."[3] This phrase--"the morality of seeing"--echoes Hochhuth's sentiments about bringing victims to mind.[4] It can be seen to correspond to a kind of perception or apprehension or intuition, it can be seen as comparable to my notion of Moral Acuity. Hannah Arendt, the least "traditional" amongst the three, also alludes to moral perception in her sideways glance at the potential in humans for a so-called "instinct for morality."[5] Josiah Royce, a not-quite-so contemporary, deserves to be included in any discussion of this type for his thoughtful consideration of what he calls "moral insight."[6] These three thinkers are all referring to something similar, it seems to me, although their emphases and their conclusions vary. Their work helps to illustrate what I do and do not intend for Moral Acuity.

Hallie quotes from a Saul Bellows novel where a character discusses what he considers "the American moral crisis." In order to escape that crisis, "the first act of

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[3]Hallie, Evil 46, 40 (ellipsis in original). Hallie borrows "moral seeing" from Saul Bellows' The Dean's December.

[4]I have already discussed various ramifications of the visual metaphor in Chapter IV.

[5]Arendt, Eichmann 295.

[6]Josiah Royce, The Religious Aspect of Philosophy 1885 (New York: Harper, 1958), esp., 131-62.

morality," says Corde, the main character in the novel, "is to disinter the reality, retrieve reality, dig it out from the trash."[7] In one way, my notion of Moral Acuity has to do with a similar kind of disinterring. It relates in that it has to do with a person's ability to see through enough of the "trash," by which I mean to include the selfish interests and the everyday baggage that one brings to any situation or finds there, in order to make the best judgment concerning a particular situation, in order to attend to the most relevant elements of a set of circumstances. This does not mean to suggest that I am claiming that there is any pure moral truth out there in the world somewhere. Still, my view of evil has been such that under particular circumstances of great harm I suggest that no reasonable person will argue that that was the right thing to do. Section 4 of Chapter II addressed this matter in more detail. Let me say here, simply that viewing a situation honestly and clearly is different from attempting to dig down to some universal core truth.

It is worth noting that the phrase "seeing through" as I used it, above, does not seem to be open to the same criticisms as the metaphor of seeing generally. Seeing through something does not illicit the same objectification or appropriation references as seeing-as-metaphor alone might. In everyday language, one gets to the heart of the

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[7]Saul Bellows, qtd. in Hallie, Evil 46.

matter when one sees through ruses or smoke screens or camouflages or disguises or deceptions. One is dealing honestly and wisely with a situation when one has dug the relevant elements "out from the trash." The morally irrelevant features could be seen as what Saul Bellow considers "trash."

In the following subsection, I point out portions of the philosophies of Hallie, Arendt and Royce which relate to the kinds of moral considerations in which I am interested. I do this in order to separate my use of Moral Acuity from what influential others have said. Arendt does not talk specifically in visual metaphor as Hallie and Royce do, but what she does say sheds light on morality, whether talked of in terms of sensory apparatus or not. Section 3 will elaborate on my departure from these views while acknowledging my indebtedness. I begin with Philip Hallie.

a. Hallie

Awareness of the victim, emphasizing the suffering of another, is a singularly vital issue. I want to say that it is the most morally relevant aspect of evil; that it is that which makes a thing evil. Hallie would agree. He says that "victims are as essential in morality as the presence or absence of sympathy inside the head of the moral agent."[8] The importance of the victim is everywhere in Hallie. Since

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[8]Hallie, Evil 44.

he views the victim as essential to morality, it stands to reason that the victim would be the main thrust of much of his work. In one article Hallie presents an argument for his claim that the absence or opposite of cruelty is "hospitality," not simple kindness. Consequently, he is suggesting that hospitality is the proper response to cruelty. Cruelty, as Hallie uses it, is similar enough to my use of evil for present purposes.[9] Hallie has studied "the kinds of awareness associated with the hurting of human beings."[10] Like Noddings, through examining various examples of harm, Hallie is forced to the conclusion that physical pain is not the only criteria for cruelty. Along with a "disparity of power," Hallie says cruelty, first and foremost, "involves the maiming of a person's dignity, the crushing of a person's self-respect."[11] That is the necessary and sufficient condition for cruelty. Thus, Hallie concludes that opposition to cruelty involves breaking down that power differential as well as demonstration of an "unsentimental, efficacious love," which can play a role in healing or restoring at least a portion of a person's self-respect.[12] The villagers of Le Chambon, for instance, exhibited hospitality to the refugees who

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[9]Substantial cruelty is, for Hallie, a type of evil.

[10]Hallie, Goodness 11.

[11]Hallie, Goodness 11.

[12]Hallie, Goodness 18.

passed through their hamlet, which, in many ways, was a healing force for the living victims of the Holocaust. Hallie has been in contact with many of those former refugees. To a person, they claim that their experience in that village, to quote one of those former children, gave them "hope for their species and more respect for themselves as human beings than most other survivors."[13]

Because the victim is at the center of his ethical analysis, in my opinion, Hallie arrives at the necessity of sharing another's pain. I see his conclusions about the village of Le Chambon, which I first mentioned in Chapter I, as demonstration that the opposition to cruelty is not complete unless it involves, not only recognition of the wrong, but a common bond of suffering, a shared sense of having been wronged, an egalitarian relationship between the victim and those who resist the cruelty, the evil. I will discuss where and how this differs from my view in a moment.

b. Arendt

Arendt's mention of "an instinct for morality" is found in her Postscript to Eichmann in Jerusalem.[14] She is not making assertions about the existence of such an instinct when she uses the phrase. And as I have repeatedly said, I do not believe she is referring to any kind of natural

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[13]Qtd. in Hallie, Goodness 19-20.

[14]Arendt, Eichmann 295.

impulse unaccompanied by thinking. She is simply suggesting, if I read her correctly, that the possibility of knowing right from wrong even if the whole of one's society is against one should not be rejected out of hand. She uses the phrase in response to criticism directed at her after publication of Eichmann in Jerusalem by intellectuals who were inclined to defend the behavior of people in a position to take action against the Nazis who failed to do so. She says:

> The argument that we cannot judge if we were not present and involved ourselves seems to convince everyone everywhere, although it seems obvious that if it were true, neither the administration of justice nor the writing of history would ever be possible.[15]

It is "as if an instinct in such matters were truly the last thing to be taken for granted in our time,"[16] by which she means that it is by far the last thing that should be taken for granted, even while it does not necessarily warrant being the first thing one should assume. The fact is that some people do not comply with even institutionalized or culturally embedded evil when it occurs. This adds a dimension to the understanding of those who do comply by showing that those who do not are demonstrating a capacity lacking or dormant in those who do: an ability to see through the "trash." Are those who comply incapable of

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[15]Arendt, Eichmann 295-96.

[16]Arendt, Eichmann 295.

seeing through cultural mandates or societal pressures or are they momentarily blind to the ramifications of compliance or are they indifferent or insensitive or is it something else? I intend to pursue questions like these in future research projects.

c. Royce

Another philosopher of vision is Josiah Royce. He writes: "[i]f he is real like thee, then is his life as bright a light, as warm a fire, to him, as thine to thee . . .[17] For Royce, if we recognize another as being as real as ourselves we will treat that person as we would ourselves. Being moral means in large part being considerate of others. Acknowledgment of the realness of the other is what Royce calls "moral insight." It is often, in his view, why one does the right thing. It seems obvious to some that other people need to be taken into consideration when making choices, because, just like you or me, those others are thinking, feeling beings with needs and desires and the built-in ability to suffer. But this is not obvious to everyone and not to anyone all the time. When we come to the realization that those around us are as real as we are, Royce believes, we choose the most "prudent" action,

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[17]Royce 158. (The poeticism would be ruined if I de-gendered the language, so this time I have left it alone.)

by "enter[ing] into the service of the whole of it."[18] Partial release from the egocentric predicament once again comes into the picture. "Entering into the service of the whole of it" means, in my reading of Royce, putting aside one's personal whims and desires, one's selfish tendencies, making oneself no more important than another.

If Royce's words are applied to situations of evil, when experiencing moral insight, the victim of evil would become a reality as vivid as one's own. In such cases, the reality and ramifications of another's suffering would be more deeply acknowledged because it would be more vividly perceived and more thoroughly shared. One would more likely be moved to respond if another is "real like thee." If Royce's aims are in any way similar to mine, one is truly bringing the victim to one's mind when one has viewed another as "real like thee." I am reminded once again of the Serbian commander who was talked out of rape by his intended victim. The "realness" of the other that Royce discusses is problematic as I discussed in Chapter IV. However, the commander did not want to rape after particular images were brought to mind. The prisoner may indeed have been, for a moment, "real like thee" for the soldier, or at least real like his sister.

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[18]Royce 161.

3. My Departure

Hallie speaks of "efficacious love." The phrase I have appropriated from Arendt is an "instinct for morality." Royce sees "moral insight" as the experience of occasionally recognizing that another is the same as one's future self. I consider my use of the notion of Moral Acuity an expansion in ways of what each of these philosophers has said about moral sensibility in general, if I can lump their views under that generality. They are all focusing on similar phenomena, in my opinion. There is much inspiration to be gotten from all three of these thinkers, but something has been excluded in each as well. Hallie speaks little of the cognitive issues. Arendt rejects emotion. Royce trusts humans to be more stable and well-balanced then will probably ever be the case.

Royce seems to ignore a factor of, perhaps, more prevalence in this day than in his (or, perhaps not), but one which brings into question the accuracy or applicability of this "moral insight" for everyone. Self-abusers, self-destructive individuals, in their various styles and patterns, stand in stark contrast to the prudent, enlightened person of whom Royce paints a picture. Acknowledging that another human is as real as oneself does not stand out, in my mind, as the key to treating them well. "Love for thy own bodily welfare" is not a given, much less

an obvious extrapolation to the world at large.[19] Abused children, the most obvious of examples, tend to grow up to be abusers of themselves and others. Co-dependents may take on another's pains in ways that are very real, and usually to the detriment of their own well-being. They too could be said to lack "love of thy own bodily welfare," since, often, they are sacrificing their own needs to those of their fellow co-dependent(s).[20] They have sympathy but not a clarity about the other's pain, and neither for their own. It seems clear from this example that acknowledging one as "real like thee" does not correlate directly to "love for [one's] own bodily welfare." There are examples that fit Royce's claim and there are those that do not. "Love for one's own bodily welfare" seems, sadly, destined to be a remote possibility for numerous people and non-existent for quite a few more, making the insight Royce proposes, as it relates to others, an impossibility for some, and unlikely, at best, for myriad others. However, as with Arendt, there is something in Royce that merits examination. For those who are Morally Acute, another's suffering may seem more important than one's own, not because one thinks little of oneself but because alleviation of suffering is imperative, has taken precedence. I see this as suggestive of seeing the other as "real like thee." I should draw attention to

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[19]Royce 160.

[20]Royce 160.

the fact that this does not by any means eliminate the possibility of viewing one's own suffering as in urgent need of alleviation and potentially applying the same significance to the need for alleviation of that suffering, if it is in one's power to do so.

