



# ESSAYS IN THE PHILOSOPHY OF HUMANISM

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# Essays in the Philosophy of Humanism

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## Toward an Account of Relational Autonomy in Healthcare and Treatment Settings

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### ABSTRACT

Currently held conceptions of autonomy that inform biomedicine are inadequate and oppressive. Liberal notions of individualism are anti-humanist and constitute pernicious socialization, which leads to internalized oppression and dehumanization, especially among already oppressed groups. Women in recovery from addiction and other mental illnesses are especially affected by anti-humanist conceptions of autonomy. I argue that these women need to receive treatment that supports autonomy through supplementing psychiatric and rehabilitative therapy with humanistic education and group therapy. Treatment must encourage the construction of healthy social interaction that augments a sense of supported autonomy.

### Keywords

autonomy, mental health, relational autonomy, feminist conceptions of autonomy, recovery, therapeutic ethics

The following essay serves to discuss the inadequacy and ensuing oppression of currently held conceptions of autonomy that inform biomedical conceptions of autonomy. I make specific reference to treatment for women with addiction and other mental illnesses, and that only a substantive, relational account of autonomy will adequately support the autonomy of those recovering from these maladies. Traditional liberal conceptions of autonomy to be not only inadequate in addressing the causal factors involved in the development of addiction and mental illness, but to be an underlying cause itself. I argue that the liberal notion of “every man for himself” constitutes pernicious socialization and, in turn, internalized oppression and dehumanization. This notion forces, explicitly or implicitly, members of oppressed groups to feel isolated and guilty for feeling overly dependent, and thus unable to ask

for help. The feeling that one is losing control of one's life is compounded by the experience of isolation. Further, the implicit power dynamics in the physician-patient relationship can also undermine autonomy. Thus, women in recovery from addiction and other mental illnesses need to receive treatment that supports autonomy. This can be achieved by supplementing psychiatric and rehabilitation therapy with humanistic education and group therapy. Women must understand the layers of pernicious socialization that leave them vulnerable to addiction and other mental illnesses, and treatment should more than encourage the construction of healthy social interaction to augment a sense of supported autonomy. Through the process of understanding and connection, women may be able to successfully recover and become autonomous.

I begin by critiquing the current biomedical conception of autonomy as heavily influenced by the liberal tradition. An adequate account of autonomy must account for dehumanizing, oppressive forces, including pernicious socialization and internalized oppression. These forces undermine an agent's sense of self-worth and self-trust, which undermine autonomy. I argue for a substantive account of autonomy which takes self-worth and self-trust as necessary conditions for autonomy. Further, with reference to Carolyn Ells' analysis of autonomy in people with disabilities, I demonstrate that healthy relationships augment an agent's autonomy, while toxic relationships serve to significantly undermine it. With reference to Jennifer Nedelsky's re-conception of autonomy, I find further support in the idea that participation in one's social environment tends to increase the experience of autonomy. McLeod and Sherwin's discussion of the necessity of self-trust in an adequate theory of autonomy provides an appropriate springboard into my concerns about agents' experiences of reduced autonomy in mental-healthcare settings. As they argue, physicians are responsible for providing their patients with relevant and adequate information, as well as opportunities to participate in decisions regarding treatment. The same should be applied in mental-healthcare settings. A sense of participation within a healthy social context that fosters a sense of self-worth is a tonic for social ills that no medication can cure. This is foundational for humanism both within and outside of the clinic.

### **Critique of the traditional, liberal conception of autonomy which informs current biomedical models of autonomy**

According to Nedelsky and most feminist and communitarian philosophers, liberalism takes "atomistic individuals to be the basic unit of political and legal thought" (1989, 8). This conception leads individuals to view the collective as a threat to autonomy, and encourages individuals to build boundaries and walls to protect their autonomy, which they view as something privately

owned in the same way an individual owns property. According to this theory, “the most perfectly autonomous man is the one who is most perfectly isolated” (12). Essentially this model teaches that autonomy gives the individual power to shut out others, providing the individual with power from and over other people, rather than power over their own lives.

Ells points out that the liberal theory that informs current biomedical models of autonomy takes individuals to be free, equal, rational and self-contained choosers. She stresses that the individualist theory proffered by liberalism places great emphasis on independence and self-sufficiency. McLeod and Sherwin characterize traditional autonomy theory as one that focuses on impediments to autonomy, and would rather concern itself with evaluating an individual’s ability to act autonomously in any given situation. Like Ells, these writers recognize that the traditional theory of autonomy understands autonomy as an achievement or reward for individuals. Here there is a sense in which, akin to the neoliberal model of *homo economicus*, an individual works for and earns autonomy. They have paid for it, so to speak, and they are thus entitled to protect it from perceived threats.

This conception of autonomy fails in several ways to capture the essence of an autonomous human person. It fails to recognize that the individual is inherently a social being, that social living is indeed constitutive of personhood. I agree with Nedelsky when she poignantly refers to the problem of self-determination as pathological; a sickness of society. She goes on to explain that the dichotomy between individuality and collectivity proffered by liberalism is an illusory one. The dichotomy reinforces the idea that the collective poses a threat to personal autonomy and this distorts our perceptions of our place in social contexts. This false belief in separation serves to cut individuals from all sorts of social arrangements that could indeed support autonomy. I understand her to mean that the notion of self-sufficiency that is embedded in the liberal theory tends to give connection with others and interdependence a bad name, thus discouraging connection with others.

What Nedelsky takes as the foundation of traditional autonomy theory is the idea that autonomy is akin to personal property. The liberal conception suggests that autonomy should be private and protected from external forces, but she ardently refuses to accept that this model works. This theory encourages individuals to surround themselves with boundaries for the sake of autonomy, yet these boundaries produce harmful results that actually diminish autonomy. Nedelsky discusses how an agent’s sense of participation in the collective augments the experience of autonomy. Pertinently, she stresses that the *experience* of autonomy is essential, distinguishing it from the traditional view of autonomy as an *achievement*. Overall, Nedelsky urges us to adopt an account of autonomy that moves beyond that which considers human beings



as separate individuals, and one that views community not as a threat but a foundation for autonomy.

In Ells' analysis of the experience of autonomy in people with disabilities, she insists that we acknowledge that individuals are not self-contained choosers. Her analysis indicates that all individuals are interdependent and that autonomy is not something that is *owned* by an individual, but something that is *experienced* by persons, all of whom are necessarily embodied and embedded in a social context.

McLeod and Sherwin point out that the traditional theory, with its emphasis on factors that impede autonomy, fails to recognize oppression as a factor which undermines autonomy. This is because traditional theories focus on threats to an individual's autonomy, as opposed to the autonomy of groups of people. The prevalent theory of autonomy in biomedical ethics is heavily influenced by the traditional, liberal conception of autonomy, and is thus vulnerable to the same criticisms. The most widely recognized theory of autonomy in the biomedical community is attributed to Beauchamp and Childress. As paraphrased by Ells, they define autonomy as "personal rule of the self, being free from controlling interferences and free from personal limitations that prevent meaningful choice" (Ells 2001, 608). Further, they state that respect for autonomy, specifically in health care settings, involves "recognizing with appreciation considered moral judgments" and "the obligation to promote autonomy" (609). It is the latter with which I take issue. A physician's obligation to promote autonomy cannot be properly fulfilled if they are employing the traditional, liberal model of autonomy. This is illustrated by Ells when she shows that the experience of people living with disabilities does not reflect the fundamental assumptions on which the biomedical conception of autonomy is based. This is underscored by the fact that the model does not take into account the effects of *others* in the lives of patients, be it supportive or oppressive.

McLeod and Sherwin further criticize the biomedical model for failing to provide adequate guidance for healthcare practitioners when dealing with patients whose autonomy is compromised. Highlighting the prevalence of paternalism, despite its recent condemnation by the majority of the healthcare community, McLeod and Sherwin show that even in cases wherein a patient is not obviously lacking in autonomy, individuals may feel threatened in a medical setting. That is, "even the most self-reliant patient often feels overwhelmed and is inclined to defer to medical authority when facing serious health matters" (McLeod and Sherwin 2000, 267). While healthcare providers often agree that patients should make autonomous decisions regarding their healthcare to the greatest extent possible, the healthcare providers' bias toward a particular kind of treatment is paternalism in disguise. McLeod

and Sherwin point out an indirect form of paternalism in situations where healthcare providers “shape the decisions of their patients make by tailoring the information to ensure the selection of what the health care expert considers the best choice for each patient” (267).

It is clear then that the traditional, liberal conception of autonomy does not satisfy the sort of autonomy that is necessary for human persons. The traditional theory fails to account for the causal and constitutive nature of social context, it fails to account for several types of oppression, and it misleads us to believe that autonomy is achieved through building walls and boundaries to protect ourselves from the collective, which is wrongly considered a threat to autonomy. It is my contention that this very belief causes many of the social ills that persons face currently. Self-sufficiency involved in the liberal tradition discourages individuals from reaching out and connecting with others, and discourages people from asking for help and support. The isolation that results often causes serious problems, such as addiction, mental illness, and the phenomenon of feeling trapped in abusive situations. I discuss this contention later with reference to McLeod and Sherwin’s theory of self-trust as a necessary component of autonomy. In the next section I discuss what a theory of autonomy should provide, given the failures of the traditional conception of autonomy, and I indicate that relational autonomy best captures these requirements.

### **What is necessary for autonomy?**

The conception of autonomy with which I proceed is inspired by the feminist autonomy theorists, some of whom I have already mentioned. The feminist autonomy theorists move away from the notion of the individual as an isolated unit of free and rational choice, and embrace and encourage a conception of autonomy that is relational, both causally and constitutively. Further, the conception of autonomy proffered by most feminist autonomy theorists is a substantive account that offers more content than procedural guidelines. Procedural accounts offer a content-neutral formula which, when followed correctly and competently, is said to result in autonomous decisions and action. Weak substantive theories accept procedural accounts as long as they are supplemented by some substantive conditions. Substantive conditions might involve the requirement of an individual having adequate self-worth for her decisions and actions to count as autonomous. Strong substantive accounts completely reject the procedural account of autonomy. I also support the competency approach of autonomy that is suggested by some feminist theorists, which maintains that a certain repertory of skills is necessary for autonomous decision making and autonomous action. Many of the conditions or competencies outlined in these approaches resemble pro-

cedural accounts since they often require rational capacities of identification with desires, the ability to evaluate desires and beliefs and to modify action accordingly. However, in recognizing factors which undermine autonomy and in stipulating particular conditions that are necessary for autonomy, a competency approach is thus counted as a weak substantive or “supplemental” account. I elaborate on these conditions for autonomy with reference to some feminist autonomy theorists below.

Nedelsky holds that feminist theory will guide a satisfactory account of autonomy because it maintains criticisms against traditional liberal theory. The concerns of feminist theory draw a neat parallel with the concerns of relational autonomy theorists since both camps find problems such as oppression, socialization and the experience of autonomy unaddressed. Feminist theory can guide our inquiry in ways which allow us to define the trajectory and purpose of the inquiry, as well as be wary of the problems that come with attempts to transcend liberal theory, while simultaneously trying to maintain its values. By maintaining the values of liberal theory, I mean that while we must reject the isolation and boundary-driven notion of autonomy in liberal theory, we also want to retain the value that autonomy holds in terms of its power to individuate and allow persons to live autonomously, i.e. by their own (*auto*) law (*nomos*).

Poignantly, Nedelsky talks about how one’s own law is to be found, rather than created. This is in stark contrast with the liberal theory’s claim that “man makes himself”, and for good reason. She explains that exercising autonomy requires a certain capacity that must be developed and maintained. I take her to mean by “one’s own law” those beliefs, desires and values, and pro-attitudes that guide us to decisions and actions. These pro-attitudes are developed and sustained, and sometimes modified, only in context with others. Nedelsky emphasizes that autonomous action requires that an agent have the capacity for comprehension, self-determination and a certain confidence with which she can carry out her decisions. She also claims that dignity, efficacy, respect and “some degree of peace and security from oppressive power” (Nedelsky 1989, 12).<sup>1</sup> Moreover, Nedelsky stresses that the experience and feeling of autonomy is inseparable from the conception itself, since the *capacity* for self-governance cannot exist in the absence of *feeling* autonomous. To feel autonomous is to feel competent and effective enough to exercise some control over one’s life. She justifies this by explaining that our best guide to

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1. This condition must be distinguished from the liberal traditions notion of negative liberty, whereby an agent is free insofar as she is free from interferences. Oppression and oppressive forces are not simply interference, they are systemic social forces which explicitly and implicitly undermine autonomy of agent’s in oppressed groups.

knowing whether we are autonomous or not is whether we feel autonomous or not. While I agree that the experience of autonomy is essential to its definition. The justification of the experience being our best guide is somewhat oversimplified. As I indicate later, there are many cases of pernicious socialization and internalized oppression wherein women may take themselves to be acting autonomously but are in fact acting in accordance with oppressive norms which have been internalized.

In Ells' exploration of the experience of autonomy in people living with disability, she extrapolates features of a conception of autonomy that apply to all individuals, able bodied or otherwise. She distinguishes between autonomy and authority. Authority coupled with control allows individuals to govern themselves and the direction of their lives. Authority captures the capacity, ability, responsibility and right to control one's life. Control is the power to act. Without said power, authority holds little value and thus autonomy is undermined. We gather, then, that autonomy for Ells is having both the authority over one's life, together with the power to act. She later stresses that autonomy is indeed a matter of degree, which helpfully justifies the notion that individuals can be more autonomous in one area of their lives and less autonomous in others. For Ells, what is required for an adequate conception of autonomy is a robust sense of self, one that is not only embodied and embedded in a social context, but which is also necessarily dynamic and able to adapt to changes in the degree of autonomy one experiences.

Diana Meyers argues for a competency approach to autonomy which requires a certain repertory of coordinated skills. An autonomous act for her is one that is not dictated by any technical rules and which reflects the notion that autonomy is a matter of degree. She explains that autonomy can be *programmatic* (applied to one's entire life plan), *episodic* (applied to individual actions), or *partial* access (autonomous in one regard but oppressed in another). Interestingly, it is most clear in Meyers' argument that she endorses a partly procedural account. She explains that an act is autonomous insofar as it has been reflectively endorsed and exposed by the agent to rigorous self-scrutiny. Here it is suggested that autonomy entails an alignment of one's previously or reflectively endorsed values and beliefs with one's current actions. This is reminiscent of a Frankfurtian account, which stipulates that for the will to be free an agent must align her second order volitions with her actions. The explicit endorsement of procedural autonomy here suggests that some feminist authors do in fact want a content-neutral theory of autonomy.<sup>2</sup> Nevertheless, her explanation of autonomy competency is helpful. Namely,

2. It is not very clear whether Meyers endorses a strictly procedural or a weak-substantive account. This is not particularly important for the purposes of this paper, since I am only endorsing what she calls autonomy-competency.

she claims that for an agent to have autonomy-competency she must have the skills of imagination, interpretation, and the ability to recognize when she is not being transparent with herself with regard to her feelings and values. Further, the agent must be able and willing to acknowledge changes in her values and beliefs, and to act accordingly to modify any plans that are shaped by them. Finally, she must have the capacity to resist the will and demands of others. This is not a perpetuation of the pathological need for boundaries in liberal theory. Rather, it stresses that oppression undermines autonomy (Meyers 1987). While this is a very demanding list of what is necessary for autonomy with its rich requirements of rational capacity and critical reflection, as well as a heavy emphasis on transparency and self-reflection, this concept of autonomy competency informs an overall solid conception of autonomy when combined with other feminist theories of autonomy.