Arendt's "instinct for morality" can be seen as directly related to her conjecture that "to think what we are doing" may help humans "abstain from evil."[21] But as I have tried to demonstrate in previous chapters, thinking alone does not seem adequate. As Arendt herself has said:

> [Thinking's] most dangerous aspect from the viewpoint of common sense is that what was meaningful while you were thinking dissolves the moment you want to apply it to everyday life.

And:

> Practically, thinking means that each time you are confronted with some new difficulty in life you have to make up your mind again.[22]

Without sympathetic awareness of suffering which will likely involve a suspension of ego, thinking alone, or, in my narrowed term, the capacity for independent judgments, can fall short of right action or be the basis for no action at all. Arendt dismisses emotion as too erratic, too

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[21]Let me remind the reader once again that I do not read Arendt as speaking of some sort of inherent automatic response, but as suggesting that, for instance, even if one's whole community or society has gone morally haywire that it is not impossible to imagine someone being able to recognize that fact and still have an appropriate sense of right and wrong.

[22]Arendt, Mind 176, 177.

irrational.[23] I view sympathetic awareness in conjunction with independent judgment as potentially more of a moral gauge or barometer, in part because it is not as fleeting as thinking, and in part because even if you are aware of the harm you are causing, without concern about suffering there may not be sufficient reason to stop. When one gets angry or becomes sad, it often takes some time to return to a non-agitated state. This in itself could be a guard against the fleetingness of thinking. I am not claiming that emotion is always a moral guide or that, in isolation, it can direct one's moral judgment. Still, it is the case that emotional ups and downs are powerful forces in people's lives, in some more than others, whether or not they relate to current moral issues. And, I am suggesting that at times emotions are useful as checks and balances on our decisions and actions. Rudolph Höss admitted getting physically ill early in his career as commandant of Auschwitz. His body was reacting to the suffering and horrors of the camp because he was otherwise blocking his horror of ultimate evil. He intellectualized and compartmentalized the need to continue doing his job, his duty. He refused to listen to his emotion or any kind of moral perception he may have possessed, and, thus, could play an integral role in the greatest tragedy of the 20th Century.

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[23]See, e.g., Arendt, Mind 40.

Hallie has the opposite approach from Arendt as concerns the present topic. He sees love, hospitality, sensitivity to the victim, as the essence of morality. His example of the village of Le Chambon emphasizes the open arms and sympathetic understanding of the villagers. While the goodness and caring of the populace is not to be denied, I suggested in Chapter I that without the driving principled force of Andre Trocmé as sympathetically aware Actor, there would not have been the same story to tell. The sympathetic response to suffering must be tempered with a thought-fullness. All three of the thinkers I have mentioned in this chapter have focused on important ingredients in moral thought and action. I believe my notion of Moral Acuity both narrows and broadens what is discussed in the works I have mentioned. It narrows by attempting to hone a small portion of the language used to talk about moral issues, and it broadens by emphasizing particular, often-ignored, elements of morality, without discarding the rest. The victim and his or her suffering is one of those important elements. The capacity for independent judgment is another. The following example illustrates portions of this picture left out by the three thinkers I have been discussing.

a. Kurt Gerstein, Obersturmführer SS

Gerstein is the SS officer from whom Riccardo first obtains detailed information of the death camps in The

Deputy. He is based on an actual person whom Hochhuth declares "undertook perhaps the most extraordinary mission" of World War II.[24] Gerstein, like Riccardo, is an exceptional example of the Morally Acute. He too is trying to reach the Pope by any means possible while attempting to maintain his cover as the quintessential SS man. Gerstein truly brought the victims to his mind. He took the enormous risk of joining the SS with the specific goal in mind of being an informant and a hindrance to Nazi bureaucracy and atrocities. He suffered the additional burden of getting nowhere with the information he attempted to relay to others. To add a bit more light to the brief mention I can afford of this astounding human, let me quote from the letter of a friend of Gerstein's found in Hochhuth's postscript.

> [V]iewed by the standards of the average [hu]man, [Gerstein] must seem absolutely incredible. The uncanny mastery with which he camouflaged his inward Christian being by an outward demeanor of the perfect SS man, with the sole aim of giving succor to others, made a mockery of all ordinary standards. I could adduce many examples of his skill in masking his real intentions . . .
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> He came to me at times for spiritual guidance, and from the talks we had I never had any doubts whatever of the constancy of purpose in the depths of his being.[25]

What sets Gerstein's determination apart from the determination of a Hitler or Pope Pius XII as described in

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[24]Hochhuth 24.

[25]Hochhuth 291 (ellipsis mine).

Chapter IV, or a Meserve, the commander in Casualties of War, has to do with Moral Acuity as I am employing the notion. He is just as determined and motivated, if not more, to hold to his convictions and decisions as the Pope for example. But, Gerstein saw with clarity, he was sympathetically and independently aware even before the death camps became a reality, that Hitler's plans for Germany would lead down a terrible path. He was evidently extremely perceptive and he was driven to such an extent that he put himself in real, persistent danger in exchange, one could say ironically, for peace of mind. He was about as close as one can imagine getting to being in possession of an "instinct for morality."

The catalyst for his enlistment in the SS was the death of a relative, according to Hochhuth's postscript.[26] This relative had been institutionalized in a mental hospital and was put to death by state mandate and gas in 1937. Gerstein made his decision at her funeral to enter the ranks of the SS, according to a close friend who confirms that "the immediate cause for this decision" was the death of Fräulein Bertha Ebeling.[27] From this circumstantial evidence, I am willing to posit that emotion was a factor in his decision. If it had not been, he would not likely have made his decision at that particular time. He was responding to the

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[26]Hochhuth 290.

[27]Hochhuth 290.

unnecessary death of someone close to him. Lack of mental health was, in his mind, insufficient reason for execution. Perhaps the then-apparently potential slippery slope of Nazism frightened him. At least it worried him enough to respond. If he had been an Actor without sympathetic awareness, death would not likely have influenced him to take such drastic steps. Without the capacity as Actor, he would never have been able to carry out his charade convincingly, day in and day out for nearly 9 years. If he had not been sympathetically aware of, first, the potential and, then, the actual suffering descending upon innocent human beings, he would not have gone to such lengths to do something about it.

Gerstein's example, as presented by Hochhuth, would not fit Hallie's picture of hospitality, nor Arendt's view of emotion as irrelevant, nor Royce's presumption of love of one's own bodily welfare. To practice Moral Acuity, one must have an accuracy or perspicuity in the perception of circumstances, an element left unaddressed by the three views I have discussed. One must have an appropriate blend of knowledge of one's own needs and the needs of the other, as unbiased a view as possible of the circumstances, the self-confidence to stand firm regarding one's convictions and actions regardless of consequences, and all this, often, "practically without thinking." Imagine Gerstein as the prototype. I should point out that what I mean be

"knowledge of one's own needs" is compatible with my previous suggestion that Moral Acuity, sympathetic awareness especially, depends upon a partial suspension of egocentrism.[28] Eriksson, for instance, had knowledge of his personal needs. He knew he would not, could not, rape and murder even if it meant his own death.[29] His needs centered on refusing evil rather than staying alive.

4. The Imprecision of Acuity

I have been reminded from time to time in the course of this project, of Merleau-Ponty's work, especially The Phenomenology of Perception, when trying to elucidate this notion of Moral Acuity.[30] What I want to call a kind of clarity of understanding is, of course, problematic to some extent, especially when viewed in the context of Merleau-Ponty's work. He premises much of his work on the view that all perception is ambiguous at its core. A person's interpretation of any one, or better, group of his or her perceptions undergoes incessant reinterpretation as new data continually comes in. Past perceptions are redefined on an on-going basis as the reinterpretation process is variously

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[28]Chapter IV, pp. 216-23.

[29]Of course, murder in this sense refers to the taking of a life outside of the demands of his duty as a soldier. That is, he would, in combat, be willing to kill the enemy.

[30]Maurice Merleau-Ponty, The Phenomenology of Perception, trans. Colin Smith, (London: Routledge, 1962).

affected by new perceptions. In light of this and related views the obvious conclusion is that: we never indisputably know things.

> . . . I shall never manage to seize the present through which I live with apodeictic certainty, and since the lived is thus never entirely comprehensible, what I understand never quite tallies with my living experience, . . .[31]

I suggest that this position can be accepted in general, and that I can still have something pertinent to say about Moral Acuity. "What is proper to expression is to never be more than approximate," is one way Merleau-Ponty manages this perspective.[32] My use of clarity, acuity, clear perception, etc., for describing one's attuned moral sense is, as well, only approximate. In searching for ways of using language that get close to the view I want to develop, I am accepting that this is not the only way to express, to conceive of, what I am putting forth. Somewhere between "an instinct for morality" in a strict naturalistic sense and an ambiguity of perception that demands valuelessness, I believe there is a place for Moral Acuity.

The Serbian soldiers I mentioned briefly in Chapter I, who refused to rape and thus were killed, acted, one can safely assume, from some clarity of understanding of what

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[31]Merleau-Ponty, Phenom. 347.

[32]Maurice Merleau-Ponty, "Man and Adversity," Signs, trans. Richard C. McCleary (Chicago: Northwestern UP, 1964) 233.

they were being asked or ordered to do.[33] It also seems likely considering the eye witness accounts that they acted practically without thinking. They were moved by the circumstances not to rape; otherwise, it is harder to imagine them not being persuaded to participate.[34] It seems doubtful that they would have given up their lives if they did not believe rape was wrong in some way. It seems likely that they had convictions of some kind, contrary to the other soldiers; conceivably, they were Morally Acute and that cost them their lives. In the same way, Gerstein--the SS officer in Hochhuth's play--in real life, was aware he would be sent to a concentration camp and/or be put to death if and when he was caught or even merely suspected of dispensing information about the Holocaust. Gerstein joined the SS specifically to be an impediment to Hitler's plans and he acted wisely and cautiously and persistently. His actions probably became habitual. After so many years of living a lie and covering up his "traitorous" words and deeds, as well as the time spent being directly exposed to the hatred and the horrors of which his fellow humans were

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[33]Stiglmayer 120.

[34]I can think of one or two reasons for refusal other than ethical ones, such as impotence or disease or, perhaps, the culturally inadequate size of one's genitalia. However, it was obvious to the eye witnesses that "they didn't want to go along." They did not offer excuses for their unwillingness to rape, or try to talk their way out of their dilemma, which appears to me to argue for a moral stance rather than any questionable masculinity issue. Stiglmayer 120.

capable, he still had convictions backing up his habits and actions which were uncommonly well thought-out and impermeable. He acted whenever he saw the opportunity and, jaded as he was especially toward religious institutions in their commitment to aid those less fortunate, he kept doggedly at it--practically without thinking.