Sonya Charles explores the strengths of substantive versus procedural accounts of autonomy. A procedural account resembles something like Meyers' emphasis on internal decision making and rational capacities, while substantive accounts include external criteria that is necessary for autonomy. I endorse a *weak substantive account*, which combines the strengths of the procedural type account with the limits of a substantive account. A strong substantive account involves no procedural component, but urges very strong non-subjective criteria for what should count as autonomous. Because it does not fit within the purview of my argument, I do not elaborate on Charles' defense of the strong substantive account, but I do discuss what she counts as autonomy-undermining factors. Overall, Charles defines autonomy simply as those choices that align with her self-chosen preferences, and a theory of autonomy compatible with feminist goals will be one that accommodates a broad range of preferences, while ruling out preferences that are influenced by oppressive forces. The most useful component of Charles' discussion of autonomy is her suggestion to distinguish between autonomy as a right and autonomy as a psychological experience. The latter involves the experience of autonomy, namely, the sense of control an agent has over her life. Autonomy as a right refers to the moral right individuals have to make decisions concerning their lives, without interference from external forces. She urges that feminists embrace this distinction in order to combat oppression that undermines autonomy as a right (Charles 2010).

Along with the experience of autonomy, being autonomous has necessary conditions so as to be actualized and developed. For instance, McLeod and Sherwin take self-trust to be an essential pre-condition of autonomy. They also recognize that autonomy exists in degrees and that lacking in self-trust in some areas of life does not make an agent completely non-autonomous. They endorse Meyers' autonomy-competency requirements and add that for

an agent to be capable of autonomy, she must have been exposed to opportunities in which she could learn to exercise her autonomy. This emphasis on opportunity and development highlights a common thread in all of the above discussions: autonomy is not a static achievement so much as a dynamic skill which needs to be strengthened just as muscles do. Autonomy needs nourishment and due attention, practice and modification, if it is to flourish. McLeod and Sherwin confirm the intuitions discussed above that autonomy requires a certain level of self-reflection and actions based on appropriate beliefs. What is most necessary, they stress, is an agent's trust in her ability to act on those decisions. They define *self-trust* as an agent's attitude about their own trustworthiness, which is shaped by their beliefs and values. Self-trust concerns "the competence of the self and expectations about how one will be motivated to act in the future" (McLeod and Sherwin 2000, 266). Further, McLeod and Sherwin distinguish between three different types of self-trust. Type 1 involves motivation to *choose* effectively. It requires that the agent be adequately informed about her options and that she is situated to choose well. Type 1 requires that she trust her competency skills, those outlined in Meyers' theory, as well as the adequacy of the information upon which she acts. Type 2 refers to the agent's courage and ability to act on the decisions she has made. Type 3 is somewhat more complicated as it makes reference to the judgments on which she makes her decisions. These judgments are at the core of her decision-making skills. An agent in this case might think, "I have made decision X, but how can I trust that I made it correctly? What if my justification for making decision X is faulty?" This is a case of Type 3 self-distrust. In order to have valid and sturdy Type 3 self-trust, the agent must trust the appropriateness of her underlying beliefs and values that will inform her judgments, decisions and ultimately her actions. Without this, she may question her decisions pathologically. In sum, McLeod and Sherwin submit that all three types of self-trust must be present in an agent for her to have autonomy-competency (McLeod and Sherwin 2000).

### Forces that foster or undermine autonomy

I have thus far shown evidence for why an adequate conception of autonomy should be historical, substantive, competency-based, a matter of degree and should include substantive constraints. Such constraints should include an adequate level of self-trust, confidence and transparent access to one's own beliefs and values. In the following section, by highlighting factors that foster and undermine autonomy, I conclude that the overarching characteristic of this theory of autonomy must be *relational*. Each of the previously discussed feminist autonomy theorists have shown in their discussions how agents are defined and constituted by their social context. Indeed, autonomy finds its

meaning only in a social context. The reasons for this have depth that is important for understanding why a theory of autonomy, especially in healthcare settings, should pay due credence to the social nature of agents.

Nedelsky analyses public bureaucratic systems which reflect her criticisms of the traditional liberal theory, as discussed earlier. She rejects the traditional theorist's use of private property, individual rights and the building of boundaries to define personal autonomy. She goes on to discuss the factors which clearly undermine the experience of autonomy, which we recall is inseparable from the concept itself. She utilizes evidence from administrative law to illustrate certain features of interdependence that reveal that autonomy is in fact supported in relational contexts (Nedelsky 1989).

Quite simply, she notes that the experience of powerlessness and subordination is a direct threat to autonomy and to the capacity for autonomy. That capacity can easily be diminished or destroyed when agents are unduly subject to the power of others. When an individual is treated in a way that limits their ability to take part in their own lives, their ability to understand the relevant factors in decisions regarding their lives and the ability to define and pursue one's own goals, that individual has had their autonomy undermined. With her case studies in due process and administrative law, she demonstrates that what fosters autonomy is for an agent to feel as if they are included in decisions that govern the direction of their lives. It is the sense of participation in the process of decision-making that allows individuals to feel that empowerment. Participation, then, is seen as a means toward autonomy. For these reasons, it is essential to accommodate the features of interdependency into social structures that affect the autonomy of individuals. She goes on to argue that the collective is not a *threat* to autonomy as the liberal tradition would have us believe, but it in fact *constitutes* persons as autonomous. For the optimal experience of autonomy, agents must feel an adequate sense of dignity, efficacy, comprehension and competence, which cultivates the feeling of participation in one's life choices. This is especially obvious in cases of due process and other administrative situations wherein authorities external to individuals wield power over the individual's lives. Autonomy is fostered when an agent feels free to participate in the decision-making processes, has access to relevant information, and they feel that they are partners in these processes. The sense of depending on others does not disappear, but it is transformed into a positive, autonomy-supporting factor. I take these conclusions to be applicable not only in bureaucratic and administrative settings, but also in more intimate settings of healthcare, as well as interpersonal relationships.

The necessity for boundaries is not only overstated in the liberal tradition, but serves as a leading cause of several social ills, including addiction and other mental illnesses. The notion of self-sufficiency that is embedded in the



liberal tradition, as mentioned earlier, paints interdependence as weakness. It thus fosters the sense that asking for help in situations wherein an individual needs support and guidance is a kind of failure—a failure to live autonomously by liberal standards. This implication ignores the inherently social nature of being human. Healthy, autonomy-fostering relationships are those in which the boundaries between people are porous enough to accommodate new information and the interdependence that already constitutes us. Insofar as relationships can be harmful, of course boundaries are important to protect oneself and one's autonomy. However, this is distinct from the sort of walls that the liberal tradition insists on erecting to protect our own property. Boundaries in relationships are necessary to protect our sense of self-worth and to maintain our sense of power in our own lives, to warn us when our power is being diminished by oppressive forces. Poignantly, Nedelsky points out that while democracy requires a similar level of participation, it cannot be equated with autonomy since there are times when autonomy may be threatened by democratic outcomes. Simply, where there is a dominant group, there will likely be an oppressed group. Nedelsky closes by arguing that even though autonomy remains an individual value, it takes its value from its existence within a social context. What enables autonomy in individuals is being in human relationships that provide guidance and support. This feature is also common to most feminist and relational theories of autonomy and should be given urgent consideration in healthcare and treatment settings.

While Ells discusses ways in which people living with disabilities have diminished autonomy, the main purpose of her paper is to extrapolate rules of autonomy that apply to all people. We look at these cases because for the privileged and able-bodied person, we are often only really aware of our physical embodiment when something is wrong with our bodies and in need of treatment. Similarly, in cases of explicit disability, illness and oppression, it becomes clear how a person defines autonomy and the lack thereof. So we take our lead from these cases to define autonomy for everyone. While I will not discuss the nature of disability that Ells describes, her analysis does reveal features of human experience and the experience of autonomy that are valuable to my current project. Firstly, social factors make physical and mental conditions relevant to almost any situation, as Ells demonstrates. People in oppressed groups and people living with disability or mental illness can recognize clearly how their options are limited in terms of career, transport, relationships, even in public restrooms. This is an almost blindingly essential feature of life for everyone: we exist and find meaning in social context. Secondly, the experience of disability reveals an illusion that has been perpetuated by the liberal tradition and has been blindly assumed by members of privileged groups. That is, all people should be independent. There is an



unfounded assumption that people living with disabilities and other members of oppressed groups are dependent on dominant groups and the state and that the privileged are in some sense independent. However, all people depend on transportation infrastructure, healthcare systems, public libraries, and the economy, revealing that we all are interdependent. This is not to be taken as a new feature of autonomy, it simply is the case of being human. It has been the insistence by the liberal tradition that autonomy is to be found in and protected by one's self-sufficiency. But this is an unrealistic assessment of humanity. Ells calls our dependence "situated," explaining that we may feel independent in some ways, but it is always within a social context. This sort of dependence is not simply supportive of autonomy and self-governance, it is necessary.

The experience of autonomy for people living with disability explicitly reveals how autonomy can be undermined, especially within a therapeutic setting. Since the self is so dynamic, and since autonomy is a matter of degree, it is possible that the self could withstand some losses of autonomy without becoming completely non-autonomous. However, the ebb and flow of the experience of autonomy corresponds with the constantly changing self. "On bad days, the boundaries of one's self concept become permeable as former attribute, sentiments, experiences and actions are altered or lost" (Ells 2001, 610). I take this to be one of the most important observations about autonomy, because this is something experienced by all people. As mentioned earlier in reference to Nedelsky and the notion of boundaries in liberal theory, boundaries are overstated and must indeed remain porous to some extent. However, this is a prime example of when those personal boundaries are meant to protect an individual's sense of self. It is not uncommon for people, especially people living with disability, other members of oppressed groups, and patients, to feel as though they are "losing parts of themselves" when trying to adapt to dominant groups or ideologies. Indeed, the same can be said for women in abusive relationships, as well as people living with addiction and other mental illnesses. However, in supportive and healthy social environments, relationships can serve as an important healing tool. *Healthy* relationships will encourage an individual to garner and sustain self-respect and self-worth. Interestingly, Ells shows that oftentimes people living with disabilities embrace the fact that autonomy is a matter of degree by shifting their life priorities. She explains that in many cases people living with disability tend to develop stronger bonds with the people in their lives, which strengthens and enables autonomy. Of course there are obvious factors which impede on autonomy when living an embodied life in a less than able body, but she insists that some people will find greater opportunity for autonomy in freely exploring their natural interdependence with others.

Probably the most pertinent sentence of all the feminist autonomy theorists I've read, Ells paraphrases Milton Mayeroff when she writes that "a form of adult interdependence where, for instance, each person helps the other grow in self-understanding, better characterizes autonomy than do some forms of adult 'independence'" (612). Just as toxic relationships and oppressive forces tend to destroy autonomy, the right sorts of interactions and healthy relationships will foster and support autonomy.

What a feminist theory of autonomy must also take into account is the possibility of self-undermining that often prevents autonomous development in the name of autonomy. Diana Meyers discusses this as *traditional feminine socialization*. According to her, there is a debate within the feminist theorist community whether the traditional feminine role is a result of pernicious socialization or whether it is an autonomous choice of life-plan for women who understand themselves as having the unique qualities aligned with the traditional feminine role. Nevertheless, she critiques traditional feminine socialization, arguing that socialization is a prime threat to autonomy. There is enough evidence that women have less control over their lives than men, and any decent account of autonomy must recognize that there are oppressive forces such as socialization and gender inequity that undermine the autonomy of women. For Meyers, individuals are autonomous insofar as they live in accordance with the values and beliefs that make up their authentic selves. Personal autonomy must be conceived of and obtained in a social setting, with specific reference to socialization in childhood. An adequate theory of autonomy, according to Meyers, must also accommodate the fact of our deep emotional ties to other human beings. For some women it may be the case that her love for her partner and children may keep her subservient. She discusses three ways in which autonomy may manifest: *partial access autonomy* refers to the way that people may act autonomously in isolated incidents while not having control over their entire life plans. Especially important to this type of autonomy is the ability to express oneself and one's feelings in any given situation. Even if an individual's voice is not heard in all situations, making it heard in some situations gives her a measure of partial access autonomy. *Programmatic autonomy* refers to the greater scope of self-governance that characterizes the freedom and control over one's life plan. A person with programmatic autonomy will pursue an overall life plan which embodies answers to smaller questions of one's spiritual choices, family values, career plans and the like. Again, this reflects that autonomy is recognized as a matter of degree, that an individual can be autonomous in some regards while lacking in autonomy in others. Finally, *episodic autonomy* characterizes the ability to conduct a specific action with conviction and integrity, that is, to act in line with one's previously endorsed values and beliefs. On Meyers'

account, autonomy is undermined when an individual fails to demonstrate necessary rational skills such as determination to carry out plans, self-knowledge of one's own feelings and values, and a lack of creativity when conceiving of what one wants. As discussed earlier, Meyers proffers a competency approach to autonomy that requires a repertory of coordinated skills. While I take the list of skills to be extensive and almost too demanding, I agree that they make up a fair set of substantive requirements for autonomy. The main obstacle to a woman's autonomy competency, Meyers suggests, is the role of traditional feminine socialization (Meyers 1987). I understand this to refer to historically embedded and oppressive stereotypes of women that lead to pernicious socialization which perpetuates the psychology of altruistic devotion and submissiveness. Though this does not wipe out the possibility of a woman's autonomy, it severely compromises her opportunity to develop the skills necessary for autonomy competency. We cannot rule out the traditional feminine role as a legitimate life plan for many women, but insofar as it inhibits her from realizing her full autonomy-competency, socialization of this form is destructive to autonomy.

Socialization and oppression can undermine autonomy, even without one's knowledge. Sonya Charles discusses the notion of internalized oppression, which I understand to be the result of the kind of pernicious socialization Meyers discusses. Some oppressive norms are so deeply embedded in a culture that they become embedded in the psyches of the members of oppressed groups. It is often found, for example, that women truly believe that they deserve less than men. In fact, this ties into the issues of self-trust that McLeod and Sherwin discuss. It has become completely natural for women and members of oppressed groups to doubt themselves before doubting the forces which oppress them. This raises what Charles refers to as the "feminist intuition," where women question the autonomy of some decisions even though they appear to be aligned with reflectively endorsed preferences and desires. This sort of intuition is raised in cases where a wife *thinks* that she has autonomously chosen to be deferential to her husband and to place the family's needs ahead of her own. Charles argues that this belief reflects internalized norms that perpetuate harmful stereotypes of femininity. The problem with this sort of internalization is that it leads a woman to explicitly or implicitly undermine her own self-worth, indeed, to ignore her worth as a moral agent. It is the culture of submission that is wrong with the picture, not simply the deferential wife's choice to put her family first. Even if upon questioning the deferential wife, she insists that she has chosen her servility, the fact that this decision comes from an underestimation of her moral worth means that the decision is not autonomous. This is one of the substantive conditions Charles claims is necessary for autonomy. Other substantive conditions suggest that decisions

which are based on false beliefs and those which perpetuate oppression do not count as autonomous. Neither do those beliefs that rely on subordinating reason or the devaluation of self. Internalized oppression warps the skills necessary for autonomy competency, namely the critical reflection, rationality and self-knowledge necessary for autonomy. While it is not in the scope of this paper to discuss the strengths and weaknesses of a substantive approach over a procedural one, it is helpful to note some of the concerns raised by procedural theorists. One fear is that a substantive theory will narrow the scope of choices by applying more rigorous standards. This is a concern I raised earlier with regard to the demanding nature of the skills necessary for autonomy-competency. Charles responds to this fear by standing her ground and suggesting that autonomy should be that stringent, that an individual deserves those rigorous standards of autonomy. If our requirements are too weak, we face the risk of undermining the experiences of oppressed groups. The second fear raised is that such strong talk of oppression and pernicious socialization, which often comes across as loaded with anger, exacerbates the sense of victimhood experienced by members of oppressed groups. I agree with Charles' reply to this. She argues that there will always be some acts which are non-autonomous, and some which are simply not very smart. Her purpose is not to rule out decisions and courses of actions, it is simply to derive a system of characterization whereby we can call one action autonomous and another non-autonomous. Further, recognizing and becoming educated in the ways which socialization limits the autonomy of women and members of other oppressed groups can be an empowering and autonomy enhancing factor. Charles believes that only a strong substantive account can account for the kinds of pernicious socialization that results in internalized oppression.