Having suggested that I still have something to say about Moral Acuity regardless of the ambiguity of our perceptions, let me acknowledge a caveat. Humans make mistakes every day in their interpretations of perception. One sees someone from behind whom he or she is positive is Linda from the bank. One does not question her or his assumption on this point and proceeds directly to a "Hello. How are you?" only to find out it is definitely not Linda. One mistakes a bird for a bat in the night sky. One hears a car pull up outside that is most definitely Ruth Ann's Pinto. One goes to the window only to find it is not. There is no question that that small object in the distance is a person until one gets closer and must acknowledge that it is a tree.

Mistakes can be mistakes about moral issues as well. One can mistake a moral issue for one that is not. For instance, one is certain that the next door neighbor is abusing his spouse, and calls the police to report domestic violence. One finds out later that it was the TV with the volume on too loud. One's cat or dog gets sick for

seemingly no reason and one is positive that the one's current lover's ex-partner is to blame because particular pieces of evidence point in her or his direction, only to find out later that the animal caught a bug from the pet down the street. One could come up with other examples as well. Even the Morally Acute person could make mistakes similar to these, although I am willing to claim that thought-fully going about in the world would minimize the likelihood of such mistakes. Taking the time to confirm suspicions, being practiced as a good judge of character, being cautious about jumping to conclusions, any number of other ways of being reflective and careful in one's daily life, will guard against mistaken judgments. Moral Acuity is open to misjudgments, but, I suggest, the Morally Acute person is going to be more alert to the prospect of errors. At the same time, there are particular circumstances where there can be no mistake. Eriksson was present for one such situation. For Eriksson, there was no ambivalence or hesitation about the question of right and wrong up on Hill 192.

It is also possible to make mistakes within a moral issue. Although, here too, I suggest, being Morally Acute decreases the likelihood of that happening. Examples such as identifying the wrong person as one's attacker in a police line-up, sending an innocent person to jail; accusing the wrong office worker of stealing because previous

behavior has led one to make a judgment about that person; attempting to stop a neighborhood brawl only to show up at the right place at the wrong time or the wrong place at the right time, etc., because one misremembered the details, all demonstrate that moral mistakes can be loaded with good intentions. In the film Dangerous Minds, the Michelle Pfieffer character convinces a potentially good but presently bad young man to approach the principal of the school where she teaches about an enormous problem that he has.[35] Pfieffer's character believes the principal will do the right thing. Because of the principal's actions, the young man ends up dying at the hands of some gang members. Sending this boy to the principal can be viewed as a mistake. She should have known that the principal was not receptive to this young man or his potential problems. In other circumstances, what to do can be even more ambiguous then this example and similar mistakes might also be viewed as the best choice considering the amount of information one has. But, as I said above, the more Morally Acute, the less blundering one tends to be.

Mistakes of perception are distinct and separable from what I want to call the "blind spots" of the Morally Acute, the institutionalized and thus obscured harms with which every culture must wrestle. This is demonstrated by

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[35]Dangerous Minds, dir. John N. Smith, Hollywood Pictures, 1995.

Aristotle and Kant, moral giants who were blinded by culture to the evils of slavery and racism and sexism and classism. An Ethiopian father or mother who is Morally Acute in many other ways may still be eager to have his or her young daughter go through the pain, humiliation and lifelong trauma of female genital mutilation because the culture has blinded them to the suffering. It is a practice so ingrained in many societies that the physical or psychical pain is repressed, ignored or dismissed. Once again, I am not arguing for any core pure universals here, except for one small, incontrovertible fact of life: pain hurts. The severity of the pain is directly proportional to one's quality of life; the more severe the pain, the less participatory one can be. As Scarry says, it can take away one's world.

This too can be an issue of culture, however. Some religions throughout history have glorified suffering. Particular cultures downplay various kinds of pain. One should not always work to alleviate suffering as I have pointed out before. Further complications arise when the victim does not believe harm has occurred. Again the case of female genital mutilation is example. Women, irrevocably maimed themselves, believe the practice should continue. Members of the culture where it is a prevalent practice believe it is a good thing, the right thing to do. Mimi Ramsey, whom I brought up in Chapter III, was brought to

awareness of what had been done to her through the reaction of her doctor.[36] This doctor was shocked. His reaction to her condition made her rethink what had been done to her, consider it in a different light. Prior to that doctor visit, it was a complete blind spot, she never explored the implications of her mutilation, never considered that it could have been otherwise. Moral Acuity has its limitations as a concept and a practice. Morally Acute human beings can make mistakes. One can think one is doing the exactly right thing only to accumulate more information and change one's mind. It is my suggestion that if one is a sympathetically aware Actor, i.e., Morally Acute, one is more likely to be open to that new information. If one has in general practiced that kind of thought-fullness, one may, in instances such as the one in which Eriksson found himself, be able to reach a conclusion without much analysis, regardless of cultural barriers. The next section discusses this phenomenon.

5. Practically Without Thinking

I spend this section sorting through some of the issues raised by a notion like practically without thinking. Two points connected to this topic are helpful to keep in mind in this section and throughout this project. First, while I recognize some awkwardness associated with this phrase, I

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[36]Jensen 51.

mean to stress the practically of practically without thinking. This phrase should not suggest a thoughtlessness or non-reflectiveness. It implies that although it appears to have happened without any thought, that is not the case. "Practically everyone went to the conference" means that not everyone did. "I practically lost the game" means that I did not, although it might have looked like that would be the case for a while. "Practically without thinking" indicates, for my purposes, that it is not necessary to ponder or analyze the circumstances in question for any length of time since one is more or less compelled to action by those circumstances. One acts with confidence and an apparently unhesitant responsiveness. A person who is an accomplished driver, for instance, who begins to skid on glare ice while braking, will immediately let up on her or his brakes, practically without thinking. Pumping one's brakes instead of "laying on them" is not an intuitive or necessarily common sense response for those unfamiliar with winter driving conditions or inexperienced behind the wheel in general. One could say that the seasoned driver has brake-pumping in her or his driving repertoire. One practically automatically knows what is best to do in that situation. The circumstances move one to respond, practically without thinking. This is more or less analogous to what I mean by refusing evil practically without thinking, to being Morally Acute as Eriksson was.

One's previous experiences, one's perceptiveness and thought-fullness, have primed one to respond appropriately when the circumstances demand it. Thought-fullness and an accumulation of related experiences regarding driving on ice or responding to suffering occurred in the past and so it is not especially necessary to think through one's option at the present time. Thinking is involved, but not necessarily at the time of one's response and not obviously so.

I am suggesting that previous efforts to sort out moral issues have readied one, but that the circumstances themselves have moved one to, for instance, refuse evil. Situations of evil often call for immediate responses from those sympathetically attuned to suffering and capable of independent judgments. From what we know of Gerstein, for instance, who disappeared while in a Paris prison some time during the last months of 1944, he never wavered from his chosen task. His reflectiveness, his moral sense, did not require perpetual re-evaluation. Toward his main goal, he was brilliant and resolute. He was filled with "passionate determination," according to one close friend.[37] He went about in the world of the SS practically by instinct. But that so-called intuition was facilitated by principled courage.

The second point I want to make about the notion of acting practically without thinking is that Moral Acuity

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[37]Hochhuth 290.

need not always be demonstrated in such a manner. The next section deals directly with circumstances affecting one's potential for Moral Acuity. At this point, I wish to emphasize that struggling with one's options before choosing the best course of action, could still be considered a matter of Moral Acuity, as my example of Floyd Cochran, the former white supremacist, illustrated. If one has no previous experience with the moral issues raised in a particular set of circumstances, one may have to do a substantial bit of sorting and analyzing before arriving at the best decision. One might need to spend some time collecting information before being capable of making an informed choice. Cochran viewed each day as a struggle because his old habits of hatred ran so deep. In such instances, one is fighting against his or her emotional responses, using them as warning signs, instead of listening to them and acting in accordance with them. At other times, those times when one acts practically without thinking, one's emotions are in sync with one's Morally Acute needs. Cochran is still using emotion to help sort out the issues, but those emotions are more likely landmarks for added attentiveness and carefulness, rather than the obvious routes to take. His sympathetic awareness of suffering must be forced through a 30-year-old mound of "trash," to use Saul Bellows's word.

If one perceives an evil set of circumstances accurately, with as much information and as little personal baggage as possible, it seems to me, one does two related things. One privileges the victim and one gives precedence to alleviation of suffering. In the refusal of evil specifically, the clearer the view of the circumstances, the more likely emphasis will be placed on the victim in the eyes or mind of the refuser. For the Morally Acute, the circumstances become <u>about</u> the victim. Her or his suffering is the crux, the central subject and the substance of the circumstances. Thus, if one responds in an acute way, it is the victim to which one is responding. The more accurately and thoroughly one perceives a situation, the more compelled or disposed one is likely to be to take the best or most appropriate action, if by "more accurately" can be understood the acute perceptiveness which has been one of the focuses of this project. If one sees the suffering as the worst particular in a given scenario and gives it precedence over all else, it seems likely that one will be moved to alleviate that suffering. The clearer the perception of that situation, the clearer one's view of the suffering will be, and, thus, I want to suggest the more important it will seem to alleviate that suffering. There may have been many who viewed the suffering and deaths of millions of Jews as the worst part of the Hitler regime, but if they were not willing to give it precedence over the

desire for a "purified" nation, a strong economy, an complacent and uncomplicated life, a victory in war, duty, etc., they would not be in a position to be compelled to act against the atrocities that were committed.

An example of being disturbed by suffering but not giving it precedence comes from Peter Weiss's The Investigation.[38] In the section of the play entitled "The Song of S.S. Corporal Stark," evidence is given by the 8th Witness of Stark's obviously disturbed state when he had performed some particular evil. As Weiss says in a Note introducing the play, the whole of the proceedings, the actual confrontations of witnesses and accused, the addresses by the prosecution and the defense, all were "overcharged with emotion."[39]

8th Witness: We knew exactly how Stark would behave
when he came back from a killing
Everything in the room
had to be in order and absolutely clean
and we had to chase the flies out
with handkerchiefs
If he spotted a fly
he would go into a rage
Even before he took off his cap
he would wash his hands in a basin
his flunkey always had ready for him
on a stool next to the door
When he had washed his hands

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[38]I very much appreciate Dr. Karla Schultz calling this work to my attention.

[39]Peter Weiss, The Investigation, trans. Jon Swan and Ulu Grosbard (New York: Atheneum, 1966) n. pag. (emphasis mine). Weiss uses no punctuation in his play, presumably because any attempt to mark mood and clarify meaning would be inadequate. All dialogue comes from transcripts of the Nuremburg trials.

he pointed at the dirty water
and the flunkey had to run out
for more
Then he handed us his jacket to be
cleaned
and washed his hands and face again[40]

One can assume from this speech that it upset Stark greatly to carry out particular tasks assigned to him or those which he considered his duty. Listen to his explanation of how he was capable of such conduct.

Accused #12: Your Honor
I would like to explain that
Every third word we heard
even back in grammar school
was about
how they
were to blame for everything
and how they
ought to be weeded out
It was hammered into us
that this would only be for the good
of our people
In leadership school
we were taught above all
to accept everything
without question
If anybody did raise a question
they were told
What is being done
is done strictly according to the law
It's no use saying
the laws are different now
We were told
You've got to study
You've got to have an education
It's more important than food
Your Honor
we weren't supposed to think for
ourselves
There were others around
to do our thinking for us
(Assenting laughter from the [other]
Accused)

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[40]Weiss 145.

Stark did not give precedence to the vast suffering of the human beings around him. "[T]he good of our people," which obviously excluded large numbers of them, was more important. He claims he killed because specific prisoners posed a "threat to camp security." He performed every task because "it was an order It was my duty as a soldier."[41] He may have been extremely disturbed by what was going on around him, but he gave precedence to doing his duty rather than to those who were suffering. He did not listen to his emotional responses and he did not think for himself, as he admits blatantly.

6. Moral Acuity and Circumstance

I want at this point to visit the phenomenon of being awakened morally by circumstance. It is my view that those who display tendencies reflected in my notion of Behavor, those who are less likely to think independently and/or those who do not exhibit the propensity for privileging the victim can be awakened by circumstance to the necessity of such responses. The next two subsections discuss examples of such awakenings. The first is an example of circumstance motivating someone to become sympathetically aware and the other is of a person obliged by circumstance to become possessed of the capacity for independent judgments. The significance of these examples includes the acknowledgement

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[41]Weiss 150, 151.

that Behavors can become Actors and also that Actors without awareness of suffering can be moved by circumstance to such awareness. Moral Acuity can be awakened. Even Babbitt considers his wife's feelings from time to time. Even Eichmann intervened on two occasions to grant Jews requests for emigration; once for a shirt-tail relative and once for a Viennese Jewish couple who were friends of the same relative.[42] These isolated instances did not significantly alter their going about in the world, but they demonstrate, in my mind, rudimentary sensitivity, and, thus, a potential of sorts for future cultivation.

Humans have the capacity for both the rational and the emotional. My view includes the proposition that there is something of each in an individual's morality or potential morality. What I mean by that is that if a person is in general moral, and if that morality is not a Behavor-istic kind of rule-following or some sort of impulse attached only to emotion, one's moral decision-making is likely to carry elements of both an autonomous cognition and an informed emotion. When both are engaged clearly and thoughtfully and simultaneously, one's chances for causing harm, in my view, are considerably lessened. I want to use the following two examples to illustrate that 1) one can imagine the potential

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[42]Arendt, Eichmann 30. It is worth noticing in both these instances that it is within the inner circle of family that gestures of caring or sympathy seem most likely. Noddings's notion of "natural caring" involves this observation. Caring, e.g., 43, 82-83.

for Moral Acuity existing in most humans, even if it lies dormant and even if they make moral decisions in different ways; and, 2) Moral Acuity can be awakened or activated in some cases by specific circumstances rather than by the reflection and training which I have been proposing, as my seasoned winter driver example suggested. Obviously, there are other ways of acting and reacting morally in this world. Being Morally Acute is the one I have found most engaging thus far.

a. John Gregory Bourke[43]

Bourke lived from 1846 to 1896. As a career soldier during the time of the Indian wars, his early military life was an embracement of the same racist state of mind that most soldiers and frontierspeople of that time maintained. Those opinions changed over time, however, and he eventually became an advocate for Native American rights which led, not surprisingly, to the decline of his military career, even while it guaranteed his place in history as an early ethnologist, folklorist and defender of human rights. His early environment, grounded by middle class, educated, devout parents, it can be assumed, helped prepare him for his later leadership roles. Bourke became a well-qualified

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[43]Bourke is pronounced "Berk," according to his biographer. Joseph C. Porter, Paper Medicine Man: John Gregory Bourke and His American West (Norman, OK: U of Oklahoma P, 1986). Thanks go again to Miles O'Donavan for bringing this work to my attention.

soldier, a leader and a confident strategist. Because of these qualities and others, he can be seen as demonstrating the tendencies of an Actor, although initially, as regards his relationship to Native Americans, he was void of sympathetic awareness, and thus not Morally Acute. His earliest dealings with the indigenous peoples of North and Central America echoed the prevalent views of his day which viewed Indians as less human than the new immigrants, i.e., as savages, who were believed, as history brazenly attests, to require taming or suppression or annihilation. Although I said he demonstrated the tendencies of an Actor, his independence of judgment, to some extent, can be seen as culturally suppressed. He was not initially capable of transcending the cultural barriers of stereotyping and dehumanization that can result from perceived racial differences and rejection or fear of the unknown encouraged by one's culture. As an example of his awakening to the need for privileging the victim, consider the following: Bourke had been given the scalp and ears of a dead warrior as a gift. The gifts must have pleased him greatly at the time because he displayed the ears prominently in a frame and used the scalp as a lamp mat. His eventual change of heart, which, in my view, is illustrative of the awakening of Moral Acuity, came during a visit from a friend. As his biographer puts it: "[w]hen a friend saw the 'ghastly trophies' and nearly fainted, Bourke realized at once 'how

brutal and inhuman I had been and ordered them buried.'"[44] If Bourke had not had the potential to see his "trophies" through someone else's eyes, to see another's point of view as I discussed in Chapter III, Section 4, he may have gone on indefinitely proudly displaying these souvenirs of oppression. He may never have truly brought the victim to his mind if his friend's reaction had not broken through years of prejudice. This specific instance was an important occurrence on his journey towards sensitivity to victims and awareness of suffering. As an Actor, although not an inviolate one, Bourke was capable of thinking things through and of coming to new thoughtful conclusions. With his friend's horror as new information, he was able to sort through the valid criticisms of his old beliefs, as well as begin to acknowledge suffering as an important moral gauge for action. The experience I have just described moved him to act. His sensitivity at least towards the plight of Native Americans increased significantly on that day. Bourke's friend was reacting to the suffering of the victim, and, perhaps, to Bourke's own insensitivity and moral blindness as well. The horror of the friend alerted Bourke to the suffering of the victim, and therefore, to his own callousness. His potential for Moral Acuity was awakened. His capacity for independent judgments propelled his rethinking on the immense issues surrounding the lives of

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[44]Porter 11.

indigenous peoples, but only after the specific instance that I have described awakened his ability to recognize Native Americans as the victims in the genocide in which he took part. His fight for their fair treatment began soon after this incident.

Whether or not Bourke could be said to possess actualized Moral Acuity from that day forward in all realms of his life is not a claim that needs to be made in order for this set of circumstances to be relevant to my thesis generally. It does not invalidate my view to suggest that in this instance his Moral Acuity was awakened, but in others, say, his treatment of women or lower-ranking soldiers, he may have bee morally obtuse.[45] I see no way to ever be certain that one's Moral Acuity has provided a clear and accurate picture in every way in every context of all of which humans are capable. I have suggested before that such attempted vigilance could well be incapacitating.

Kant's time and culture prevented particular sensitivities or awareness for the vast majority of the society of which he was a part. He did not believe that his own sisters should learn to read and write. He believed in the intellectual and cultural inferiority of other races.[46]

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[45]By "morally obtuse" I mean the opposite of morally acute, i.e., insensitive and dull, lacking acuity.

[46]Immanuel Kant, Observations on the Feeling of the Beautiful and Sublime, trans. John Goldthwait (Berkeley: U of California P, 1960), e.g., 76-77.

He rejected sympathy, and the emotions generally, as a valid tool of morality. Suppose a century or two from now, humans acquire new knowledge about the ability of plants and trees to suffer or of the earth itself to communicate with us about how badly we have treated it. Brand new moral issues would evolve with the acquiring of new information or new interpretations of everyday views. That generation would look back at us, most likely, as sadly insensitive.

Still, I suggest that a person who has an actualized, practiced, capacity for independent judgments, may more readily become aware of the need to be sympathetic towards suffering than a Behavor would, whether or not one's culture has erected barriers to awareness. I consider the Bourke example to be a case in point. When situations like the one he experienced arise, one must be capable of interpreting and analyzing the circumstances or be open to acquiring the skills necessary for such scrutiny. A Behavor would more likely adhere to the behaviors of the past, the actions of her or his neighbor or community. A Behavor would be more likely to have ready justifications for such behaviors instead of attempting to analyze or criticize them. My notion of Actor involves exercise of a kind of talent for thinking for oneself, of taking in new information, sorting it out, and reaching a conclusion about it. It is a possibility, although not one that will be pursued to a final conclusion here, that people who most regularly

exhibit the tendencies I have described as those of an Actor may more readily awaken to the need for considering another's pain, especially if presented with information conducive to that kind of consideration. The Bourke example supports this idea. Racism and culturally embedded stereotypes and ways of going about in the world can be exhibited even by a person with Moral Acuity, whose capacity for independent thinking is pronounced. No one can be entirely certain that they have ascertained all the potential harm in a given situation and made the absolutely best decision. Such certainty is not required for Moral Acuity to be a valuable asset to one's moral speculations. I can envision that an actual person who was prone to exhibiting the tendencies of an Actor would more likely recognize the harm being caused to another and would more likely be willing to change her or his ways or beliefs in the direction of a greater sympathetic awareness of suffering, if a situation arose which moved one to truly bring suffering to mind. I base this suggestion on the acknowledgment that this person would already have a practiced ability to think things through. I suggest that sympathetic awareness is an acquirable ability. Concern for others, desire to alleviate pain, etc., may have some rational roots. Peter Singer and others have suggested

arguments for such propositions.[47] Whether or not these particular arguments hold up does not negate the potential validity of similar assertions. I cannot pursue these implications here, but it seems to me that if it is teachable and understandable, those with the capacity for independent judgments will more readily acquire it when new information turns up regarding its value.

By extrapolation, and perhaps to be redundant, it would seem less likely that humans who exhibit the tendencies of a Behavor are as capable as Actors of being awakened to the need to think things through for themselves or of recognizing the benefits of not harming others. But, without committing myself to a discussion of probabilities, my view includes the possibility that Behavors also are capable of awakening their potential for Moral Acuity. The following example will, I hope, encourage agreement on this point.

b. A Woman on the Verge . . .

I would venture that what I am about to describe is not an isolated incident. I have no doubt that other women have had similar experiences, particularly those coming of age in the 1960s and '70s. This particular story comes from a woman I know personally. I did not meet her until after she

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[47]See, e.g., Peter Singer, "Animal Liberation," The Moral Life, eds. Steven Luper-Foy and Curtis Brown (Orlando, FL: Holt, 1992) 548-56.

was divorced, but from her own description the following was indeed the case. She graduated from high school in the late 1960s and stepped immediately into a marriage to her high school boyfriend. Her role in this marriage was to take care of the house and her husband's domestic and emotional needs. He supported her financially, as was the norm. Shortly after the marriage, she became pregnant. As far as she remembers, everything she did regarding her marriage, her household chores, her pregnancy, etc., was according to the rules for her gender in her particular segment of society, written and unwritten. She worked hard at being a good wife and mother. She kept a spotless house and a tidy, well-behaved child. She was obedient and loving to her husband. It did not occur to her to question the way things were. She had no alternative examples in front of her. She did not envision or did not allow herself to imagine any other choices nor did she hold any expectations for herself other than the ones handed down to her by her society, family and husband. At this time in her life, she could be

characterized as a Behavor, and self-admittedly so.[48] As time went on, she became more and more discontented, unhappy with her life and appalled at her discontentment. It was a long time before she could comprehend the relation between those two, her life and her discontent. She was behaving according to rules and role expectations to which she was not entirely suited. The dissonance in her life precipitated a mental and emotional collapse and she was eventually institutionalized.