McLeod and Sherwin express concerns about the ways in which autonomy is undermined in general, and in healthcare settings. As discussed earlier, McLeod and Sherwin argue that all three types of self-trust must be present in an agent for her to act autonomously. They also argue for a relational account of autonomy since autonomy is only meaningful and available in a social context. Importantly, an agent must have access to certain opportunities to develop and express her autonomy skills, and that environment is necessarily social. This character further confirms the intuitions of the authors above regarding the necessarily relational character of autonomy. One way in which an agent's autonomy is undermined is when she is made to feel as though the solution to her diminished autonomy is to better adapt to her oppressive conditions. This is an implication of the liberal theory which rests on notions such as "survival of the fittest" and "each man for himself." The relational approach to autonomy encourages us to find solutions to the larger social conditions which allow for oppression to exist at all.

McLeod and Sherwin point out that since agents are members of several groups that intersect with one another, it is possible to be privileged in one way and oppressed in another. For example, a white man who sleeps with men enjoys the privileges afforded to men and to white men, while belonging to the LGBTQAI community, which remains oppressed in many societies. Thus, not everyone who is a member of an oppressed group lacks autonomy absolutely, and not all members of privileged groups enjoy full autonomy. What is important to note is that oppression always threatens autonomy. One of the ways that oppression undermines autonomy is by limiting options available to members of oppressed groups. This can be seen in workplaces that favour male employees, or public restrooms that do not accommodate transgendered individuals. These sorts of cases interfere with an agent's ability to act autonomously because they undermine an agent's ability to do what they want to do, and also because they cause an agent to doubt themselves in one way or another. Further, when options are limited by oppression, an agent may be forced into a double-bind. This is illustrated by McLeod and Sherwin by the example of a woman in an abusive relationship: if she remains, she will continue to be abused, but if she leaves, she faces the threat of angering her abusive partner and possibly her financial security as well. She feels trapped between two evils, and it is thus clear why she could not be said to be autonomous. Another way that oppression undermines autonomy, as discussed above, the effects of pernicious socialization and internalized oppression. The example McLeod and Sherwin use in this case is the woman who desires cosmetic surgery, but is aware that her desires are influenced by oppressive social norms that encourage women to live in accordance with a standard of beauty that is not her own and is often concomitant with toxic masculinity that dominates popular culture. This case raises what Charles called the *feminist intuition*, and calls into question the woman's choice to proceed with cosmetic surgery as truly autonomous even if she has reflectively endorsed her decision. According to McLeod and Sherwin, if health care providers are truly committed to enhancing the autonomy of their patients, they have a responsibility to encourage their patients to consider the factors that influenced their choices and the values on which those choices are based.

### **Autonomy in mental healthcare settings**

From cases such as that of the woman who desires cosmetic surgery but doubts her autonomy with regard to that desire, I am inclined to wonder if the same sort of oppression is at work in undermining the self-trust of patients who have recently been diagnosed with depression. Specifically, it would be understandable for a woman to be left overwhelmed and confused

if she felt depressed. On one hand she may wonder if her depression is her own fault and that she is simply moody or “hormonal,” after all, this is one of the many (harmful) stereotypes of women that is embedded in our culture. Also, given the liberal tradition’s emphasis on self-sufficiency, she may admonish herself for being unable to “sort it out” on her own, leaving her feeling guilty, reluctant or even incapable of seeking help. Even so, she may desire to be happy and motivated, embodying values that are cherished in the culture in which she has grown up. Then there is the question of how well she knows herself, versus how well-versed her healthcare provider is in diagnosing an illness whose very existence is doubted by much of society. The stigma around psychiatric treatment may exert just as much pressure as the stigma around being unhappy, unmotivated, unsociable and unable to “sort it out” alone. It is understandable how a woman<sup>3</sup> in this situation may feel trapped. In such a situation she may lack all three types of self-trust: trust in her ability to make a good choice, trust in her ability to act on the choice she makes, and trust in the judgments which underlie her choice in the first place.

Lacking in self-trust severely diminishes this agent’s capacity to deliberate and formulate decisions about how to move forward. Not only has oppression failed to provide her the fertile ground for developing her autonomy competency in the first place, it has provided the grounds for her to doubt herself. Further, oppression may limit the information available to members of oppressed groups, especially in healthcare settings. For one thing, much research in mental health care is conducted with sample groups only from Western cultures. A lot of medical research may be male-biased and inadequately treat women with the same disorders who present different symptoms or causes. It really is no wonder why an agent would lack the confidence, courage and trust in herself and ability to make decisions if it seems to her that everything on which she bases her beliefs and values is unreliable.

Of course, there may be some well-founded self-distrust in the face of diagnosis, given the fact that the average patient is not trained in medical science or psychiatry. When a patient enters the clinic, she is vulnerable from the very beginning, the doctor holds more power than her in this situation. As McLeod and Sherwin discuss, even the most confident and self-sufficient patient can feel overwhelmed by the doctor patient relationship. In healthcare communities, the practice of paternalism is readily dismissed as unethical. However, there are some ways in which doctors communicate with their patients which qualifies as indirect paternalism. An example of this is when a physician frames diagnosis and treatment options in a particular way to stress what the physician

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3. Of course, men may face similar double binds. For the purposes of this article I focus on the effects of internalized oppression and socialization of women and their undermining effects on autonomy.

takes to be important. In the case of the woman with depression, a psychiatrist would interview her and likely tell her that she needs to be on medication for life. This experience could be disconcerting for the patient who takes the physician as an authority in this area of expertise. These sorts of interactions in healthcare and treatment settings are the sorts of everyday interactions that may undermine an agent's autonomy and threaten their humanity.

Compiling all of the previously discussed necessary attributes an agent must have in order to make autonomous decisions, self-trust, self-knowledge, and self-worth are imperative. Also, the experience of autonomy is essential to *being* autonomous, so we are justified in saying that the patient who does not feel autonomous, or rather, the patient who feels that a physician has more power over her healthcare decisions than she does, is lacking in autonomy. If the individual does not have adequate information to make serious decisions about her healthcare, she is ill-equipped to make autonomous decisions. If her autonomy competency skills are impaired (her imagination, rationality, capacities to evaluate and interpret values and beliefs, ability to resist others' desires etc.), then she is ill-equipped to act autonomously.

### Conclusion

If it is the physician's responsibility to enable the patient to make decisions with the greatest degree of autonomy as possible, then it is the physician's responsibility to educate the patient about factors that may interfere with her autonomy. This includes educating the patient about pernicious socialization and internalized oppression. One suggestion is to include in physician's diagnostic surveys questions that address an agent's awareness of how an illness operates, especially with regard to beliefs and conceptions of self, including questions evaluating the patient's self-trust, and her self-worth. Importantly, her self-worth could be undermined by her illness, but it may also be undermined by her awareness of stigmatization of people living with mental illness. The patient must be encouraged to feel that she is a competent and active participant in making decisions about her own healthcare, to the extent that she is capable. (Of course the parameters of such capability are up for debate, but in this context we are talking about a woman whose life is moderately impaired by depression, not to the extent where she is incapable of communication with her physician.) As Nedelsky shows in her analysis, what contributes to the experience of autonomy is the sense that one has some control in the decisions that govern their lives. What fosters this further is the encouragement and support of others which fortifies the sense of self-worth and self-respect an agent has for herself.

An adequate conception of autonomy is imperative to all areas of life, from administrative processes to infrastructure for people living with disabilities.



It is central to biomedical ethics and to political and economic practices. In fact, it is central to any humanist ethic. The traditional liberal model of autonomy is unsatisfactory. It not only fails to provide substantive conditions for autonomy, it fails to capture the essential social nature of being human. In doing so, it denies the experience of undermined autonomy in members of oppressed groups. Thus, not only does it fail to provide an adequate account of autonomy, it also serves to perpetuate harmful social norms that make it difficult and sometimes impossible for agents to acknowledge the innate interdependence of human life. In order to foster autonomy, agents need to build self-trust and self-worth, as well as autonomy-competency skills. This can only be done and be meaningful in a social context. Similarly, autonomy can only be undermined in a social context. For this reason, health care providers and the entire health care community are well-advised to revise the model of autonomy that currently informs biomedical ethics. I recommend that a relational approach to autonomy be adopted in order to better understand the social conditions which contribute to the cause of a patient's malady and the exacerbation of her symptoms, and also how they could affect her environment. This is particularly important in cases of mental illness and addiction. It is not uncommon in such cases for agents to have come from environments that undermine autonomy, either explicitly (abuse) or implicitly (pernicious socialization and internalized oppression). How an agent comes to make a decision or develop their autonomy-competency influences their capacity to exercise their autonomy. Without adequate forums to develop these skills, an agent may never reach a satisfactory level of autonomy necessary to govern their own lives.

Healthcare providers should take this opportunity to employ education programs for their patients. One way of doing this would be to have a medical information therapist in the room during consultations. The therapist would serve as a liaison or translator of sorts, so as to temper the intimidating atmosphere of the doctor's rooms. Alternatively, especially in cases of mental illness and addiction, agents could attend group psycho-education classes that would inform them of the nature of their illnesses and the range of treatment options available to them. This sense of participation would empower patients and foster a sense of autonomy that may have been lost in the experience of their malady, as well as in the moment of diagnosis. What is certain is that in all cases of oppression, disability, abuse, and illness, relational factors contribute to the experience of diminished autonomy. What is also certain is that the right sorts of relationships—relationships that encourage and support individuals—foster the ingredients necessary for empowerment. That empowerment is not the power over others or to put up walls between the self and others, but the sort of inner power that makes self-governance possible. Relational autonomy is the basis of our humanity.



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## Humanism, Illness, and Elective Death: A Case Study in Utilitarian Ethics

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### ABSTRACT

The author offers a defense for elective death on utilitarian grounds, but one that is presented specifically from the perspective of someone who: 1) faces a potentially terminal illness and diminishing quality of life; 2) views death as nothing more than a return to prenatal nonbeing; and 3) maintains common humanist ethical commitments. The argument, then, is uniquely situated and limited in scope, rooted both in the particulars of his recent experience with illness and in a worldview shaped largely by emerging narratives in the sciences. Drawing upon the work of J.S. Mill and P. Singer, the author begins by assuming that one is generally free to act on a preference for nonbeing so long as others are not unduly harmed or thwarted in pursuing their own aims as a result. But a humanist, he argues, is encouraged to press beyond this minimum criterion and do one's best to maximize *eudaimonia* by carefully weighing how elective death would likely affect others to whom one is currently obligated in significant ways. The focus of one's ethical reasoning, then, should remain on maximizing well-being, not on creating a logical flawless and internally coherent defense that may satisfy a set of generic or universally applicable criteria drawn up by professional philosophers in an effort to define precisely what might render a given suicide "rational" or "morally permissible."

### Keywords

euthanasia, suicide, chronic illness, utilitarianism, secular humanism

### Introduction

Last spring, during halftime of the Carolina-Duke basketball game, the upper abdominal pain I had been experiencing for about two months abruptly surpassed what I was able to tolerate. So, off to the emergency room we went. After what seemed an interminable amount of gratuitous poking and press-

ing upon a very tender and distended abdomen, the physician assigned to my case finally ordered a CT scan, which revealed numerous lesions in the liver. I was written prescriptions for oxycodone and tramadol, then instructed to follow-up with my primary care doctor as soon as possible.

The following week, results from a liver biopsy and several imaging tests offered a clear reason for all the pain: Non-Hodgkin's lymphoma. Since the diagnosis, I've completed a standard course of chemotherapy (commonly known by the acronym R-CHOP), and a recent CT scan suggests that I am in remission. Given how far the cancer had spread—once it reaches a major organ like the liver, physicians automatically classify NHL as “Stage IV” disease—I consider myself lucky to be alive.

Most relapses of this particular kind of lymphoma occur within two years of initiating treatment. Just over one year has passed since that first cocktail of toxins dripped slowly into my forearm, so I remain anxious, unable to commit fully to the future. Whether at home or at work, I manage to do what needs to be done, but it's as if I'm waiting for some clear sign to truly invest again in life. And, when making plans, I find it difficult to commit to anything more than a few weeks away—partly, I admit, because I have an unhealthy obsession of needing to finish whatever I start. Even beginning an essay of this length makes me a bit nervous, because I know that it will take at least a month or two to complete a draft that I find even marginally acceptable. If my immune system doesn't manage to muster the strength to keep further malignancies in check, I can't help but wonder: Should I really be going about business as usual? Shouldn't I be wrapping things up—completing the advance directive and the will that have been sitting on the corner of my desk for the last year, or gathering all the most pertinent (primarily financial) information my spouse and son will need when I'm gone?

If the cancer were to recur, a number of high-dose chemotherapy regimens that aim at cure do exist. Because they take an enormous toll on the immune system, generally they are followed by autologous stem cell transplants. Long-term prognoses for these so-called “salvage therapies” are rather poor, but eradicating the cancer would remain a possibility. At this point, however, I would be reticent to pursue any of these options, both because of a preexisting autoimmune illness (aggressive treatment for which likely brought on the lymphoma in the first place) and because of unresolved complications from the initial course of chemotherapy. Even if I were fortunate enough to be among the few who do achieve a cure on their second attempt to eliminate the disease, I have little confidence that I would emerge with a satisfactory quality of life. I have neither the stamina nor the faith in a positive outcome that would seem required to endure a far more rigorous—and perhaps disabling—treatment regimen.

So, like many others who face a potentially terminal illness and diminishing quality of life, and who would be strongly disinclined to pursue grueling low-yield salvage therapies, I find myself mulling both the ethics and the logistics of elective death. Although three states by legislative design now grant physicians the right to assist the terminally ill in dying with dignity, voluntary active euthanasia still bears a heavy stigma here in the U.S. It is generally viewed as an option pursued only by the faint of heart, the lonely or depressed, or those sadly misguided humanists who believe they have every right to dispose of their lives as they see fit, so long as they bring no significant harm upon others. Although recent polls may attest to increasing secularization—nearly 23% of the population now reports being unaffiliated with any religious tradition<sup>1</sup>—religious language to a great degree still determines how we think and speak about euthanasia. For instance, it is often said that human beings are unique among Earth's inhabitants in having been created in God's likeness and endowed with souls capable of surviving the death of the body. As the apple of God's eye, the crown of all creation (Gen 1:26–31), there is not one among us who hasn't been assigned a special place and purpose in this world, not one whose every hair has not been numbered (Matt 10:30; Luke 12:7). Because we have been fashioned lovingly in the womb by a deity who promises to watch over and guide us every step of the way, human life is especially sacred, a gift for which we ought to be supremely grateful. It is also often said that because we ultimately belong to God, self-annihilation would infringe upon his exclusive right to determine the proper course and duration of a human life. To take our own lives would be to usurp God's authority, to dispose of something that does not rightfully belong to us.

But the Christian narrative is rapidly losing its persuasive force. It no longer commands automatic respect or allegiance. I happen to be among those for whom recent narratives in the social and natural sciences have displaced the Christian understanding of the nature of reality, humanity's place in the cosmos, and what sorts of values, behaviors, and social institutions are most beneficial for our species. Today, I see no reason to appeal to an unseen realm or a supernatural being to explain the origin of the universe, the evolution of life, consciousness, moral sensibilities, or even love. In fact, introducing unseen agents like gods, angels, demons, or revered ancestors into the mix only seems to create more intellectual trouble than they're worth. As Richard Dawkins has pointed out time and again, even the rather simple suggestion that a supremely intelligent artificer created the universe does nothing what-

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1. See, for instance, the results of the recent poll conducted by The Pew Research Center (Religion and Public Life). The data were first released to the public on May 12, 2015 online in an article titled "America's Changing Religious Landscape" (<http://www.pewforum.org/2015/05/12/americas-changing-religious-landscape>).

soever to terminate the causal chain that would eventually give rise to *Homo sapiens*. The “God hypothesis” merely raises the question of where the artificer himself came from. Furthermore, our best scientific theories for the origin and nature of the cosmos come with plenty of empirical evidence. Religious cosmologies, on the other hand, rarely (if ever) come with this intellectually satisfying advantage. More often than not, religious adherents are exhorted simply to “have faith” in the words of long-deceased visionaries or prophets who claimed to have communicated directly with a supernatural being, and not to concern themselves too much with whether certain claims can be verified by evidence that may be subject to peer review.

For someone like me who is not persuaded that a transcendent order exists, who believes that we amount to no more than our bodies and therefore that death is nothing but the permanent cessation of consciousness, what ethical considerations might arise when contemplating voluntary death? How might these considerations differ from an individual who believes that she does remain accountable to a higher power, and who sees death not as the absolute end, but rather as just one of many rites of passage, a gateway to an idyllic world in which there shall no longer be any sadness or pain?

One of the most important differences between these two orientations is that outside of a theological framework we alone become responsible for generating moral principles and norms. There is no god to do the hard work for us. Successfully negotiating a potentially infinite array of competing preferences and aims becomes an exclusively human affair. Of course, to acknowledge that all moral norms are anthropogenic is also to accept responsibility for egregious moral failings like slavery, genocide, or discrimination in any of its forms. There simply is no one else—no god, demon, or slighted ancestor—to blame. We now have no choice but to concede that any injustices once rationalized by appealing to the authority of scripture or to God’s will ultimately originated with us.

But the prospect of creating moral principles and norms can also be invigorating, for we now have the freedom to tailor them to our specific needs and desires. We need no longer fret over fulfilling a long list of divine commands that often feel far removed from the complexities of modern life, or even seem to inhibit rather than enhance human well-being. And the world need no longer be seen as a kind of training ground where suffering is simply to be endured, and where our chief objective is to remake our innately sinful selves into the sorts of creatures a deity deems worthy of saving. Put simply, without God we may safely dispense with divinely mandated moral codes from the past and begin tailoring ethics to the satisfaction of our needs and preferences.

When engaged in ethical reasoning outside the sacred canopy, I most often find myself employing a utilitarian calculus that determines right

from wrong by gauging how well a particular action or behavior contributes toward human well-being. Generally, this means that actions I deem “good” or “right” enhance well-being, while actions I believe to be “bad” or “wrong” thwart well-being or cause unnecessary suffering. Admittedly, making use of a utilitarian approach is especially challenging in a pluralistic society like ours, where we must find creative and fair ways of negotiating a wide range of competing values, interests, and aims. Although it may seem as if evolution has hardwired us for satisfying our own personal preferences first, in any utilitarian model, ethical reasoning always involves taking into account the needs and preferences of any who may be affected by our actions. It also involves a lot of trial and error. Without a divinely authorized guidebook to follow, mistakes will be made, and we will have no one to fault but ourselves for our moral miscues. Nevertheless, a utilitarian approach has the advantage of keeping human well-being front-and-center at all times, and I find this enormously appealing. We certainly need not give up using terms like “duty” and “virtue,” which figured more prominently in the philosophical traditions of our forbearers, and still play a central role in the ethical traditions of all three Abrahamic religions. Only now, when we talk about moral duties or character-building, we recognize that they have maximizing *eudaimonia* as their primary goal.

In the absence of a divine lawgiver, there is also no longer any need to concern ourselves with the notion of “moral absolutes,” duties or principles that ought to apply in all times and places. Certain behaviors, of course, will be deemed wrong by nearly every society because of the sheer amount of suffering they cause (rape) or because they undermine any attempt to maintain a stable social order (theft). But the rightness or wrongness of a great many of our behaviors will vary across time and culture, and the subject of this essay—elective death—certainly fits within this latter category. Some communities have extolled voluntary death under certain circumstances, such as loss of honor, advanced age, irremediable criminal inclinations, unbearable physical pain, or an unacceptable forfeiture of bodily integrity. Others, however, have issued blanket condemnations, often under threat of divine punishment and withholding proper burial rites.

My intention here is to offer a rather straightforward defense for elective death on utilitarian grounds, but one that is presented specifically from the perspective of someone who: 1) faces a potentially terminal illness and diminishing quality of life; 2) views death as nothing more than the permanent cessation of consciousness; and 3) maintains common humanist ethical commitments. The argument, then, is a thoroughly contextual one, rooted both in the particulars of my own recent experience with illness and in a worldview shaped largely by emerging narratives in the sciences. Importantly, I will not

propose some far-reaching or universally applicable defense of elective death. Neither will I suggest a list of criteria that, if met, might enable one to define a given suicide as “rational” or “morally permissible” in some broadly acceptable sense. The argument is uniquely situated, perspectival, and limited in scope. Finally, although I intend to say something about elective death outside the context of terminal illness as well, my primary concern throughout will be the sort of “instrumental suicide”<sup>2</sup> by which someone aims to shorten the duration of his or her suffering and/or to avoid an unacceptable level of debility in the wake of a terminal diagnosis.

### Defining and applying a utilitarian approach

I begin with an ethical principle that will seem uncontroversial to most humanists: Each individual generally ought to be free to satisfy her own preferences so long as she does not harm others or unduly impede others in pursuing their own preferences.<sup>3</sup> This conviction is based both on Kantian respect—people ought to be treated as ends in themselves and never only as a means—and the assumption that greater autonomy generally yields greater well-being. Even those who discover that they thrive in highly structured social environments are generally happiest if they’ve chosen such an environment. So, an individual who, say, voluntarily leaves his teaching position for a Trappist monastery is likely to have a better shot at happiness than someone who is drafted into military service. Although both individuals may lead highly regimented lives in which opportunities for self-determination are limited, at least the monk has chosen his path, and presumably also believes that its *telos*—union with the divine—is the *summum bonum* of human existence.

2. David Wood draws a helpful distinction between what he calls “instrumental” and “expressive” suicide (Wood 1980, 151–60). Expressive suicide is a far rarer phenomenon and need not have a particular effect in view. It is, says Wood, one that is “*exhausted by its meaning*,” and may therefore merely be “a gesture of disgust, contempt, or perhaps an affirmation of belief in some better world beyond” (p. 154). An instrumental suicide, on the other hand, always intends “to bring about some effect by the act” (p. 154).
3. The utilitarian approach I adopt is therefore a type of “preference utilitarianism,” and very similar in kind to that employed by Peter Singer in his article “Voluntary Euthanasia: A Utilitarian Perspective” (2003, 526–541). Singer here defines the proper course of action as “the one that will, in the long run, satisfy more preferences than it will thwart, when we weigh the preferences according to their importance for the person holding them” (527). On the one hand, then, his model is rooted in Mill’s conviction that “individuals are, ultimately, the best judges and guardians of their own interests” (529). But for Singer (as for Mill), the agent never loses sight of what kind of impact his or her actions may have on others. The challenge of this approach is to find creative ways of granting as much autonomy as possible without also unduly constraining others in pursuing their preferences. Admittedly, this is no easy task.

With J.S. Mill, I also take for granted that government ought not to prohibit or overregulate self-regarding behaviors that do little or no harm to others, even when many might consider these behaviors to be self-destructive, or at least not in a person's best interests. Government certainly may tax self-destructive or risky behaviors for which we all pay (consumption of nicotine or alcohol, for instance), but an individual ought nevertheless be free to engage in self-harm, so as long as others' basic rights are not unduly impeded in the process. The latter is sometimes referred to as the "harm principle," which Mill himself put in the following way:

The only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm from others. His own good, either physical or moral, is not sufficient warrant. ... The only part of the conduct of anyone for which he is amenable to society is that which concerns others. In the part which merely concerns himself, his independence is, of right, absolute. Over himself, over his own body and mind, the individual is sovereign. (Qtd. Groll 2014, 198)

Here in the U.S., elective death is generally still regarded as a purely self-destructive and senseless act that is inherently opposed to one's best interests. Many Americans would also be reticent to classify voluntary death as a truly self-regarding behavior in Mill's sense, no matter what the circumstances. No suicide, they would say, fails to harm others, and for this reason alone it ought to be strongly discouraged or, under certain circumstances, even forcibly prevented.

Admittedly, it is difficult for me to press back behind these two basic convictions in search of some secure epistemic foundation upon which to ground them. They are shaped to a large degree by my upbringing, by what I happen to have read, by the people I associate with, and by living in a nation that places a premium on individual liberty. They are the product having been introduced at a young age to a particular cultural and intellectual heritage rooted in the Enlightenment, and of having been endowed with a very specific temperament shaped by the life-experiences of a middle-class white male who came of age in the U.S. at the end of the twentieth century. If someone were to tell me that she simply does not or cannot share these convictions, I suppose I wouldn't have much to offer in my defense other than something such as, "Today, given the specific social and historical matrixes in which I happen to find myself, and given the sort of mammal we've evolved into, I believe they continue to offer a reasonable foundation for fostering the kind of social relations well-suited to human happiness."

A certain degree of humility is in order here, because for many people, maximizing autonomy truly may not be the best means of achieving happiness, given their unique dispositions, cultural inheritances, goals, and life



circumstances. A Trappist monk offers a nice counterexample: For him, the surest means to true and lasting happiness is to submit to a meticulously structured daily regimen of worship, labor, study, and contemplation, all of which is tailored to rehabilitating his innately flawed mind and will so that it more closely approximates God's original design for our species. Nevertheless, for the monk, it is submission to authority rather than autonomy that holds the key to an authentic and enduring happiness.

So, what might these two basic convictions mean for my stance on suicide when faced with a terminal illness that very likely will entail irremediable suffering and/or an unacceptable forfeiture of bodily integrity? Just as we generally ought to have the freedom to pursue lives suited to our inclinations, so long as we are not harming others or preventing them from satisfying their preferences, we also ought we to have the freedom to determine the time, means, and circumstances of our death—again, so long as others are not unduly harmed or thwarted in pursuing their own aims as a result. Put simply, under the sort of circumstances delineated above, I see elective death as a natural right that ought to be readily available to all competent adults. Importantly, when we decide to call something a natural right rather than a mere liberty right, we are also saying that society has an obligation to create opportunities for citizens to exercise this right.<sup>4</sup> Practically speaking, this minimally would entail making available to citizens the means to ending their lives peacefully and with dignity, ideally in the form of a drug that acts quickly and reliably without causing pain. Physician-assisted suicide of the kind now available in Oregon, Washington, and Vermont offers one reasonable option of providing access to such means, although I would gladly endorse far more progressive forms of euthanasia legislation such as the current Dutch law, which does not require that one have a terminal illness and allows for unbearable suffering that is primarily physical, emotional, or even existential in nature. To be sure, we are a long way from granting our own citizens such autonomy, but if secularization proceeds at its present rate, it is not unreasonable to envision that a successful judicial challenge might be mounted within the next twenty or thirty years. Traditional mores rooted in the Abrahamic religions remain our biggest impediment to progress. However, as noted above, they are rapidly losing their appeal, especially among the Millennials, many of whom are abandoning belief in a sacred order altogether, or creating an eclectic spiritual praxis that better suits their needs and fits more naturally with emerging narratives in the sciences.

Rights, of course, are not duties, and one need not exercise them. Like all Americans, I too have been endowed with the right to worship whomever

4. For a thorough discussion of the differences between these two types of rights, see especially Battin 1995, 180–197.

I wish in whatever way I wish, so long as no harm comes to others as a result. This is a right, however, that I choose not to exercise. Generally, when a community agrees to call something a right, it is saying that it is ours to enjoy if we so desire, and that no special defense for its exercise need be made (Battin 1995, 193).<sup>5</sup> Nevertheless, all rights do come with at least some qualifications, so we would expect any society that should decide to classify elective death as a natural right to define the specific conditions under which it might be exercised.

From a utilitarian perspective, how might we go about determining what those conditions might be? Simply put, the “rightness” of taking one’s life depends primarily upon on the kinds of consequences the act is likely to have. If it would seem to enhance the well-being—or, in our unfortunate case, to minimize the suffering—of those affected, we would be inclined to see it not merely as morally defensible but even as morally desirable. If, however, suicide would seem to generate even more suffering, or to do more harm than good, we would be disinclined to pursue or endorse it. What’s most important here is that human well-being always remains in the foreground. When faced with terminal illness and a diminishing quality of life, at no point need we concern ourselves with the often presumptive (religious) requirements of “bearing up well under suffering,” “displaying courage,” or “pleasing God.” Because there is no one looking down from above, no one awarding heavenly credit for keeping a stiff upper lip under duress, there’s very rarely a good reason to require someone who is suffering unbearably and irremediably to push on to the bitter end. When God vanishes, so does the presumptive need to bear up well under pain, or to hold tight until the patient receives some profound spiritual insight that would somehow make all of her suffering worthwhile.

Moreover, it would seem that continuing to speak of simply “having a duty” to press on makes little sense outside of the specific covenantal and contractual obligations to which one is presently a party. For without God, the only real duties we have are to those specific human others with whom we routinely associate and to whom we have made important promises. And, as Hume noted long ago in his posthumously published essay “Of Suicide,” any duty we may have had to offer our labor and talents to society would automatically cease upon our death since we are no longer drawing any of its benefits. In fact, from a utilitarian perspective, one could argue that if there is a duty at all for someone who is no longer able to offer her labor due to irremediable pain or incapacitation, and who finds that sustaining a burdensome existence consumes valuable resources that might better be used elsewhere,

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5. Justification generally comes into play only when access to a right must be curtailed or even denied.

the duty might rather be to *end* one's life than to prolong it (Barrington 1980, 90–103).<sup>6</sup>

What I have suggested so far is that under the sort of circumstances delineated above, we have a presumptive natural right to end our lives, but that this right is to be exercised only when the act would seem to maximize the well-being—or, again, in our case, to minimize the suffering—of those most likely to be affected by our death. Exercising this right, then, depends upon what we think the effects of our death might be, and what we're aiming for in evaluating these effects is satisfying as many personal preferences as possible and minimizing harm. In my own case, the exercise of this right is delimited primarily by obligations I've made to my immediate family. Many might be saddened by the news of my death—friends with whom I am no longer in regular contact, former students, acquaintances, and so forth—but a decision to end my life need not be constrained by the momentary sadness of those to whom I am not currently obligated in significant ways. Their sadness would be transient, and my death would be unlikely to disrupt the quality or course of their lives in any meaningful way. And, although we do admittedly bring certain abilities, perspectives, and dispositions to the workplace that are entirely unique, the specific duties for which we are compensated generally could be filled just as well by someone else with similar training. While we might be missed by our co-workers for the unique people that we are, there are many others fully capable of completing the tasks for which our employers pay us.

My own case is instructive here. I happen to have a job I really like, one that utilizes my education and interests, and one that challenges me intellectually. Because it is a desirable job, I also know there are many fine candidates out there who would really like to have it. The search committee tasked with replacing me would have no shortage of qualified applicants. Yet, whomever they hire would presumably be able to fulfill the responsibilities that the state of North Carolina requires for my position: Teach a variety of courses in the humanities, advise and mentor students, serve on various committees, and so on. If the lesions were to recur, and I were to reach a point where I could no longer offer my labor to the College, the contractual arrangement we presently have would simply dissolve and eventually be extended to someone else with similar training. Because there are so many capable of assuming this role, my current obligations to the state of North Carolina need not constrain the exercise of my right to elective death. Like most employees, I am hardly

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6. In her essay "Apologia for Suicide," Mary Rose Barrington dares to imagine a day when "the decision to live on for the maximum number of years [is] considered a mark of heedless egoism," and people are encouraged to "orientate all knowledge and experience within the framework of a life bounded by decline and death, and to regard a timely and possibly useful death as the summation of the art of living" (Barrington 1980, 97, 101).

indispensable. A replacement would be found rather quickly, and the business of the College would go on as usual.