While hospitalized, she was forced by circumstance to analyze herself and her lifestyle in order to sort out the reasons for her collapse and to begin the healing process. Bent on release, she ultimately came to the painful conclusion that she was not of the right stuff for the life she had been leading. She had been attempting to force herself into a mold which was too limiting or constricting or at least not in tune with her many talents. During her

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[48]In all fairness, there is a difference between coming of age in the 1970s, and coming of age, say, in the 1920s or '30s. For the label of Behavor to apply in cases like this one, there must be other potentially good choices present. If one's only choice other than marriage and family is prostitution or starvation it might be seen as Morally Acute to choose marriage. Further, one's choice to be a homemaker does not necessarily make one a Behavor, especially if education and other opportunities are not available or available only for the most undeniable genius. If one's greatest talents and skills center around caretaking and mothering, making the choice to do just that does not make one a Behavor. It is when one's choices are not made by oneself or when one fails to scrutinize the issues, to weigh the options generally, that one is more likely to fit my notion of Behavor.

hospital stay, she was introduced and became open to feminist ideas and alternative viewpoints which she began analyzing for her own responses. She read ravenously. She became capable of forming her own opinions, of sorting out good arguments from flawed ones. Through a slow, disturbing exploration of her own potentialities, she became capable of independent judgments.[49] The woman I have been describing is now a full professor of sociology at a prestigious midwestern university, is politically active to a fault and is one of the most introspective and principled people I know. She qualifies fully as an Actor in my view, and as Morally Acute as well. She had always been capable of sympathetic awareness. Preparation for and the carrying out of her role as wife and mother insured, at least in this case, that she would have ingrained within her the nurturing skills and perceptiveness to others' pain that makes for an excellent caretaker. She had the potential for independent thinking prior to her collapse, as well as the potential for Moral Acuity. But, it was not until her crisis that she learned to think for herself. In order to recover, she had to figure out for herself what chain of events led to her collapse and she had to make the changes appropriate to

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[49]Her husband, not having had the same opportunities for soul-searching and consciousness-raising, was not open to other ways of living, could not accept the changes which were occurring before and after his wife's release from the hospital, and they soon parted ways with an amicable joint custody agreement regarding the child.

avoiding a repetition.[50] Just as Bourke was forced, one could say, by circumstance to actualize his capacity for sympathetic awareness, this woman, whose tendencies were toward behavior rather than action, was forced by circumstance to begin to think for herself in order to begin to heal herself.

This example supports my suggestion that Behavors can become Actors. Actors and Behavors without the ability to sympathize with suffering can develop sympathetic awareness. Whether Actors can become Behavors and whether sympathetically aware people can become cold or unresponsive to suffering are questions which, while exceedingly intriguing, cannot be pursued here. My initial response, however, is that both could happen. Disillusionment, depression, apathy or anomie, are perhaps similar kinds of experiences of that which could easily be viewed, in my mind, as blocking the acuity of an Actor. Depression as example can obscure morally relevant elements in practically any situation. One who has developed over time a moral sensitivity to others and their pain, yet suffers from depression, may, among other things, have a much more difficult time focusing on others during those periods of depression. One's personal pain may loom so large as to

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[50]While her self-awakening coincided with her institutionalization, she credits the breakdown and her desire to be released rather than any therapy she received, which included shock treatment, with motivating her recovery.

obscure or blind one to another's pain. Scarry's work on pain again comes to mind even though psychical pain is not her specific interest. Scarry's work provokes disucssion from the perspective of the victim. The reader is encouraged to keep self as victim in mind during this discussion, even while a victim of depression is not a distinctly moral issue. Perhaps, there is potential here, too, for future research.

7. Privileging the Victim (Reprise)

In her work, The Body in Pain, Scarry articulates discerningly why pain is so devastating to humans who experience it and thus should be of the utmost importance to those in a position to alleviate it. In reading Scarry, one becomes attuned to the havoc that pain, physical or psychical, can wreak on one's world. Torture is Scarry's main focus and she points out that power differentials are the precursor to the distribution of that sort of pain.[51] While power relationships, as they come into play in evil-doing are an underlying issue in this project, time and space do not allow a thorough treatment of the matter. It seems important to note, however, that evil acts require a

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[51]Scarry, e.g., 37. Here, she states that in the tortured/torturer relationship "one person gains more and more world-ground not in spite of but because of the other's sentience [of their own pain]."

power over another, a position not necessitating abuse, but definitely preserving the possibility.[52]

Phan Thi Mao's experience is illustrative of the inherent inequalities of evil-doing. Phan Thi Mao was yanked from her world without any recourse and she was utterly violated, with absolutely no say in the matter. She was powerless to stop them. Meserve and his patrol were determined to destroy her world before they took her life, regardless of her interests. By "determined," I do not mean that that was their specific goal or aim, but considering what their assumed goals were--the multiple rape of this young woman in the middle of a wartime patrol--it was predictable, inevitable, that the destruction of her world would occur. There was no question that their actions would cause the devastation of Phan's world even prior to her murder. They had her completely in their power. They destroyed who she was. They eradicated her human dignity, her sense of worth and self. They caused her an inconceivable amount of pain and humiliation. And then they took her life. They were resolved or resigned or indifferent to consequences. As with Shakespeare's Richard III, they, especially Meserve, were "determined to prove a villain."[53] This is why I have little pause when naming

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[52]This is also a point maintained by Hallie in Cruelty 14.

[53]Shakespeare, The Tragedy of Richard III, Act I, i, 30.

this main example evil. This is also a large part of why I think I have something to say about Moral Acuity despite the ambiguity of perception in general and ethical issues in particular. I believe I am justified in suggesting that the privileging of the victim is a common sense way of dealing with moral issues, especially in those circumstances involving evil, because it cuts to the heart of the matter.

One would be hard-pressed to imagine a worse predicament than having one's world destroyed, without choice in the matter.[54] To be left without a grounding in the familiar with your own body your worst enemy; to be emotionally and physically completely out of control--in someone else's control, to experience your own body as the enemy along with whomever is inflicting that pain, is to be in one of the most vulnerable, least dignified positions imaginable. The pain takes over, be it physical or psychical pain. It rules the self. If it is of great enough intensity, the pain rules exclusively. I see this as the most all-encompassing, overwhelming way in which a victim is removed from her or his world. This is why Hallie can say that the victim is essential in morality: because someone suffering has the most to lose--their world. And,

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[54]I use the qualifier "without choice in the matter" because of the separable issues of suicide and assisted suicide. Self-abuse, religious self-flagellation, ritual self-mutilation and the like, also raise the question of when is choice really choice in matters which cause great pain. I will not go into such matters here.

when that suffering is at another human's hand, it could have been otherwise. Unlike natural disasters and disease, someone had a choice. The agent of the pain could cease causing pain, could have made the decision not to cause suffering, making it a different sort of suffering than that which natural occurrences cause, since they cause suffering outside of human control.[55] When evil is done to one human being by another, the relationship of the victim to the perpetrator is one of powerlessness. One may be just as powerless in the face of a rapist or torturer as one is in the face of a collapsed building or inoperable cancer, but I suggest that the powerlessness is more profoundly felt when at the hands of another human being. Human dignity is at issue in ways that it is not for hurricane victims. "Maiming of a person's dignity, the crushing of a person's self-respect" is a product of evil in ways it is not even for the cancer victim, barring maltreatment by humans in the course of the disease.[56] Thus, the privileging of the

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[55]While agency may apply to natural occurrences which are believed to be related to some higher power for perhaps a majority of the population of this country, the relationship of a supreme being to a person's suffering would be viewed differently than that of a fellow human to another's suffering. Supreme beings are ordinarily credited with infinite powers and reasons beyond human comprehension. Thus, suffering that is seen as emanating from the hand of, say, a Christian God, is more unintelligible and acceptance of tragedy is, then, a matter of faith.

[56]Such maltreatment all too often accompanies the onslaught of disease. My friend with cancer, my pp. 165-66, is only one example. The phrase in quotes is Hallie's (Cruelty 11).

victim involves giving precedence to alleviation of suffering as well as showing regard for the victim's self-respect.

8. The Role of Moral Acuity in Refusing Evil

In this chapter my goal has been to merge the notions of independent judging ability and sympathetic awareness into one, Moral Acuity. In so doing, I have endeavored to illustrate my use of "practically without thinking" within the notion of Moral Acuity. I have suggested that the privileging of the victim is a basic response to suffering when one is sympathetically attuned to the world, when one thought-fully goes about in the world. I have also spent time positioning the refusal of evil within the framework of Moral Acuity.

Underlying the whole of this study has been the presupposition that in order to refuse evil, one must be able to see that evil for what it is. I do not mean that it is necessary to call it by that particular name. Rather, one must be able to comprehend the gravity of the circumstances and share somehow in the suffering, whether or not one employs the word "evil." Be "there," as Riccardo says.[57] In practical terms, if one is capable of something approaching an accurate and conscious realization of what evil does, that person is more likely, in my view, to be

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[57]Hochhuth 102.

compelled to act against that evil. If one is Morally Acute, one is capable of comprehending the evil, of sharing the pain and of responding to it. This suggests that these elements: comprehension, participation in the suffering, and action, are intertwined. Action, as opposed to behavior as I intend the notions, needs a reason or a motivation. As far as the refusal of evil is concerned, comprehension of the circumstances is the first step and the key. Sympathetic comprehension can supply the justification for action, even while the circumstances themselves are the impetus. My view implies that if one has the ability to think for herself or himself and be sympathetically aware of another person's suffering, one has the potential for realizing the suffering of others in such a way as to be compelled to take action. If one is an alert, seasoned driver, for instance, circumstances will compel one to action from time to time which may culminate in the avoidance of an accident or other hazardous condition.