So, again, it is the promises that I've made to those with whom I currently share the most intimate bonds that really concern me. Before I exercise my right to terminate my life, I must consider what kind of impact the act would have on them, and whether the cost of my suffering can justify gains that they—and I—might still receive if I were to press on. But, who gets to determine whether I am suffering *enough* even to begin weighing the possibility of an early exit? Should I, for instance, first be in irremediable and unbearable pain, as the Dutch law currently stipulates for those seeking a physician's assistance in ending their lives? Or must I have no more than six months to live, as the few states here that allow for physician-assisted suicide require?

I think there ought to be a presumption here for trusting the patient's assessment. For only I really know how much I am suffering, and only I really know how and to what extent my suffering affects the quality of my life. Whether such suffering stems primarily from physical or emotional distress is irrelevant. Perhaps my suffering is due to sheer physical pain that physicians have no way of controlling without also so altering whatever it is that makes me uniquely me that I am no longer able to relate meaningfully—or even sensibly—to those I love. Or perhaps my suffering is due to losing control of basic bodily functions, which I happen to find so humiliating that it unduly constrains how often and in what ways I am able to interact with family and friends. Or maybe severe incapacitation has rendered what quality of life remains unacceptable, so that I am no longer able to experience even simple pleasures like reading, going for a walk, watching a good film, or having a nice meal.

My point here is that there is no *objective* measure for determining how much suffering is enough or precisely what kind of suffering would warrant an early exit. The intensity and type of suffering that would render further existence meaningless or exceedingly burdensome would vary from person to person, and I think that this is a variation we ought to honor. For one person, quadriplegia may result in certain challenges and losses that would not render life so burdensome or bereft of meaning as to awaken a strong and persistent desire for a permanent end to consciousness. For another, however, the trials and losses may prove wholly unacceptable, even after many years of trying to acclimate herself to her new reality. Reasons for the variation in these two responses to quadriplegia would undoubtedly be numerous and complex, but this is a variation we generally ought to allow for without judgment or blame. Because "the degree of pain experienced by one can never be fully appreciated by another" (Motto 1980, 214), ultimately no one other than the patient is capable of evaluating both the intensity and effects of her suffering. Physicians have plenty of objective measures for determining whether or not someone

has an underlying biologic disorder that is likely to cause physical or emotional distress, but only the patient is in a position to determine how much she is suffering and to what degree her suffering affects the quality of her life.

Barring any unusual circumstances, then, there ought to be a presumption for taking the patient at her word when she tells us that her suffering has become too much to bear, or that the extent of her pain no longer justifies the few moments of peace or pleasure that occasionally come her way. Because no one has access to what she really feels, to how she internalizes the effects of her illness, or to how great a toll the illness exacts from her emotionally, only she is in a position to determine whether consciousness is still a benefit to her overall. When we trust her judgment, we are showing her respect. Or, to put it in more traditional philosophical language, when we defer to her assessment, we're respecting her autonomy as a rational and moral agent.

### **Anticipating common criticisms**

Many, of course, would object to granting one another the degree of autonomy I think we ought to have. For instance, it is often said that people in severe distress simply aren't capable of thinking rationally, so we have no obligation to take them seriously when they inform us that they have reached their limit and want out. Pain, it is argued, whether primarily physical or emotional in nature, prohibits the kind of calm, measured, rational analysis that ought to be employed in making big, irreversible decisions. And, if there ever were a big and irreversible decision, suicide has to rank near—if not at—the very top of the list.

Admittedly, acute distress can rob us of the equanimity we usually require to think things through carefully. But few people would seriously consider killing themselves just because they happen to find themselves in the throes of an isolated episode of intense pain brought on by, say, a broken arm suffered during a car accident, a bad viral or bacterial infection, or even the panic that might immediately set in after a job loss. Generally, suicide presents itself as an option only after intense suffering has persisted for some time, and after the sufferer has determined that putting a permanent end to consciousness seems to be the only viable resolution. Furthermore, because chronic suffering ordinarily waxes and wanes in its intensity, the individual is usually afforded moments of reprieve, periods of equanimity during which she is able to carefully weigh the options in light of her own preferences and values. Although an individual might finally take her life during an episode of acute pain or anguish, the act is often preceded by extended periods of reflection during which she is able to explore various alternatives for alleviating her pain.

I would go so far as to say that certain kinds of protracted suffering may awaken a more comprehensive and balanced view of reality that may remain

hidden from those who have faced few real challenges in their lives. Put differently, chronic suffering may help clarify or expand one's vision rather than occlude it. For me, the onset nearly a decade ago of a rheumatic autoimmune disease prompted a depth of existential reflection that otherwise I probably would not have pursued. Chronic pain and loss of mobility forced me to think more deeply and more often, which eventuated in the demise of the Christian metanarrative inherited from my childhood, coupled with a gradual shift toward a materialist worldview rooted in the sciences and humanities. Pain clarified rather than obscured: It helped disabuse me of an Emersonian idealization of the natural world and direct my attention to the magnitude and variety of gratuitous suffering all around us. Gradually, I began to see a certain side of the world that the Christian narrative of my youth managed to keep hidden: Its utter indifference to the well-being—or even survival—of sentient life. We generally don't insist that the experience of pleasant sensations temporarily suspends our ability to think rationally. Why, then, automatically assume that pain does? Must we be utterly bereft of any feeling or emotion at all to think clearly? If the experience of pleasure—say, eating a slice of chocolate cake—doesn't automatically disqualify someone from thinking rationally, then neither should the experience of pain. The argument that pain *necessarily* generates irrational thinking patterns simply doesn't stand up to scrutiny. There are far too many of us out there for whom pain enhanced both our desire and capacity for rational analysis.

Those who would prohibit or very narrowly restrict access to voluntary active euthanasia also often claim that because every human life is sacred, anyone who would pursue this option fails to value the gift of life as they ought. The so-called “sanctity of life” argument is routinely used to dissuade or forcibly prevent people in pain from terminating their lives. Yet, rarely is anyone who invokes this language also willing to devote the requisite time and resources to help someone in pain recover a satisfactory quality of life. I think we are perfectly justified ignoring anyone who would invoke the sanctity of life against elective death unless this person is also willing to truly invest themselves in assisting people whose suffering is unbearable to reclaim lives that are meaningful and rewarding. It seems to me that a failure to do so would strongly suggest this individual doesn't *really* believe that every life actually has inestimable or intrinsic worth. Simply put, any appeal to the inherent value of every human life, if it is to be taken seriously, ought to be backed by concrete action. Too often, this is missing.

For members of religious communities in particular, the argument from life's sanctity is often predicated on the assumption that a creator has given us our lives as a gift, for which the proper response is both gratitude and prudent use, generally based on guidelines revealed in scripture. Beneath the sacred

canopy, self-annihilation is therefore viewed as the ultimate display of hubris and ingratitude. But as many philosophers have pointed out, the metaphor rests on an antiquated dualism in which an immaterial soul is temporarily endowed with the “gift” of a body. Others point out that the metaphor itself is incoherent, and may even leave adherents with a rather unflattering portrait of their creator.

Given what we now know about human biology, particularly the brain and how it works, traditional dualistic models have been rendered obsolete. Today, anyone who would advocate even for one of more sophisticated (religious) varieties of dualism still must offer a plausible model for how the brain and soul would be joined at conception, how the two would communicate during the course of a lifetime, be able to define what exactly survives apart from the body at death, and how this surviving desideratum would still be able to think, feel, act, form and retain memories, and so on. Needless to say, persuasive theoretical models of this sort have not been forthcoming. The evidence to date seems to suggest that we *are* our bodies, and that when the brain ceases to function, we are no more. Even some of the most widely regarded Christian theologians and philosophers have conceded that the church now has no choice but to revert to some form of bodily resurrection or replication, for neuroscience in particular has made it clear that without our bodies we lose too much of what makes us unique, including nearly all of the ordinary human capabilities and experiences that we value (Hick 1994; Swinburne 1997). The gift metaphor, then, rests on an outdated soul-body dualism that today has virtually nothing to recommend it.

Furthermore, not everyone is able to view their life as a good and useful gift that one would be obliged to accept with gratitude. Some people really do wake to find themselves in irremediable and almost unfathomable misery. Such lives, at least when viewed from the inside, can hardly be experienced as a “gift.” In his book *Death*, Shelly Kagan draws a rather humorous, though instructive, analogy: “Imagine that somebody gives you a pie and says, ‘Eat it!’ But it’s not an apple pie. It’s not a cherry pie. It’s some gross, disgusting, rotting slime pie—and he cuts out a big piece and says, ‘Eat it!’ Do you owe this person a debt of gratitude?” (Kagan 2012, 348). The answer, of course, is obvious: We do not. If the individual who gave you the pie should insist, “You eat this pie or I will beat you up,” Kagan concedes that it might very well be “*prudent* for you to eat the slime pie, disgusting and appalling as it may be,” but “[t]here’s no moral obligation to eat the pie” (Kagan 2012, 348). Kagan then casts God in the role of the pie-maker: “Suppose that God takes on the role ... and says, ‘Eat the pie or I’ll send you to hell.’ It would probably be prudent of you to do what he says,” but once again, it’s hard to see how there could possibly be any “*moral* requirement” on our part to do so



(2012, 348). Indeed, as Kagan observes, “God’s just a bully” in this illustration, and we are certainly under no moral obligation to heed the wishes of someone who simply wishes to torture us (2012, 348).

If I am suffering terribly with no resolution in sight, unable to enjoy even life’s simplest of pleasures, it’s hard for me to imagine that a deity whose love for us knows no bounds would wish that I persist in this state for as long as physicians can keep me alive. Yet, many adherents today would claim both that God is omnibenevolent *and* that he would prohibit active euthanasia under any circumstances. Generally, they defend the coherence of these seemingly incompatible statements by suggesting that suffering serves important aims in the divine economy. For instance, it is often said to: 1) offer adherents the opportunity to further develop the virtues of courage and obedience; 2) prepare us to receive some profound spiritual insight into life’s meaning that can’t be had any other way; or 3) even to create opportunities for those who have committed some egregious misdeed to atone for their sin in this life, thereby opening the gates of heaven when death finally does arrive. In the event that one’s suffering happens to be divine punishment, pursuing an early exit is hardly the best way to strengthen one’s case for spending eternity among the righteous. Enduring a few extra months of pain now, they would argue, is far better than endless torment in hell. Better safe than (eternally) sorry.

However, once pain, incapacitation, or indignity reaches a certain threshold, the pursuit of virtue, spiritual illumination, or even penance generally cease to be of much concern to most any patient, whether religious or not. *All she wants is relief.* For any deity to deny her this relief, and to insist rather that she continue suffering until the proper courage or obedience is displayed, or to hold tight until some profound spiritual awakening is won, would seem to reflect poorly on his character. Any parent who approached childrearing in this way would find very few sympathizers. At best, we would think her uncaring or even downright cruel. Most would readily concede that she is a sociopath who ought immediately to be relieved of her parenting duties.

Finally, if life truly is a gift, and not merely something that has been loaned to us, it would seem that we have the right to do with it as we wish. Because some gifts don’t meet our tastes, and others we have no use for, we generally retain the options of packing them away, re-gifting them, or even just throwing them out, especially if we were to discover that these gifts were harming—or had the potential to harm—us or others. A gift, by definition, becomes our property once it has been transferred into our possession. It is ours to do with as we want. Of course, even if we don’t like a certain gift or have much use for it, the respectful thing to do is to offer a simple word of thanks to the giver anyhow. But we are under no obligation to do so day after day until we die, and we certainly aren’t required to use or display it,



especially if it proves to be a source of harm. The gift metaphor is a poor one, and it is time for religious communities to shelve it. Within a theological framework, an individual's life is better understood as a piece of property held on loan until it is reclaimed (or destroyed) by its rightful owner. Christians, then, are not gift-recipients but *stewards* who have been issued very specific instructions on how to care for the owner's property in his absence.<sup>7</sup>

### Must elective death also be “rational”?

Much of the literature in philosophy on elective death focuses on delineating circumstances under which it might be considered “rational” and therefore “morally permissible” to take one's life. Although these discussions can be quite engaging, I have suggested that it is more fruitful to focus on whether or not the act will maximize well-being and/or minimize harm for those who are most likely to be affected. The primary difficulty with expending so much effort on establishing the rationality of a given suicide is that rarely are two people going to agree on precisely what kind of defense will successfully render a given suicide rational.

In the postmodern era, it is widely acknowledged that the search for a universally recognizable rationality is now at an end. Today, we are inclined to acknowledge the legitimacy of multiple rationalities, each embedded in its own language game, each operating according to its own set of rules. Because what passes for rationality varies so widely by culture, historical epoch, and even individual temperament, any rational justification offered for a given suicide is therefore likely to have limited appeal. Furthermore, in most cases, I suspect that even the most philosophically sophisticated and logically rigorous defense would offer little to no comfort to the friends and family of someone who has taken her life. It would seem that time would be far better spent weighing the potential benefits and harms of elective death rather than trying to determine if one has met, say, four or five generic criteria some philosopher has determined would justify an early exit. Those who employ a utilitarian approach make use of reason, of course, when gauging what kind of impact suicide might have. But the focus always remains on maximizing the well-being of those likely to be affected, not on creating a logically flawless and internally coherent defense that would satisfy a handful of analytic philosophers. We might say, then, that the utilitarian's thought processes are ultimately motivated by love or compassion, not by the desire to “be right” or “come off well” in the eyes of one's peers. What we utilitarians want more than anything else is to maximize happiness and minimize suffering, so a decision for elective death may or may not be accompanied by a philosophi-

7. For the most comprehensive and incisive criticisms of traditional Western religious analogies of which I am aware, see Battin 1994, 213–224 and Holley 1989, 103–121.

cally satisfying argument. Internal coherence and logical precision are not our top priorities. Most of all, we just want people to suffer less and enjoy more.

While, in the U.S., Christianity has done the most to stigmatize elective death and heap shame upon survivors' families, modern medicine has done little to counter the dominant narrative. Most physicians would generally agree that anyone who is giving serious consideration to voluntary death either must be mentally incompetent or mentally ill, driven to it by some pathology of mind that has yet to be adequately addressed by drugs, talk-therapy, or even more radical measures like ECT. For psychiatrists in particular, the authority to label those who wish to take their lives as "mentally ill" also allows them to justify aggressive prevention measures that may be deployed to override their autonomy. Later, they think, after these poor, misguided people have been rescued and finally come to their senses, they will thank the wise doctor for intervening, for seeing clearly what they were unable to see when thinking irrationally, and acting in what they failed to see truly is in their best interests.

This paternalistic mindset stems in part from our fear of acknowledging that some people *really do* find themselves in situations where their lives no longer are a benefit to them, where their suffering *really is* overwhelming, persistent, and irremediable, and the only viable solution within reach is to put a permanent end to consciousness. Americans in particular have a difficult time acknowledging defeat, that for certain people at certain stages in their lives, there truly is no possibility for improvement or remediation, and perhaps even no desire to "get better" should an opportunity present itself. Some people are just plain worn out, tired of fighting a battle they feel cannot be won, and no longer find that the intensity and duration of their suffering justify the few meager scraps of equanimity that come their way. They have lost hope for the kind of improvement that would justify pressing on, and when hope vanishes (sometimes for very good reason), they naturally wake to the insight that the battle they've been engaged in simply has no point anymore. If presented with the option of painless and permanent relief or of battling on indefinitely with no realistic hope for change, I imagine most rational people would select the former. Many who long to exercise their right to die but don't generally are held back by cultural stigma or by the inability to acquire the means to a reliable, efficient, and pain-free exit. If there were no cultural stigma or fear of divine reprisal, and if dying were as easy as flipping a switch, surely many more would opt for an earlier end. Religious authorities and physicians, whether intentionally or not, have helped to create an environment in which people who are suffering irremediably and unbearably face formidable logistical, legal, and emotional challenges in acting on a preference for nonbeing. This, to me, seems both unnecessary and cruel in the modern era.