If one is Morally Acute, one's comprehension of a set of circumstances where great harm is being caused would be such that it would be harder not to take some action, to simply stand by, than it would be to act against whatever evil was perceived. Eriksson again provides illustration for this last assertion. After the multiple rapes of Phan, Clark was ordered to stand guard over her while the others did some reconnoitering. When Eriksson and Rafe were sent

back to the hootch for more ammunition, Clark pulled rank on Eriksson and ordered him to guard the hootch. It would be a full hour before the rest of the patrol returned, but Eriksson had no way of knowing that. Eriksson had already considered shooting the other men while the gang rape was in progress. He had rejected that idea because of the four bodies he would have to justify.[58] While waiting for his patrol to return, Eriksson spent a most agonizing time, unable to ask Phan for advice because of the language barrier, unsure of how much time he had to carry out any plan of which he might conceive. In Eriksson's words:

> As a disciplined soldier, I knew I wouldn't abandon the weapons in the hootch to the enemy, but, just the same, I was dizzy with thinking how to save Mao. I thought again of letting her go, but what would I tell Meserve when he got back? That this weak, coughing girl had overpowered me? Besides, she was in no condition to reach home or anywhere else. Then I thought of taking off together with her. We couldn't have gone very far, I realized, but it was going to be dark soon and we might find a hideout somewhere in the brush. . . . I couldn't think any of my brainstorms through. I knew I had cut myself off from the rest of my patrol, refusing to go into that hootch, and I had this idea that the fellows were watching me to make just one false move with Mao.[59]

Not doing anything, in this instance, was harder to bear for Eriksson, but he could not find a suitable alternative. His anguish can be heard in his words. "It was the hardest decision I've ever had to make, and it couldn't have been

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[58]Lang 40.

[59]Lang 42 (ellipsis mine).

the best possible one, or Mao wouldn't be gone today."[60] His testimony in court confirms the one action of which he could conceive: ". . . I was praying to God that if I ever got out of there alive I'd do everything I could to see that these men would pay for what they did."[61] Eriksson was compelled by the circumstances to do something, anything. He viewed his options as extremely limited.

In order to clarify the role of Moral Acuity in refusing evil, I need to make a distinction between refusing evil and being compelled to act in some other catastrophe, unrelated to evil, say, earthquake or flood or disease. One can be moved to answer the screams of someone trapped inside a building that has collapsed. One can be motivated to euthanize a family member with a terminal, dreadfully painful disease. How this motivation to alleviate suffering is similar to that illustrated by the refusal of evil is easier to see than how it differs. In both cases--where evil is the catalyst for action and where nature has caused the harm and motivated the aid--humans are suffering; and, perhaps, will continue to suffer until their death or someone's assistance. People are often compelled to help because they have a basic concern for other people's well-being. This is, at least in part, why Mercer proposed his "conative sympathy," and why Royce can view accepting one's

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[60]Lang 43.

[61]Lang 40.

neighbor as a being as real as oneself as a consequence of "moral insight." One's actions may be quite similar in the case of refusing evil and in the case of a natural disaster, as far as the alleviation of suffering of the victim is concerned.

Still, I want to suggest that there are differences. When refusing evil, one recognizes the evil or the potential evil as unjustifiable, unconscionable. One does not just see the suffering when one possesses Moral Acuity; one comprehends the harm and the human agency involved, and one responds accordingly.[62] In my view, the understanding of the suffering is different in tone to the Morally Acute when the cause is not a natural phenomenon. One could say that one's actions are aimed in two directions at once. I want to suggest that privileging the victim in matters of evil manifests itself in two ways: towards the alleviation of the suffering and towards the desire to end the evil. In general, this could conclude in two (or more) very different actions, or it could involve one action for both concerns. Casualties of War demonstrates at least two different actions. Eriksson had no means at his disposal to alleviate Phan Thi Mao's pain, he could only refuse to add to it, but he could act against the perpetrators once out of the

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[62]Again, theological or deist issues complicate things further. It seems wisest for my purposes to keep those concerns at a distance. In any case, I do not see them as contradicting my views.

jungle. His efforts to bring the rest of the patrol to trial did not save Phan's life or reduce her suffering, and did not, in the long run, mete out much justice, but it was action against the evil when there was nothing that could be done to alleviate the suffering.

Sigrid Lund's and Andre Trocmé's actions were the same for alleviating suffering and ending the evil. Their efforts to ensure safe passage for refugees to neutral countries was action against evil, its perpetrators and the suffering of the victims. This refusal took a variety of forms, of course, depending upon the needs of the refugees and the proximity of the enemy. Both of these people, as well as Eriksson, understood the suffering and responded to both the suffering and the agents of that suffering in the best ways they could.

The role of Moral Acuity in refusing evil, as I have presented it, consists in recognizing the evil, recognizing the suffering, seeing clearly that it should cease, and implementing the best plan of action for its alleviation. When the Morally Acute person is confronted with evil, the comprehension of that evil will likely culminate in its refusal. A Morally Acute person is, in a sense, poised for moral decision-making. She or he is aware of the potential for harm and has a conscious realization about harm that will likely be activated upon witnessing it. She or he is in a position to "truly bring the victims to mind." I see

Moral Acuity as a blend of the intellectual and the emotional, such that neither is master of the other. Emotions can be "facilitative," as Nel Noddings describes it.[63] She uses examples like "I ran because I was afraid," "I hit him because I was angry," to demonstrate the emotions one uses as motivation.[64] One acts against evil because one is moved by the situation, specifically by the suffering. The proper blend of the emotional response and the cognitive, not, perhaps, ever really controllable, can provide us with the most precise and valid kind and amount of knowledge about a situation involving harm. If one is not sympathetically aware of the harm, one will not be motivated by that awareness to act. If one is not capable of thinking for her- or himself, one cannot use one's cognitive capacity to negotiate the best response to harm. One would be less capable in such circumstances of judging the need for action or the direction the action should take.

In one way, Moral Acuity <u>is</u> the capacity to refuse evil. It is the perceiving of the need; it is what is required for such refusal. In another way, Moral Acuity, as I use the notion, is much more. Just as with my driving example, being a seasoned driver enables one to have the best response in moments of crisis. Being a "seasoned"

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[63]Noddings, <u>Caring</u> 143.

[64]Noddings, <u>Caring</u> 142.

human being, i.e., Morally Acute, prepares one for the refusal of evil upon evil's appearance.

9. Extrapolation to Less Extreme Questions of Morality

In this last section, I expand the range of issues suggested by this topic, by applying my notion of Moral Acuity to moral issues which are not evil. I have been repressing the urge, with varying degrees of success, throughout this project, to discuss morality in its less extreme modes. In large part, this is because the issue of evil is so much more obvious as a wrong than lesser degrees of immorality, which often stand on much more ambiguous or complex ground. If this notion I have attempted to delineate is to be useful in our view of human affairs generally, it seems important to associate it with concerns other than evil. An alertness, a sensitivity, are important modes for going about in the world, and I believe that my notion of Moral Acuity is helpful in examining this sort of "going about."

Let me use a real life example which appears to be outside of the realm of evil to illuminate the victim's role in Moral Acuity.[65] A young woman with a terminal case of

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[65]That it is outside the realm of evil may be very much in question for some people because it involves the taking of a life. I have previously suggested that murdering someone without their feeling any pain can still be evil, can still be the causing of a great harm. But, the taking of a life is by far not the only thing under consideration

(continued...)

thyroid cancer attempted for 6 months in 1986 to convince her mother, a nurse, to assist her in committing suicide. The pain from the cancer had become so great that not only would drugs not quiet the pain, but the woman could not even stand the touch of her own mother. There was no chance of remission. The mother remembered her daughter's words in an article from The Oregonian in May of 1994: "Mom, look at me - you don't want me to suffer like this." "If I were a little dog you wouldn't think twice."[66] The victim's voice is a very loud one here, especially for the mother, demanding to be heard. These circumstances are not a matter of great suffering caused by another human being. This is not a moral issue in the same way the abuse and death of Phan Thi Mao is. But, it is a serious moral issue for this mother, who had the means at her disposal to release her daughter from great suffering. The desires of the daughter were quite clear, she wished to be free of the pain and there was no alternative but death.

If the mother exhibits the capacity for independent judgments, she is in a position to reject sweeping religious tenets requiring suffering to be its own reward or the

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[65](...continued)
in examples such as the present one. And, in my view, these circumstances do not qualify as evil.

[66]Patrick O'Neill and Foster Church, "Physician-assisted Suicide Stirs Up Emotional Maelstrom," The Oregonian [Portland, OR], 5 May, 1994: A1, A14. Dr. Lani Roberts brought this article to my attention.

imposing a strict prohibition on suicide. She can dismiss, although by no means lightly, the legal consequences of assisting in her daughter's death; moral decisions can take precedence over following the letter of the law or one's personal well-being, as experiences in Nazi Germany and elsewhere have attested time and time again. She can choose to follow or ignore her daughter's wishes regardless of the views maintained by friends, family or society. As an Actor, she thus bases her decision on her own view of what she thinks is best. As Spencer Tracy's character says at the end of Judgment at Nuremberg: "To be logical is not to be right."[67] If the mother demonstrates Moral Acuity, she would be capable of truly bringing her daughter's suffering to mind and of ignoring others' demands or wishes. She is able, not only to clearly envision the needs of her daughter as well as her daughter's suffering, but she is able to set aside her own needs and egocentric desires and disregard the expectations of her community or culture in order to perceive as clearly as possible the needs of the victim and the options related to the alleviation of that person's suffering. Just as with the heroin addict from Chapter IV, it is not necessarily the case that with engaged Moral Acuity, one is going to do exactly what the victim thinks he or she needs. The balancing of sympathetic awareness with

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[67]Judgment at Nuremberg, dir. Stanley Kramer, with Spencer Tracy, Richard Widmark, Marlene Dietrich, Judy Garland and Montgomery Clift, MGM, 1961.

independent judging ability allows one to weigh the circumstances as fairly as possible while giving particular attention to the fact of the suffering. The person with awakened or engaged Moral Acuity places the victim and her or his pain in a position of privilege as regards elements which need to be considered, because that pain is what matters--it matters, quite simply, because it hurts.[68] It matters to the victim. It is the reason that the observer has a decision to make. It is the stimulus for the pending moral choice. If this nurse's daughter were not in great pain from a terminal disease, the issue of suicide would not arise in the same manner. If it arose at all, there would be a very different set of criteria, options, opinions and beliefs surrounding the matter. It would not likely fall under the question of euthanasia.

The legal aspects of doctor-assisted suicide will no doubt be debated in the courts for a long time yet. For present purposes, I am not interested in the legal aspects of such a law. I am interested in what the right thing to do is in a very specific set of circumstances, and the legal system is not without flaws in mandating such issues. I am interested in whether or not Moral Acuity can give us an acceptable solution to predicaments such as this one and ones of lesser consequence. I am interested in listening to

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[68]As Bentham said (311 fn.). Peter Singer concurs. See, e.g., his essay "Animal Liberation" in Luper-Foy 548-56.

the victim's voice, in hearing what the victim has to tell us about morality. In one sense, the victim must tell us everything. If there were no victims, there would be no need for answers to these kinds of moral questions. By the victim's voice, it may be remembered, I do not mean only what the victim is able to actually verbalize or request or demand. Truly bringing the victim to mind will do more than allow one to apprehend the victim's experience. A heroin addict in withdrawal is likely going to ask to be relieved of her or his suffering. This person's experience would suggest, however, that that is the last thing they really need. A sympathetically aware Behavor might be willing to supply the drug. I suggest that a Morally Acute person would not.