But our paternalism also stems from a reticence to acknowledge as mere variation what Colleen Clements calls a “nay-saying” attitude toward life in general, the feeling that consciousness is a burden overall, something more to be endured rather than enjoyed (1980, 104–14).<sup>8</sup> Nay-sayers are inclined to concur that the dead are indeed the most fortunate of all, or that it is better never to have been born than to take a chance at life in this often hard and unforgiving world, where we spend most of our waking hours laboring for basic necessities, worrying about those we love, lamenting missed opportunities, regretting the hurt we’ve caused others, putting up with others’ vices or eccentricities, enduring illness, and managing pain. We tend to pathologize the antinatalistic temperaments of writers like Arthur Schopenhauer, Jean Améry, Anne Sexton, Sylvia Plath, or even the biblical character of Job, whose unimaginable losses and chronic pain led him to conclude that it would have been better had he died the moment he came forth from his mother’s womb (Job 3:11).

We insist that there must be something inherently *wrong* with them, some kind of deficiency or dysfunction in need of repair. For, this world, say the majority, is a magnificent and astoundingly beautiful place that offers its inhabitants an infinite array of pleasurable experiences, and that humans beings in particular are uniquely constituted so as to experience far more of these pleasures than any other species. Sure, natural and moral evil exist, and admittedly some people, through no fault of their own, do find themselves in circumstances that render consciousness more of a burden than a blessing. But on balance, the good exceeds the bad. For most, say the optimists, the pleasures one experiences during the course of a lifetime generally outweigh our sufferings. Life, then, is inherently good, and death, because it deprives us “of all the experiences, activities, projects, and enjoyments that would otherwise have constituted one’s future,”<sup>9</sup> is inherently bad. It is the yea-sayers who see things clearly, the nay-sayers who do not. It is the yea-sayers who are right about the intrinsic goodness of life, the nay-sayers who are wrong.

But is it really fair to say that the nay-sayers are *wrong*, that their vision is somehow warped or skewed in some fundamental and objectively demonstra-

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8. Clements is drawing upon Nietzsche here. This fundamental disposition toward life, she says, which “may be the result of conditioning or learning, or the result of biochemical differences in the brain, or the result of willingness to project oneself into the future [...] cannot be evaluated in terms of cognitive (rational) values since it is the precondition of all values” (105). The same, of course, applies to what she calls the “yea-saying” temperament, a life-affirming stance that generally emerges as the norm in most all cultures and historical periods.

9. The quotation comes from Donald Marquis’s widely anthologized essay “Why Abortion is Immoral,” and constitutes the primary reason for why he believes killing in general is wrong—a claim that he subsequently extends to the human fetus (Marquis 1989, 183–202).

ble way? Or, is it fair to accuse them of stubbornly refusing to acknowledge what should be obvious to any rational and emotionally healthy person—that consciousness in this world is a great boon, and that our sufferings pale in comparison to life’s joys? Are the nay-sayers really in dire need of remediation, of a new set of lenses crafted by the yea-sayers, whose unobscured vision enables them to see clearly the intrinsic goodness of human existence?

Let’s return for a moment to the character of Job. When, as a result of a childish bet struck between the Jewish deity Yahweh and a member of his heavenly court (*ha’satan*), this most pious of Earth’s inhabitants has just buried ten children and lost most everything he owned, and whose body is covered from head to toe in open sores, suddenly cries out, “Let the day perish on which I was born!” (3:3), he is hardly mistaken about the *disvalue* of his present life. He is not in dire need of a clear and “objective” view from, say, a religious leader or well-intentioned family member, who can cure him of his warped view of reality, re-convince him of the inestimable value of every human life, and explain clearly why even he should persevere through unimaginable loss and unrelenting physical pain. Nor, as I argued earlier, should he be declared irrational simply because he is in pain. In fact, it is his pain that allows him to see what no one else in the story can: That Yahweh not only fails to share our interest in justice and in fostering an environment in which we might maximize *eudaimonia*, but is even capable of bringing “evil” (42:11) upon his most loyal devotees, of crushing the innocent without cause (9:1–10:22). Instead of rewarding the righteous and punishing the wicked, as his orthodox interlocutors steadfastly maintain, Job even goes so far as to claim that Yahweh deliberately brings about the miscarriage of justice (9:23–24).

But the reader may wonder: Is Job correct in his negative characterization of the Jewish god? Have loss and pain obscured his vision? Have the majority gotten it right, and has poor Job gotten it all wrong? The intuitions Job gleans about the divine nature through his suffering and subsequent reflection are confirmed when he finally hears directly from Yahweh himself in the midst of a great storm. Here, in the book’s climactic theophany, the Jewish god’s true character is on full display for all to see. We meet not a gentle fatherly figure wholly devoted to our welfare, but rather a terrifying, utterly self-absorbed megalomaniac who is far more inclined to revel in the sheer magnificence and grandeur of all that he has created than to trouble himself with our petty concerns (38:1–39:30; 40:6–34). Indeed, as Yahweh himself concedes, among all the story’s characters, only Job ever intuited and articulated “what is right” about the divine nature (42:8). Because Yahweh bears no special affection for our species, the task of creating optimal conditions for human happiness falls exclusively to us. Like any other species on Earth, survival will prove difficult, and we can expect to suffer, some of us in unimaginable ways. Worst of all,

learns Job, other than certain members of our own species, *there is no one at all who cares about the quality or course of our lives.*

Job's unsettling insight into the nature of the creator and his world is shared by many today. I would maintain that the conclusions he and others like him reach are equally justifiable on rational grounds as the positive valuation of human existence embraced by the majority of Americans. From certain vantage points, Job's antinatalism is indicative neither of mental illness nor of irrational thought processes, but rather a natural byproduct of extraordinary human loss and pain. When such pain persists over a long stretch of time, and the sufferer is unable to find a viable resolution that would restore at least some semblance of equanimity, he is hardly irrational in construing the world as an indifferent or even hostile place. Should the sufferer believe in a creator, and should he believe that creation is at least in some sense a reflection of the creator's nature, he is perfectly justified in construing the creator as insouciant, amoral, or even outright immoral. The antinatalist is simply being true to his experience. He knows through direct acquaintance what great harm can come to certain organisms in this world, and his testimony offers a necessary complement to the view of the optimist. The American optimist in particular, I might add, ought to bear in mind that the primary reason her outlook currently enjoys normative status is because favorable social and political conditions as well as major advances in the sciences currently allow for it. In the immediate wake of, say, a nuclear holocaust such as that envisioned in Cormac McCarthy's post-apocalyptic novel *The Road*, we might easily imagine the antinatalist's perspective rapidly ascending to normative status and that of the optimist rendered irrational. We would be wise not to pathologize the antinatalist's perspective. He too has grasped a certain truth about the nature of human existence.

While I hope the yea-sayers always outnumber the nay-sayers—a world full of Jobs, Schopenhauers, Sextons, and Amérýs admittedly wouldn't make for a pleasant social environment—I find myself at odds with the medical and religious communities, who have elevated the yea-saying temperament as the standard against which every other viewpoint is rendered aberrant or deficient. I would prefer that we acknowledge certain species of the antinatalistic temperament as *variation* rather than aberration, as a rationally defensible perspective born of the coupling of a specific genetic endowment with a unique set of life experiences that simply can't help but cast the world as an indifferent or inimical place that never quite feels like home.

After Nietzsche, I take it for granted that there is no longer an objective place from which to assess life's value, to judge once and for all whether or not life is, in fact, an intrinsic good. The God's-eye viewpoint is no more: There simply is no place from which to offer a comprehensive and authoritative

assessment of reality as a whole. Rather, what we find today are an infinite variety of competing perspectives, each shaped indelibly by a unique set of cultural inheritances and life experiences. Life, we now say, is always viewed from a specific perspective, and each of us necessarily constructs reality in our own unique way.

Given the postmodern milieu in which we find ourselves, many Americans today would concede the preceding point. However, I also suspect most would nevertheless maintain that life *really is* an intrinsic good, and do so probably without feeling the need to offer any kind of philosophical justification. Because this life-affirming disposition is so ubiquitous, for most people the statement “life is good” would amount to a kind of tautology for which a sophisticated defense would seem superfluous or even a bit silly. As an intrinsic property of human existence, its goodness is no less obvious than sugar’s sweetness or a kitten’s cuteness. Why in the world would anyone put forth the intellectual effort to justify something that should be so plainly apparent to everyone?

But not all are inclined to see life as inherently good, and those who aren’t can often supply very good reasons for their negative valuation of human existence. Importantly, to say that life is good is to offer a *value judgment* rather than an incontestable fact about the way things really are. However beneficial this affirmative stance is for society or for our species in general, we are hardly justified in rendering it true in the same sense that statements like “Earth orbits a large star” or “Great White sharks are carnivorous” are true. The latter are empirically verifiable, but the claim that every human life is infinitely precious, sacred, or intrinsically good is a value judgment. To be sure, the more who arrive at this positive valuation, the better. Indeed, humanists are committed to creating the kinds of societies in which more and more people naturally find themselves capable of affirming life’s intrinsic goodness. But each of us must be true to our own unique experience of the world, and for many today, statements like “life is a vale of tears,” “life is a burden,” or “life has ceased to be meaningful” resonate far better.

Readers understandably may wonder why I’ve invested so much space defending the antinatalist’s perspective. My point is this: When unbearable and irremediable suffering does arrive, it is the antinatalist rather than the yea-sayer who is far more likely to opt out of low-yield treatment regimens and give serious consideration to an early exit. And I fail to see why family members, friends, and physicians should shame them for this or compel them to undergo treatments they do not wish to pursue. Their accumulated life experiences have given rise to an overall pessimism rooted in the only reality they know—confirmed, perhaps, through long hours of study and personal reflection, conversations with others who share their outlook, or working closely with people who suffer terribly as a result of chronic or degenerative

illnesses. Their temperament simply won't allow for the kind of hope or faith that might sustain the optimist through a punishing treatment regimen associated with poor outcomes. Or, maybe the antinatalist finds it utterly impossible to muster the desire or the courage to endure months of even greater pain and incapacitation to regain a life they never valued much to begin with.

Can the optimist—whether physician, religious leader, friend, or family member—really *compel* a change in temperament or worldview forged over so many years of experiencing life in a very specific way? In all likelihood, the optimist will succeed only in increasing the antinatalist's suffering by awakening feelings of guilt for, say, "shirking one's responsibilities," "abandoning one's family," or simply "being a coward." Perhaps we ought simply to acknowledge that the antinatalist possesses sincerely held and rationally defensible beliefs about the world as well, and that she is not necessarily mistaken, irrational, or mentally ill. In certain cases, perhaps we ought to allow for such variation rather than force a change in perspective that mirrors what the majority currently profess to believe. And, should a time come when the antinatalist finds herself presented with the options of letting a terminal illness run its course, actively terminating her life, or pursuing punishing low-yield treatment options, perhaps we ought simply to respect her decision and resist the impulse to force her to yield to our (usually self-serving) wishes.

### **Can mere preference ever justify elective death?**

If, as I have suggested, the circumstances under which one is considering elective death need not meet a list of generic criteria drawn up by a philosopher to qualify as a rational and therefore morally permissible act, might there even be instances when it is acceptable on mere preference alone? Based on the two convictions and the theoretical approach delineated earlier, it would seem that the short answer is, "Yes." If ever someone should wake to find themselves free of significant obligations to anyone—say, to a spouse, to a child, to an ailing parent, to a close friend who has come to depend upon them during an unusually difficult time—then I think elective death may become a matter of acting on mere preference, much like choosing a slice of key lime pie over chocolate cake. Just as we don't ask dinner guests to offer an argument for their choice of deserts before serving them, neither need a person who currently bears no significant contractual or covenantal obligations, and whose death would appear to cause no substantive or lasting harm to others, offer a persuasive case for why she prefers nonbeing to continued consciousness.

Admittedly, a very small number would truly qualify as "obligation-free." Among this tiny minority, we might, for instance, include a hermit who lives high up in the Himalayas, far away from the distractions and materialistic trappings of civilization, perhaps as a means to attaining a religious aim



like *moksha* or *nirvana*. We might also include certain elderly people whose spouses, most trusted friends, and even their children have preceded them in death and therefore have no further desire for the ordinary social relations that bring most of us joy. Still others might include uncommonly introverted people such as Herman Melville's iconic Wall Street copyist Bartleby, who, once dismissed from his job at a law firm, seems to have no remaining social connections or obligations, and no desire whatsoever to establish any new social relations. There is, according to Melville's narrator, simply no amount of good will or ingenuity that can save or fix this "forlornist of mankind," this "bit of wreck in the mid-Atlantic," who seems to show no interest at all in the kinds of extra-vocational activities that ordinarily make for a satisfying life (Melville 1985, 594, 601, 603–604).

Most of us, however, do sustain meaningful relations with at least a few others, and very often offer something of value or even necessity to them. For a majority, then, the claim above might best be restated in the following way: If circumstances should arise such that an individual's obligations are unusually limited in scope *and* those few to whom she remains obliged should choose to release her from them—say, because they might just as easily be assumed by someone else or were not all that important to begin with—then suicide may become a matter of personal preference. There is, as I've already argued, no pressing need to establish the rationality of the act, unless this person simply wishes to pacify her own conscience before she departs. Outside of any remaining significant covenantal or contractual obligations, then, I see no reason why we must be suffering unbearably or irremediably before we take our lives. Assuming that we have been discharged from any remaining duties upon request, and that our deaths would appear to bring no substantive or enduring harm to others, then we need only have a persistent desire<sup>10</sup> for nonbeing to initiate a permanent end to consciousness.

But does anyone really arrive at a moment when, like Melville's Bartleby, they just *prefer* not to be conscious any longer? Aren't most all suicides motivated by persistent and irremediable suffering of some kind, and typically accompanied by the conviction that death offers the only feasible remedy?

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10. Peter Singer argues that in order to participate in PAS, one's desire to die ideally ought to pass what I would call the persistence criterion: An individual should be able to show not only that she has suffered for a long stretch of time and tried various remedies, but also that no amount of time or effort would likely result in the kinds of changes that would make life meaningful or rewarding again (Singer 2003, esp. pp. 534–536). I would extend this criterion to suicide in general. Only rare cases would justify a hasty decision for voluntary death—say, if one were about to be captured and tortured, or if one had experienced a tragic accident that resulted in substantive tissue damage and from which rescue was improbable or likely to leave one with permanent impairments that one finds unacceptable.

Isn't suicidal intent almost always awakened by lasting pain from which one can envision no other escape except through death?

Most suicidal ideation undoubtedly stems from what Michael Chobli calls *hopeless* suffering (Chobli 2011, 163–174), but there are people like Bartleby who just tire of life and have no further desires they wish to satisfy. There is, for instance, the now famous Dutch case in which an 86 year-old man named Edward Brongersma successfully persuaded his physician to assist him in dying because of “life fatigue” (Huxtable and Möller 2007, 117–119). Like Bartleby, he had no official physical or mental illness. Mr. Brongersma was just tired of living and had no further important aims to fulfill. The similar (also Dutch) case of Mrs. Boomsma is relevant here as well. Having divorced her husband and lost her two sons (both, coincidentally, at the age of twenty), she no longer felt as if there was anything worth living for. Indeed, her entire identity had been constructed around her role as a mother, and when that role was no longer available, “she found her life empty and vain” (Wijsbek 2012, 3). “Her children,” writes Henri Wijsbek, “had been all she lived for, all she cared for, ... and she could not replace them by anything else” (Wijsbek 2012, 3). Or, as Mrs. Boomsma's herself put it: “I have lost all I had and I shall never get it back again. It would be good for me if I too could die. I don't want to become another person than the one I was when I was a mother” (Wijsbek 2012, 4). Like Mr. Brongersma, she too was able to persuade her doctor to write her a prescription for a fatal dose of a sedative. Finally, there are those who, like Jean Améry, even acquire a “disgust” (*la nausée*) for the world in which they find themselves, and they simply lose the desire to live (Améry 1997, esp. 31–92).