The Morally Acute mother of the terminally ill woman can weigh all the pros and cons.[69] She can do all the soul-searching she wants, but her ultimate choice is based on her daughter's voice, her daughter's experience, not her own wishes or the law's or other family members' or society's. If the victim's voice is real enough, loud often, pained enough, a person in possession of Moral Acuity, within range of that voice, with experience of that person's experience, will most likely be motivated to act. The daughter in this case did not have access to the drugs her mother did. And,

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[69]So can the Morally Acute father. The example was of a mother, so I will stay with the feminine pronoun.

if she had had access, she would not have been capable of administering them to herself because of her debilitating disease. If, as the mother eventually did, instead of standing back from such tragic circumstances and attempting to form some kind of universalizable ethic, one stops and listens closely to the voice of the particular victim whose suffering in this case was intense and terminal, one might find that one's focus changes, one's attention seems to be redirected. The redirection seems to be away from self and how one thinks one should behave, and on to the crux of the matter, the victim's pain. As when using the focusing mechanism on a pair of binoculars, an important feature of the dilemma is revealed: in this case, the person suffering from an extremely painful terminal disease does not want to continue living. Staying alive is only a matter of intense pain day after day. The person experiencing the pain does not find it worthwhile to continue her stymied meager existence. In this particular instance, that voice is very clear. I maintain that that voice should be heard.

In some cases, no doubt, the pain may be worth the suffering. That voice should, of course, be recognized as well. I suggest that, awakened Moral Acuity is of assistance in cases such as this, even though it is not a case of obvious evil. Moral Acuity entails critically assessing and scrutinizing the situation, as well as listening attentively and clearly. One can, thus, make

choices not based on one's ego or one's neighbor. If one is Morally Acute, one can make choices based on a clearly viewed set of circumstances which includes taking other people's suffering, physical or psychical, into account. One is capable, then, of showing legitimate concern for another's well being. One is not blindly responding to pain, but is giving that pain priority in assessing how and if to act.

Even though my main project is about the notion of Moral Acuity and its relation to refusing evil, I suggest that Moral Acuity can apply to circumstances falling in the grayer areas of moral issues as well. Hearing the victim's voice, caring for others, being unpersuaded by self-interest or ego or others, are all ways of moving about more carefully and thoughtfully in our world. And, such ways of being should be nurtured in all stages of one's life. My final chapter gives a few suggestions for that nurturing.

CHAPTER VI

CONCLUSION

1. Introduction

What I have been doing in this project is, in many ways, a personal response to specific circumstances, namely the war in Bosnia. I said in Chapter I that I want this work to offer "alleviation of a bit of the outrage and indignation directed at" the perpetrators of the kinds of evil evidenced in Bosnia, specifically the reports of mass rape and forced impregnation.[1] But, in fact, it must offer more than that. In that this work must be attempting to do more than just observe and insofar as I have been compelled by the journey on which this study has taken me, I find that the underlying suggestions of this project have relevance for moral education. In one way, it seems to me, the relation between the topics of these pages and moral development should be obvious. If my notions of independent judgment and sympathetic awareness are seen as connected to the refusal of evil, at least in particular circumstances, it is no great leap to accept them as useful moral guides.

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[1]Chapter I, p. 4.

In another way, perhaps, it is not so obvious what specific practical significance this study might have. I am not claiming any particular expertise in the specific realm of moral education, but part of what I wish to do in this concluding chapter is make some gestures toward potential future research problems. This chapter will dwell on some of the prescriptive issues I see as raised by my pursuit of Moral Acuity. In brief, I suggest that having information regarding evil, educating oneself about the ramifications of great harm, plays a role in battling such inevitabilities in our world. Not turning away from the realities of evil may have its benefits, but equally important, it seems to me that one should have some knowledge and understanding about those who have refused evil as well.

Often in the literature concerning the Nazi era, for instance, I have noticed a recurring theme. For many of these authors, there is an underlying concern about perpetuating, at the least, a misunderstanding regarding the evils that have been witnessed by not being able to communicate the true horrors of which humans are capable. My focus on those who refuse evil has not been for the purposes of glorification or hero worship but for accumulation of knowledge that I see as a response to evil. Understanding that not everyone is insensitive to the consequences of their deeds, not everyone is blind to potential suffering, not everyone is a Behavor, seems

important. This chapter dwells on why in its discussion of issues related to moral education.

I have suggested on several occasions that I see the potential for Moral Acuity as existing in most humans, even while it is possible that it is never fully realized. I have also noted occasionally that I am not suggesting that one is required to operate in the ways I have been describing in order to make moral choices or even to refuse evil. If this notion were to relate too generally or universally, it would be diluted to the point of being inconsequential. I do not mean the proposals in this study to be descriptive of all instances of the refusal of evil or to take into account all incidents of moral weakness and/or baseness. Still, I believe that it could be argued that humans in general, unless something pathological is going on, have the potential to think for themselves and to be sympathetically aware.[2] If our culture valued such notions, our education system would most likely have incorporated them. I will speak to some of the issues of how a community or education system might foster a climate which promotes Moral Acuity by encouraging the questioning and scrutinizing

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[2]If such responses were valued in this culture regardless of which gender emitted them, it could be argued, they would already be more prevalent. This has been a feminist concern since the beginning of the movement. Shulamith Firestone's The Dialectic of Sex being only one prominent source which addressed this issue (New York: Morrow, 1970).

of beliefs and norms and the promotion of sensitivity towards others.

A newspaper correspondent, Peter Maass of The Washington Post, formerly covering the war in Bosnia, discussed his reaction to the people he met there in an article published in The Register-Guard a while back. He remembers talking to a Serb woman and her daughter about the war. There were no Muslims left in her village. This had pleased her because she believed "the Muslims were planning to arrest all the Serb men and put all the Serb women into 'harems.'"[3] When asked why she believed such a ludicrous idea, her response was "It was on the radio." "And you believed it?" she was asked. "Why would the radio lie?" was her response.[4] She had known and liked the Muslims who were her neighbors prior to this obscene war. "My relations with the Muslims in the village were good," she said. "They were very nice people."[5] Maass has pondered this issue for several years now. "There is a dark side in all of us," he writes,

> a story as old as the Bible, and it can be called out quite easily, or lured out, by primal appeals to our fear or our prejudices.
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> This is why [Maass] is glad the trial of [indicted war criminal] Dusan Tadic is on

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[3]Peter Maass, "Any of Us Can Turn into Killer," The Register-Guard [Eugene, OR] 18 May, 1996, B1.

[4]Maass B4.

[5]Maass B4.

> television. The more we know about him, the more we know about ourselves.[6]

I believe, somewhat idealistically perhaps, that given the proper tools for handling fear and prejudice, people would make different choices.

Consider, too, not just being convinced by a radio report, but, perhaps, being aware of exactly what you were doing and continuing to do it. From the same article, we are introduced to Zelja, a member of a team of Serbian snipers outside of Sarajevo. He had asked Maass and two British reports to deliver a message to a friend in London.

> Zelja wrote it out and handed it to us; it contained two lines that I cannot forget. "I am shooting from the front line," Zelja wrote. "I have become as stupid as an empty bottle of cognac." He knew that he was involved in madness, yet he continued to participate in it.[7]

Being aware that one is "as stupid as an empty bottle of cognac" makes that person smarter than he or she thinks, in my mind, even though Zelja, for one, has not found any alternatives. I suggest that a culture interested in educating in different ways could have made a difference for both people mentioned above. I discuss some of the ramifications of that suggestion below.

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[6]Maass B4.

[7]Maass B4.

2. Implications for Moral Development

If circumstance can awaken dormant moral gauges, education, in an ideal world, could, I believe, be stimulating in a similar way. My initial thoughts on the topic of moral education come loaded with two seemingly inescapable, practical problems. I will mention these two problems and then move past them in order to discuss future directions for further research.

It seems to me that by the time a child reaches high school and beyond that it is past the optimum time for instilling things like independent judging ability and sympathetic awareness in a person. Humans are most open to new ideas before deep habits have been formed, when they are still children. But, it also seems particularly difficult to teach a child to think and care whose parents or community may not be keen on either idea, may be suspicious about "liberal" education and educators, and adamant about that child growing up to emanate the beliefs of his or her progenitors and not those of one's secular education system. For present purposes, I will sideline these issues and focus on what can come directly out of my notions of Moral Acuity and refusing evil. Educational issues surrounding evil specifically and its refusal are probably not appropriate for elementary-aged children. But, I do think it is appropriate for grade school children to be presented with ideas related to the notions contained in Moral Acuity,

outside of issues of evil. First, I will dwell on what educating about evil can potentially accomplish. I will discuss what I see as useful in this regard and how one might go about it. Second, if we accept the notion of Moral Acuity as a morally valuable one, it can, I believe, have positive implications for lower level education needs. I propose some suggestions about what can be done to promote it in Section 3.

3. Education about Evil

"Literacy on evil" is a phrase Noddings uses in reference to curriculum issues[8] and I find it goes a long way in expressing an important aspect of what I have been trying to accomplish throughout this dissertation. The hope in Noddings's reference is that one can acknowledge evil in the world, understand it to some extent and learn from it, perhaps, grow from the knowledge. But literacy on evil can be a two-edged sword. What about the numbing effects of being repeatedly exposed to the worst of human conduct? I remember a coroner being interviewed when the mass graves in Bosnia were being exhumed saying that of course one must approach these horrors of war with a certain detachment. In order to carry out the job assigned to him, and from years of service already dedicated to similar, if not regularly so gruesome, circumstances, he could not allow himself to be

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[8]Noddings, Women 230.

moved by what he saw. What implications does that have for the healthiness or wholeness of this man? I will not attempt to answer that question here.

What about the anger one may experience in simply reading about evil-doers, about soldiers who rape and Nazi medical doctors who torture children? That anger often does not have an adequate outlet. Philip Hallie talks about his reaction to, perhaps, an over-exposure to such things in his philosophic pursuit of the notion of cruelty. One of several responses was that: "I found myself . . . yearning to be viciously cruel to the victimizers of the children [who were concentration camp inmates]."[9] Hallie found relief in turning to the literature of the resistance movement.[10] It is relief that I suggest "literacy on evil" needs in an attempt to maintain a reasonable perspective. I propose that literacy on evil be accompanied by a literacy on refusing evil in order for the effects of exposure to practically unimaginable evil to be tempered with examples of resistance to it. To be bombarded or to bombard oneself with facts about the worst possible human deeds is also to dwell within that evil in a way. It seems wise to counteract its potentially destructive effects.

With the Holocaust only 50 years in the past and particular portions of the populations of Rwanda and Bosnia

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[9]Hallie, Cruelty 16.

[10]Hallie, Cruelty 16.

and elsewhere engaging in similar evils presently, the likelihood that spreading knowledge of evil can make much of a difference in the world at large and the amount of evil to be found in it is remote at best. Socrates, for one, held no hope that thinking and talking about the positive aspects of human existence could improve one, and I tend to agree. What good possibly can come, then, of thinking and talking about the most negative aspects of the human condition? I do not have any illusions that knowledge about the evils and the goods of which humans are capable will improve one's morality--<u>if</u> one does not already have the tendency to be sensitive to such issues, to admire or be appalled, and to be moved by circumstance to affect some change.

For those already concerned about the issues raised by discussions of evil and its refusal, for those who are interested in facing down what evil is by attempting to understand what evil does, educating about evil seems to have its purposes. A friend of mine who is a registered nurse recently began working in a hostel for drug addicts trying to kick their habits. When he first started working there, he was nothing short of shocked, not only at the extent of the problem in this relatively small West Coast town, but at the actual physical horrors of withdrawal. Despite his initial discomfort, he is very much interested in doing the best he can for the people seeking help. He is intent on learning all he can about addiction and

withdrawal, and he is pleased with his newly acquired knowledge and his own potential for growth. Aristotle told us that all human beings like to be in the know.[11] My friend had no idea that life could get so ugly, and he believes he is better off for having this first hand experience. It makes him all the more interested in helping who he can. He is pleased that he is no longer ignorant about this side of life. The more knowledge he gains, the more useful he believes he will be to those suffering from addiction.

I think this is analogous to exposure to evil in general. My friend has outlets, positive, uplifting ones, that allow him to escape the daily horrors of his job and rejuvenate himself. If one not only gains knowledge about the evil of which humans are capable, but also about those who have refused evil, one may be better equipped in some way to make better choices. One will have been exposed to the idea of refusal, as well, perhaps, as some useful tools for responding to evil which might help one to be better prepared if the need arises. One is also, I think, not so likely to be brought down emotionally, psychologically, by intimate knowledge of the Holocaust or rape camps or forced

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[11]Aristotle, Metaphysics, trans. Richard Hope (1952; Ann Arbor, MI: U of Michigan P, 1960) 3. Actual wording in this translation is: "All men naturally have an impulse to get knowledge."

prostitution or torture, when one has also seen some of the positive examples of humanity.

Once Bourke, for instance, understood what his "trophies" represented for his visitor, he evidently agreed with his friend's reaction and took appropriate steps to redeem his thoughtlessness. Once Floyd Cochran heard that a member of his family was unacceptable to the rising Aryan nation and felt fear for his son's well-being, he was forced to begin to identify with others who had witnessed and rejected or been objects of the hatred he had been preaching. The Bourke and Cochran examples bring up another interesting and relevant aspect of literacy on evil and refusing evil. If one is going to attempt to educate even those who appear uninterested, it seems, as these examples imply, that there often needs to be some way of making the circumstances personally felt, which leads to the next section on moral education.

a. Personalizing Morally Relevant Information

For Cochran, his son was the fulcrum for his rethinking. For Bourke, his friend's reaction was the catalyst. Imagine if some caustic modern day human rights activist were to descend upon Bourke and harangue him about his displayed body parts. It is likely that Bourke would have been less accepting of whatever wisdom they were attempting to impart because he would have been defending

himself against attack. As it happened, a friend, one whose opinions were clearly valued, one to whose expressions of horror Bourke truly listened, broke through to his dormant sensitivity. I conclude from this and similar examples that sympathetic awareness of another's point(s) of view accompanied by some kind of connection to that person's own experiences may increase the likelihood of that person becoming sufficiently aware of the demand for apprehension of suffering and the need to respond.

Educating about evil will in my opinion often be most effective if it can be personalized in some way. There is a museum in Los Angeles which deals with diversity issues. This museum is an attempt to educate in just that way. I have not been there myself, but have been told that the exhibit regarding the Holocaust is especially moving. At the beginning of this section of the museum the visitor is given a small placard with someone's name on it, someone who was an actual victim of the Holocaust. One walks through the exhibit as though walking down a street in one's hometown, the hometown of the person whose name is on the placard. At the end of the exhibit, past the boxcars and the concentration camps and the ovens, etc., having been reminded continuously of one's new identity, one finds out exactly what happened to that person. The person who described this experience to me said it was amazingly moving. This can be, it seems to me, an extremely effective

way to bring home the reality of such intensely cruel or evil human actions. If the kinds of techniques or methods this museum incorporates could be translated into the academic world I believe it would have significant effects.

Pondering the matters raised by issues of evil and refusing evil can ready one, in some ways, for recognition of same if and when the need arises. I am not suggesting that being more aware of evil, more knowledgeable about evil, is likely to lead one instantly to refusal. Plenty of white supremacists have read Mein Kampf from cover to cover without reacting negatively to its message. What is needed is an identification with evil which awakens one's sympathetic awareness and it seems likely that personalizing one's information might be the route to accomplishing such a task. It seems a more likely way of truly bringing victims of evil to mind.

Kierkegaard suggests in his "Works of Love" that attention to evil or "sin" could likely pass it on. He warns against "spreading evil by the aid of knowledge" of that evil.[12] Whether awareness of evil would be likely to increase suffering or not is an issue with arguments on both sides. One issue I wish to draw attention to is that if one is sensitive to the potential for becoming numb to evil and suffering, for becoming agitated from overexposure to evil

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[12]Soren Kierkegaard, "Works of Love," A Kierkegaard Anthology, ed. Robert Bretall (Princeton: Princeton UP, 1946) 311.

to such an extent that one might consider engaging in evil or violence or some other negativity oneself, one will be on guard against such reactions. If one reminds oneself that no matter how many times one reads about the Holocaust and/or hears about incidents of rape or sees such things repeatedly at the movies, one should still be appalled, perhaps one will be less likely to succumb to indifference or insensitivity. The issue of violence on television, for instance, is yet to be resolved. The connection between fictional violence or evil and real acts of evil is still being debated. My suggestion is that, with guidance, one's association with ideas involving the evils in the world can lead to some positive outcomes. If violence on television or in the movies were accompanied by critiques of same, perhaps the arguments for and against a "v-chip" or a stricter rating system for movies would not have the same hollow effect.

I have said that some kind of identification with the suffering of others seems to be important, some way of bringing the harm into one's immediate environment, relating it to self or family, for the unsympathetic, the morally indifferent, to recognize the need for a response of some kind. While the classroom seems an ideal place for this identification to occur, it has the negative effect of reaching only a small portion of the population. This is not the place to embark on community services issues or

suggestions for revamping the media and journalism in general, but I would not mind sparking some debates in those areas. At present, my intentions are to focus on that over which educators and academicians do have some control, and that place is the classroom.

b. The Value of Moral Acuity

The value of possessing Moral Acuity should be obvious, especially in regard to those whose circumstances I have described in this study, those who have refused evil. One who is capable of apprehending the severity of a situation such as the one described in Daniel Lang's book Casualties of War and of taking action against the victimizers plays a significant role in the world. In some way, knowledge of the existence of such people may help one to process productively the great amount of suffering in the world. The value and the method of attempting to instill such an approach, however, is surely not as apparent. First, it is doubtful that one method could be the necessary and sufficient means for inspiring the kind of awareness about which I am talking. Second, as far as education is concerned, it seems to be asking for trouble to send educators off to be lecturers and assistant professors, etc., without attempting to ascertain their sensitivity towards others' views and their capacity for self-reflection. Slow changes are being made in various

directions. The current trend toward multiculturalism and diversity issues in universities and colleges is one positive phenomenon which appears to be gaining momentum. Another noticeable, though slight, evident tendency towards less adversarial relationships between student and professor and between colleagues seems also to be creeping into the higher education environment. One small but meaningful acknowledgement of this is the fairly common practice these days of using first names instead of titles in interactions with one's professors or students. This removes, it seems to me, unnecessary reminders of the power differential between a student and her or his educator. It shrinks the chasm perpetuating the hierarchy. Yet, more needs to be done. The learning environment will be a richer place if educators become more sensitive to a larger variety of issues and types of people. But, moral development does need to begin early in one's life, and while I do not believe that the educational system should be a moral guide in an obtrusive way, not being some kind of moral mentor seems a mistake.

Teaching a child to scrutinize, analyze and criticize her or his world is bound to be beneficial. Helping a child to learn to think for herself or himself should be the nucleus of education. My future research may well dwell on how to teach children more than reading, writing and mathematics on their way to adulthood. There is, for

instance, no reason why critical thinking exercises could not be an everyday part of the classroom routine, and an everyday part of learning to read and write, add and subtract. Incorporating such things into the curriculum does not seem an insurmountable task.

Teaching sympathetic awareness is quite another matter, in my opinion. It is not an "officially" valued quality or characteristic in this culture and thus incorporating an appreciation of it into the classroom seems a more complicated matter. If children are as much the center of their own universes as I seem to recall, how does one reinforce the need for them to be considerate and sympathetically aware of others? How does one impress upon the young the value of sensitivity, especially if it is lacking at home. Again, the need to or the benefit of personalizing suffering in some way seems appropriate. Practicing alternative conflict resolution strategies for the young, exposing them to as diverse an assortment of people as possible, encouraging and rewarding sensitivity when it occurs spontaneously, any of these suggestions could be worthwhile future research projects in the realm of moral education. But it all hinges on the lack of interest by politicians to limit class size, reward educators monetarily for their skill and resources and recognize children as the most invaluable resource for our future.

4. Summary

Moral Acuity as I have presented it often becomes a matter of taking some action in an attempt, most likely, to relieve some kind of suffering. In relation to refusing evil, it can be a matter of acting "practically without thinking" or not. Whether related to evil or to lesser issues of morality, weighing the circumstances, making a conscious effort to see all the alternatives and hear all the relevant voices, to gather as much data as possible, to clearly understand all one can about the situation in question is what is intended by Moral Acuity. If a Morally Acute person is going to decide whether or not to steal in order to eat, to use an age-old example, one has several issues to grasp. The largest issue might be whether a greater harm would be caused by alleviating one's own suffering? The Morally Acute person would look for potential victims before taking such an action.

This study has attempted to scrutinize many of the issues raised by those who refuse to take part in causing great harm to others. Whether physical or psychical, suffering should, I suggest, be a pivot point for moral decision making. I have attempted in this study to promote the notion of privileging the victim in matters of evil, as well as, by extrapolation, in lesser moral concerns. I have focused on what may often be required in order for one to refuse evil; namely, possession of the capacity for

independent judgments and for sympathetic awareness. These can be viewed as inseparable elements within the notion of Moral Acuity which can operate much like the conditioning exhibited by a seasoned driver whose responses are practically automatic in many potentially dangerous situations, what I have called, in reference to Moral Acuity, "practically without thinking." Moral Acuity can also be engaged in such a way that one has to take a great deal of time to sort out the issues raised by some particular dilemma. If one is capable of analyzing and scrutinizing issues from as many angles as possible while keep the victim's voice at the fore, in time, one will most likely have ferreted out an appropriate response.

I am not suggesting that Moral Acuity is the only way to approach moral dilemmas. What I am suggesting is that, when face to face with evil, the Morally Acute person will most likely act against it regardless of that person's relation to the person suffering or about to suffer the evil, and regardless of the potential consequences to self. To be thought-full and clear-headed and sensitive to harm will, in the long run, I suggest--and doesn't common sense tell us this anyway?--be the best route to determining the right thing to do.

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