In none of the above cases would we say that these individuals are suffering irretrievably and unbearably, or that they can't endure even one more day on this planet without completely losing their minds. Neither is diminution of bodily integrity or loss of autonomy an issue. Rather, given the choice, they'd just rather not be here. Consciousness has become a burden overall, life itself something more to be endured than enjoyed. Now, if neither Mr. Brongersma, Mrs. Boomsma, nor Jean Améry had any significant obligations to others, or if those few to whom they were obligated chose to set them free of any duties they may have had, once again I see no trouble at all with their suicides. In such cases, preference may take precedence—in their case, preference for a return to nonbeing over indefinite future episodes of wakefulness that they find unsatisfactory or meaningless.

In his recent defense of Oregon's law on physician-assisted suicide, Michael Gill draws a helpful distinction between what he calls “big decisions” and “little decisions” (Gill 2005, esp. 57–60). Big decisions, he says, are those that “shape your destiny and determine the course of your life”: They “proceed

from your deepest values” and “call on you to make a choice in light of things that matter most” (Gill 2005, 57). Examples would include deciding whether or not to marry and raise children, which vocation to pursue, as well as the manner and time of one’s death. They might also include assuming major financial obligations by, say, purchasing a new home or car. By contrast, little decisions “concern matters that are momentary or insignificant” and have little if any bearing at all on the over all shape of one’s life (Gill 2005, 57). An example might include choosing to wear a red necktie rather than a blue one to work on Monday morning. For Gill, withholding the option of physician-assisted suicide from someone who is suffering irremediably means denying her the capacity to make a big decision, “to shape her own life” in accordance with her most deeply cherished values (Gill 2005, 57–58).

I would suggest that even for many of life’s biggest decisions, we often allow people to act on mere preference, as long as it would seem that one’s choice will do no significant harm to others or unduly impede others in satisfying their own preferences. Consider a major rite of passage like marriage. If a friend were to inform me that she and her partner have decided to get married, I would not immediately sit her down and demand a rigorous and lengthy rational defense. Even if the two seem not to share many interests, or to fight more than I may think appropriate for a couple who wish to marry, I would nevertheless respect their decision and trust that they have both the will and desire to persevere through difficult times. Indeed, I imagine that for most of their friends, mere preference, perhaps expressed from time to time in statements like “I simply find her irresistible” or “Even though she sometimes drives me crazy, I really love her,” would suffice. The couple’s professed love for each other is justification enough.

The same is often true for major financial decisions. When purchasing a new car, for instance, it would be wise to research reliability, safety, performance, fuel efficiency, overall customer satisfaction, and so on. But if someone just happens to really like the look and feel of the Toyota 4-Runner over others in its class, normally we think that’s just fine. A friend is unlikely to demand an argument or a long list of good reasons for why the 4-Runner and not the Explorer, or why the 4-Runner and not the Grand Cherokee. And, signing an agreement in which you promise to pay the dealership or other lender nearly \$50,000 (including taxes, fees, and interest) over the next five years is hardly a “little decision,” especially if you are just a few years out of college and have no savings to fall back on. You are counting on retaining the job you have, or at least on being able to secure a new one relatively soon in the event that you get laid off or fired. And, you are assuming that you will remain physically and emotionally healthy enough to engage in fulltime work. Put differently, you’re committing yourself to five productive years of

paid labor, and you're trusting that your own health, as well as the "health" of the economy, will allow you to fulfill this commitment. But once again, we utilitarians would endorse acting merely on preference only if it appears that others will not be unduly impeded in exercising their basic rights or harmed as a result.

**Returning to the particulars of my case:  
evaluating the consequences of an early exit**

In my own case, there are two people to whom I currently bear significant obligations: my spouse and my son. My father is deceased. Neither my mother nor my two siblings depend upon me at this point in our lives, and my mother has the good fortune of being married to a physician who is well-equipped to care for her if she should become ill or disabled. Furthermore, my mother and siblings are all financially independent, and I have no reason to believe that their current financial status would change significantly for the worse anytime soon. In fact, among all of my family members, I am the only one of whom it might be said that I live paycheck-to-paycheck, so even if one of them were to encounter some financial misfortune, the assistance our family could provide would be very limited. Finally, as is true for many families today in the United States, my siblings reside at some distance (none of us, in fact, live in the same state) and therefore quite naturally turn to others for companionship, guidance, and emotional support rather than to me. At one time, when we all lived under one roof, we shared a common bond: We ate together, confided in one another, shared similar interests, vacationed together, and so forth. Our lives once were deeply intertwined. Each was aware of what was going on in the other's life, and we sought one another out for companionship and support.

But given the direction our lives have taken since having graduated from high school, this is no longer the case. We share a common history, a vast storehouse of common memories, but today our lives very rarely converge. Rather, each of us is intimately bound up with others to whom we have obligated ourselves, both contractually and in less formal, though still significant, ways. Over time, the obligations we once held toward one another dissolved, and we pledged ourselves to others—to spouses, children, friends, neighbors, and co-workers. I no longer know my siblings well as I once did, and we no longer interact on a regular basis. They have changed, and so have I. Along the way, each of us has chosen to shift our primary allegiances to others with whom we share more common values, interests, and aims. This is certainly not the case with all families, but it happens to be so for us. And today, at least in the U.S., the trajectory our lives have taken is hardly unusual. In many traditional cultures around the world, it would be unthinkable to allow

for the dissolution of social bonds and obligations formed in childhood, but in our society it has become a socially acceptable, if sometimes unfortunate, option.

So, while my siblings and mother would miss me if I were to take my life, none currently depend upon me in any meaningful way. My permanent absence would not result in irreparable harm. It would neither radically disrupt the course of their lives nor undermine the financial and emotional stability they currently enjoy. They would be sad, of course, but this sadness would fade as the weeks and months passed, and transient sadness is not reason enough to refuse someone who is suffering the option of an early exit. So, as things now stand with my mother and siblings, my death would not cause the kind or degree of harm required to restrict or void my right to suicide.

Of course, with my wife and son, the situation is quite different. Our lives are deeply intertwined, and all three of us depend upon each other in countless ways. If any one of us were to die, the well-being of the other two would be diminished greatly. And at the moment, I do provide necessary income toward food, housing, health care, our son's education, retirement savings, and so on. My death would mean the loss of about half our annual income, and the overall emotional toll would far surpass the transient sadness experienced by siblings, friends, and co-workers.

The effect of a father's death on a young child in particular is hard to gauge. While its initial impact is likely to create an unwelcome disruption in the child's life, it may also eventually become a source of inner strength and resiliency, a means to early emotional maturation and independence. It may even inspire a depth of existential introspection that later finds expression through formal mediums—literature, art, or music, for example—that others find especially meaningful. For other children, however, the loss of a parent so early on may trigger very painful and lasting psychological distress for which counseling and/or prescription drugs may be required. And, as several studies of have now shown, a parent's suicide increases the likelihood that the child will take his or her own life later on.

I suppose it goes without saying that for just about anyone who is happily married the permanent loss of a spouse is among the greatest emotional harms. Perhaps only the death of a child or the most severe and disabling physical traumas to one's own person would rank as high. However, because of certain institutions now commonplace in the developed world, the loss of a spouse need not result in serious (or even any) financial harm, even in cases where the deceased spouse's labor accounted for a significant portion of the family's income. Although the family would no longer have access to whatever percentage of, say, a father's wages they were accustomed to receiving, it is now possible that other sources of revenue might equal or even exceed

this loss, at least until his children (should he have any) are able to acquire a measure of financial independence. For a middleclass family in the U.S., these sources might include a tax-exempt payout from a life insurance policy, monthly Social Security disbursements, retirement savings, proceeds from the father's own estate, and any inheritance(s) he stood to receive. Moreover, the family will require less income in the father's absence, since he is no longer consuming any resources. We might imagine annual expenditures decreasing by at least 20-30%, maybe more. Here, of course, I'm assuming a kind of best-case scenario in which the father is fully employed, relatively healthy, and a reasonably good steward of family resources. But this isn't always the case. Some fathers, perhaps due to chronic illness or an inability to find (or retain) gainful employment, consume far more than they bring in. Others, because they struggle with addiction or spend an inordinate amount of income on their own pleasures, may consume a disproportionate share of the family's resources. In such cases, it is possible that elective death, while still emotionally devastating, may result in improved financial status overall for survivors.

So, for most families today in the developed world that benefit from access both to government- and employer-funded financial safety nets, the primary harm to a spouse ordinarily would be emotional in nature. Once again, as with a child, I think the long-term emotional effects on a spouse are difficult to gauge. Some spouses may benefit from ample social support, or simply have the good fortune of being emotionally strong and resilient. Others, with or without adequate social support, might fall into a deep depression from which they find it (nearly) impossible to emerge. Certainly, each case would be different, and would depend, for example, not only upon whether the marriage was a happy one or not, but also upon whether he or she: 1) currently benefits from close ties to others; 2) possesses a generally optimistic or pessimistic temperament; 3) is already gainfully employed (or well-positioned to be so); and 4) has forged a strong identity or "sense of self" independent of his or her spouse. Of course, I can only speak to my own circumstances here. Fortunately, my wife happens to be very much unlike me: She is an optimist by nature, emotionally resourceful and resilient, the beneficiary of several close and healthy relationships, and even practicing professionally as a counselor. I find it highly unlikely that she would fall into an irremediable clinical depression that would render her incapable of fulfilling her parental and professional duties.

But isn't all of this beside the point if it should turn out that the lymphoma returns? What relevance can any of the above have if I am to die anyway, and we're simply quibbling about whether elective death would deprive me and my family of a few months of an excruciatingly painful and utterly humiliat-

ing existence in which I lose control of basic bodily functions? If I am to die soon anyway, and if I am fortunate enough to have access to the means to exit peacefully and with dignity, why not just seize the opportunity?<sup>11</sup>

If, by taking my life, it were a matter of merely erasing a month or two of pure agony and a truly degrading level of debility, I don't think there's much here to think about ethically, especially outside the sacred canopy. But in most cases, the situation is more complex. For me in particular, rigorous chemotherapy regimens that aim at cure would be available in the event of a relapse, as would palliative or single-agent chemotherapy that might slow tumor growth and therefore extend my life by many months. Although I am strongly disinclined to pursue salvage therapies, might current familial obligations require that I at least give them a try? Or need I only pursue palliative chemotherapy for as long as my organs are able to function reasonably well? May I even exercise the option of forgoing life-extending measures altogether and actively terminate my life whenever I find the level of pain or debility unacceptable? How, in this particular case, might maximum well-being be achieved?

If we assume a materialist worldview, death is what J.M. Fisher aptly calls an "experiential blank," and therefore cannot be construed as a loss or harm for the one who chooses to end his life (Fischer 1993, esp. 4–29). For, without a subject, there is no one—no locus of consciousness or sentience—to experience deprivation or harm. Of course, in the wake of someone's death, we often reflexively feel sorrow for the deceased nonetheless, and may say things like "He will never experience the joy of seeing his son graduate from college" or "He will never have the satisfaction of publishing his second novel." We often speak as if there is someone still capable of experiencing deprivation of future joys or frustration at failing to complete major projects. Because our minds have not fully adjusted to the fact of the deceased's permanent absence, and because we retain a clear sense of what he was like as a person, we may feel sadness *for him*, as if he were still a fully constituted subject.

However naturally emotions like these may arise, and however appropriate they may feel to us when they do arise, they are, in fact, irrational. *Death*<sup>12</sup> *simply cannot harm what does not exist*. Epicurus and Lucretius had it right long ago: No subject, no harm. A person's reputation certainly might be harmed postmortem, or his intentions may be frustrated, say, if a spouse or sibling fails to conduct a memorial service or dispose of his remains accord-

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11. This is precisely the advice Seneca offers Lucilius in his widely cited "celebration of suicide" in Ep. 70.

12. I assume here that the term applies to a postmortem condition of infinite duration, and neither to the process of dying nor to the very moment one transitions from "person" to "corpse."



ing to his wishes. Likewise, his most important projects and goals may go unfulfilled. But even if he were to become the target of slander or libel after he dies, or even if survivors find some clever way to circumvent the intentions specified in his will, *he* can't be harmed by any of it, for there is no longer any "he" to feel slighted or become angry. As Epicurus rightly concluded, mere awareness that death can do no harm to the deceased should offer us some comfort, both when we contemplate our own deaths, and even when someone we love passes away. Because postmortem nonexistence experientially is no different than prenatal nonbeing, death ought not to be feared. Like prenatal nonexistence, death is an "experiential blank," a total and permanent absence of consciousness.

So, although survivors may reflexively feel pity for someone who has taken his life because of all the goods he no longer will experience, the deceased himself can feel no loss, sadness, or regret at all. Perhaps most importantly, he can suffer no more. What we really mean, then, when we say things like "death is the greatest of all harms" or "death is our greatest enemy," especially when it arrives prematurely or as a result of some grave injustice, is that certain desires or intentions of the deceased will now go unfulfilled, or that certain projects of his will not be realized. *But the dead know or feel none of this*, and mere awareness of this fact, says Epicurus, should offer us at least some solace. Just as the experiential blank of prenatal nonexistence is of no concern to us, neither is—or should be—the experiential blank of posthumous nonexistence.

Death, then, no matter what my present circumstances, can never come as a harm to me. Because this is so, suicide may become an attractive option once I determine that consciousness has become a burden overall, or that my few moments of equanimity can no longer justify the intensity or intractability of my pain. After all, suicide would reduce the total amount of suffering I would otherwise endure. Of course, to maximize suicide's benefit, I would also need ready access to a painless, reliable, and dignified means of terminating my life. For having such access would offer considerable *antemortem* peace of mind: It would grant me the assurance of knowing that I could put an end to my pain if ever it should exceed a threshold I find intolerable, or that I could avert a loss of autonomy or bodily integrity I deem unacceptable. I can't imagine what terrible anxiety must stalk those who feel compelled to hang on no matter how bad things get, either from fear of eternal punishment, being reborn in an unfavorable state, or simply bringing disgrace upon one's family. A humanist is especially fortunate in not having to concern herself about the nature of her postmortem existence. As death nears, there is enough to worry about as it is. The last thing any of us needs at that point in our lives is added anxiety over a final judgment in which the eternal fate of

one's soul is decided, or over whether one's *karma* will result in a negative or positive re-embodiment.

If, then, we were merely to take my own interests into account, once I determine that consciousness is no longer a benefit overall, suicide may present itself as desirable option. But as a utilitarian, I must ask: To what extent do my wife's and son's wishes constrain my right to elective death? I may not—indeed *cannot*—experience my death as a harm, but they most certainly would. I think exercising my right to elective death would depend chiefly upon whether: 1) I have met, or could continue to meet, obligations that I still reasonably can be expected to fulfill, given certain limitations brought on by the illness; 2) my wife should choose to release me from, or to hold me accountable to, any of these outstanding obligations; 3) I am able to retain enough normal neural function and equanimity to remain the unique person my wife and son have come to know and value; and 4) some very great harm might still be averted by enduring a level of suffering I find unacceptable (say, because a life insurance company has threatened to withhold a payout).

As I've noted, the general cultural presumption here in the U.S. is that every life is intrinsically valuable and therefore worth our every effort to save or extend it. Because this is so, most Americans are reticent to give serious consideration to cost in saving a life. But it would seem that any patient who employs a utilitarian calculus is obliged to do so. For pursuing low-yield treatments that utterly deplete a family's savings, or even result in a high debt burden, may adversely impact the family's overall future well-being, especially if these treatments should fail or leave the ill individual so incapacitated that he ends up consuming far more than he is able to bring in. No salvage therapy is likely to work, or at least likely to work well enough to restore the same freedoms and level of well-being once enjoyed. Of course, for some lucky individuals it will, and their subsequent quality of life might even be quite good. But most who pursue salvage therapy will die as a result of their illness anyway, and they will have died having experienced more pain overall than one who opted for palliative care or active euthanasia. It is misplaced hope, or perhaps just pure hubris, to think that *I* will be the one—say, one of eight or nine who try—for whom it actually will result in a cure *and* allow for a satisfactory quality of life afterward.

Although some religious communities still naively claim that “money is the root of all evil,” in a remarkitized and increasingly deregulated capitalist economy like ours, it generally serves as an indispensable means to physical and emotional well-being. If I take on enormous debt trying to save my life, and salvage therapy either fails or incapacitates me, I will have caused my family significant, perhaps even irreparable, harm. It may mean that my wife has to quit the job she now enjoys and find one that pays substantially more,

no matter how meaningless or degrading the work. Or, if I survive but am left incapacitated, it may mean that she has to give up working altogether to become my fulltime caregiver. It may mean my son now has to take out sizeable student loans for his college education, which is likely to generate added anxiety and limit vocational options once he completes his degree(s). It may mean many sleepless nights, the dissolution of a peaceful and happy household, or the birth of deep and lasting resentments for unwelcome limitations or unpleasant duties imposed upon caregivers. Citizens of many other developed nations need not concern themselves so much about cost when making such decisions, but most middleclass and poor Americans must, whether they have health insurance or not. Even under the Affordable Care Act, few health insurance policies offer the kinds of benefits that would immunize a family against significant financial hardship or render consideration of cost totally irrelevant. Because monetary loss can greatly diminish a family's future well-being, it must be included in any utilitarian approach.

It would also seem that whether I pursue salvage therapy willingly or grudgingly, or whether I can at least muster the desire to pursue palliative chemotherapy until my organs give out, is likely have an impact on my family's well-being. If, for instance, I have little faith that high-dose chemotherapy will yield a cure, and deeply resent having to endure a painful and perhaps disabling treatment regimen that would require inpatient care, an indefinite leave of absence from work, as well as the forfeiture of many basic pleasures, my ill-temper would undoubtedly sour the mood of my family. Should salvage treatment fail (as probability suggests that it would), anger, resentment, and even despair would have defined our final months together, when we might have retained our usual fondness for one another's company. So, whether my wishes are respected or dismissed by my family is likely not only to affect my emotional well-being but theirs as well.

Surely most anyone would prefer that the final months they spend with those they love be characterized by harmony rather than discord, and that they leave survivors with pleasant memories rather than memories that evoke feelings of anger, regret, or sadness for years to come. For me, it is especially important that my relationship with my wife and son remain harmonious for as long as possible, because as someone who believes that I forever cease to exist when neural activity ceases, memories of me are among the very few things that survive, and these only for a short while. When, in fifty or so years, those who knew me also die, I become nothing but a name engraved on a headstone, or ashes dispersed in the wind, soon buried beneath layers of dirt and stone. What I have written soon will cease to be read by anyone at all, and what little I have made with my hands will eventually be disposed of and decay. To be sure, variants of my genome will endure through my siblings and

son, but hundreds of years from now, even my genome will become so diluted as to render what made me genetically unique virtually unrecognizable.

But wouldn't I at least have "left my mark" on the world through several books and articles, which today's technology can preserve indefinitely in digital form? Probably not. Unless one's literary corpus rises to the status of that of, say, Hermann Melville or Annie Dillard, or one manages to introduce some new theory or set of concepts that alters the course of a discipline (Darwin or Einstein, for example), few authors today will be read by anyone at all by the turn of the century, except perhaps by a handful of disgruntled doctoral students required to include an introductory chapter in their dissertations on the interpretive trajectory of some theme, idea, figure, or theory. Even if I should manage to make some unique contribution to my discipline, in a few centuries, chances are that this contribution either will no longer matter or have become so self-evident that no one will see the need to attach a name to it.

In fact, most of the cultural and technological contributions of our predecessors have long ceased to be attached to their creators, and a large majority of these are destined to be superseded by future generations or simply forgotten. To distant generations, even today's most highly esteemed scholars, artists, or entrepreneurs will eventually be reduced to a few recognizable syllables, a head shot, and the distillation of a whole life's work to a few sentences. Consider, for instance, Albert Einstein, who died only decades ago (1955). When most of us hear the syllables of his name pronounced, our minds may automatically generate a few associations such as "the theory of relativity" or " $E=mc^2$ ." But few of us are well-positioned to explain with any degree of sophistication the real significance or meaning of either of these associations. Physicists, cosmologists, and mathematicians certainly can, but most of us cannot. And none of our minds would be able generate clear impressions of the person himself—say, as kind, compassionate, eccentric, or quick on his feet—because none of us have ever had the good pleasure of meeting him. If, in the minds of most people, that is what has become of one of the greatest scientists of the modern era within a matter of decades, what is likely to become of you and me?

This is not to say that we do not "make a difference" by having some kind of impact on the direction and quality of other people's lives. We most certainly do. I suppose there is no human being, if even they've drawn breath for just a minute or two, who hasn't "made a difference"—awakened emotions, generated memories, contributed to some project that improved our lives, opened us to new ways of looking at the world, and so on. But "making a difference" is not quite the same as "leaving our mark." To distant generations, most of our difference-making will not be recognized as having originated with us.

While we all will have made some kind of impact, to distant others the precise *source* of this impact will neither be easily identifiable nor be easily distinguished from the contributions made by countless others. And, of course, no one will be in a position to conjure an impression of that utterly unique set of dispositions, beliefs, and abilities that made us who we are.

Say, for instance, I create a fish pond in my backyard that a family who inhabits the home a century from now still stocks and enjoys. No one is likely to credit me with its existence, primarily because no one will care enough to do the difficult investigative work of finding out who originally created it. I will have “made a difference,” to be sure, but the mark I leave upon that small patch of soil behind my home will no longer be recognized as *my* mark. It will no longer be associated with my name. And it certainly won’t be attached to the unique constellation of beliefs, abilities, hopes, regrets, and memories once designated by that name. So, perhaps the pond remains, but as its creator, I remain invisible. We might say the same for the tens of thousands who contributed to China’s Great Wall or to the Washington Monument. Once again, all have made a difference, but we do not associate their names, much less their unique biographies or personalities, with the rather impressive mark they have helped to create. To the overwhelming majority who visit these structures today, they remain an anonymous mass of laborers, slaves, artisans, and architects from past generations whose distinct identities are neither known nor even relevant.

It is, then, mere wishful thinking or outright hubris for most of us to believe that we will bequeath to future generations any lasting “mark” that will remain tied to our names or our unique selves. This is one reason why most any humanist worldview places so much emphasis on the value of our present lives. Not only does death entail the absolute end of the experiencing subject, but it also marks the formal beginning of the (generally rapid) dissolution of clear impressions or memories others may have had of us, as well as the disassociation of our names with the contributions we have made. The hard reality is that most of us won’t be remembered or valued by distant generations. In the minds of most ordinary people who inhabit this planet two or three centuries from now, even the most accomplished among us will be reduced to a name, a head shot, and the distillation of a life’s work into a few sentences.

For most of us, then, if we have found little joy in this life, brought little joy to others, or failed to make some kind of positive impact on the lives of other sentient beings in the here-and-now, it would seem that our lives haven’t had much point at all. A humanist worldview has the advantage not only of encouraging us to make the most of our brief time on this planet, but also of motivating us to help create conditions in which current and future generations might maximize their well-being—conditions made pos-

sible, for example, by free and fair societies, by advances in the sciences that diminish suffering while enhancing our capacities for self-determination, by work in the humanities that exposes harmful cultural memes and *grands récits* deployed by the powerful to authorize the status quo and punish difference. We ourselves may not be remembered for the impact we have made or the unique people we once were, but we will have made a difference. As death nears, that anonymous impact, I'm afraid, is about all most of us will be able to take comfort from.

### Concluding Remarks

If the cancer should return, our family would have to weigh a number of factors before deciding whether to pursue salvage therapy, palliative chemotherapy, or a form of palliative care that doesn't aim to inhibit tumor growth. As I've indicated, my strong preference is to pursue the second option, unless it would result in financial loss that would adversely affect my family's future well-being or diminish the positive feelings we now have toward each other. Pursuing salvage therapy is likely to create greater distress both for me and for them, in part because I would undergo it only grudgingly, which would adversely impact the mood of the whole family, but also because it either: a) won't result in a cure; or b) will result in a cure but leave me with a quality of life I find unsatisfactory. Admittedly, it is *possible* that the first option would result in a cure and satisfactory quality of life, but the chances are quite low, and I happen not to be dispositionally inclined to "beating the odds." Some people are, and I commend those who can find a way to truly believe that they might be the one of, say, eight or nine who try salvage therapy and manage both to eliminate the cancer and achieve a subsequent quality of life that is rewarding.

Alternatively, we might say that my preference is to follow probability, and that doing so just *feels* right to me. It always has. I've never been one to gamble on an aim that has little chance of being realized. Probability, in fact, is what I've relied upon to construct my view of reality, and I'm not about to abandon it now, even if I should be at death's door. Probability is precisely why I opt for a worldview grounded in emerging narratives in the sciences. Although these narratives will continue to be supplemented and refined over the centuries, they are nevertheless constructed on empirical evidence that may be subject to peer review, and therefore are far more likely to have a better grip on reality than any religious narrative ever offered. I suppose it's possible that there is a god who cares for us and has "designed" *Homo sapiens* in such a way that some part of us survives death. Or, I suppose it's possible that all sentient beings are endowed with *ātman* or *jīva* that remains trapped in an endless cycle of birth and death until it should manage to extricate

itself from *samsara* through rigorous ascetic or devotional practices. But the chances of any religious cosmology or soteriology having “gotten it right” are infinitesimally low, and because this is so, I find it impossible to subscribe to any one of them. Given enough time, I may be able to *accept* one of these narratives, but belief proper—conviction that arises naturally based on a careful and honest evaluation of the evidence—remains out of reach. Just as I’m temperamentally inclined to follow probability in constructing my view of reality as a whole, so also am I inclined to follow probability when assessing the likely outcome of salvage therapy. I can’t force myself to believe that it will yield satisfactory results when the odds are so low.

Our family is fortunate to have a generous health insurance plan, so I don’t foresee option two creating a financial burden for my wife and son. But as soon as palliative treatment aimed at inhibiting tumor growth ceases to work, or it begins to generate side effects that considerably diminish bodily integrity or rob me of certain capacities of mind, I would want immediately to transition to option three, although only if my wife should agree to release me of any further obligations that I might reasonably be expected to fulfill. As I’ve argued, death can never come as a harm *to me*, no matter what my present circumstances. Absent an experiencing subject, there is no further possibility for feelings of sadness, loss, or regret. I’ve also suggested that one need not fret over first “leaving one’s mark” before exiting this world. Believing that I will somehow manage to create some artifact, technological innovation, revolutionary theory, or organization that will forever remain tied to my name is either wishful thinking or plain hubris. Most of us will have to learn to be satisfied with “making a difference,” having some kind of (hopefully positive) impact that distant generations will not continue to associate with our names or unique selves.

The application of a utilitarian calculus, then, has led to the following decision: Once palliative care ceases to render life a benefit overall, or once suffering renders meaningless what few pleasures remain, I would begin taking measures to *actively* end my life, probably via a combination of the cessation of both food and water (VSED)<sup>13</sup> and high doses of opioids. Physician-assisted suicide would be preferable, and if we lived much closer to Washington, Oregon, or Vermont, it might be a reasonable option to explore. But we live a long way from any of these states, and I’m afraid that uprooting the family would prove far too disruptive, even for the short amount of time required to establish residency and locate a physician who would be willing

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13. The acronym stands for “Voluntary Stopping of Eating and Drinking,” which is recommended by several reputable organizations (for example: Compassion & Choices) to terminally ill individuals who do not have access to physician-assisted suicide. It is advised, however, that the process be undertaken in consultation with a physician while under hospice care—and, of course, with sufficient pain medication on hand.



to help. However, pursuing this preference will hinge largely on two factors about which I necessarily remain uncertain at present: 1) whether my wife will decide to release me from what few obligations I might still reasonably be able to fulfill; and 2) whether continued consciousness might avert some greater harm to my family's future well-being, such as the probable denial of a life insurance payout. Other negative consequences that might result from my death—say, the transient sadness of siblings or friends—would not constitute so great a harm that I should be discouraged or prevented from exercising my right to elective death.

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## Grievance and Shame in the Modern Age of Entitlement

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### ABSTRACT

Philosophers since Plato have questioned whether might makes right, and whether the weak are condemned perforce to suffer at the hands of strong, cunning, and ruthless elites and majorities. This essay argues that communicative and strategic uses of grievance, shame, “bullshit,” collective action, and economic rent seeking (“entitlement seeking”) mitigate conventional forms of social might, thereby helping the weak and the few (that is, modern social minorities) to prosper and flourish despite their inferior strength, numbers, and social status. The argument is supported empirically by macroeconomic and ngram (“word frequency”) data.

### Keywords

grievance, shame, bullshit, rent seeking, entitlement, ngrams

### Introduction

In 416 BCE, during a respite in the Peloponnesian War (431–406 BCE), Athens issued an ultimatum to the politically neutral population of Melos, a strategically located and resource-rich island in the Aegean Sea. The Melians could choose between surrendering unconditionally to Athens and paying tribute, or else being subjugated by Athens’ vastly superior and temporarily idle military. The people rejected surrender. The survivors were sold into slavery.

The terms of Athens’ ultimatum were recounted by the Greek military historian Thucydides: “we advise you, according to the real sentiments of us both, to think of getting what you can; since you know, and are speaking to those who know, that, in the language of men, what is right is estimated by equality of power to compel; but *what is possible is that which the stronger practice, and to which the weak submit* (Thucydides 1894 [431 BCE], II:368, italics added). A more familiar translation of the italicized passage reads, “[t]he strong do

what they can and the weak suffer what they must" (Thucydites 1876 [431 BCE]). The sentiment reduces to "might makes right" and "survival of the fittest."

Plato considered the implications of "might makes right" in two dialogues concerning the nature of justice. In the first book of *Republic* (338c), Plato's interlocutor, Thrasymachus, argues Athens' position, asserting that "justice is nothing other than the advantage of the stronger" (Plato 1997b, 983), and that it is natural and just for the strong to fashion laws to their own advantage (p. 984). In *Gorgias* (483b–c), by comparison, Plato's interlocutor, Callicles, accepts that "the people who institute our laws ... assign praise and blame with themselves and their own advantage in mind" (Plato 1997a, 827). Callicles, however, attributes just laws not to the strong, but instead to "the weak and the many" who merely decry self-interested actions by the strong as "shameful" and "unjust" (Plato 1997a, 828). Nietzsche, writing some twenty-three centuries later, lamented the power of such moral suasion to constrain the ambition of elite *Übermenschen* (Nietzsche 1968 [1901]).

Moral suasion's enduring power to modulate self-interested actions by the strong is remarkable. It survived the transition from the ancient social system of eudæmonic ethics to the medieval era of theistic institutions based upon presumed duties owed to God. It then survived the transition from institutional theism to a modern secularism predicated upon patterns of Lockean rights that were imagined to be the rational correlatives of theistic duties (Montanye 2015). Secularism, and the capitalistic "bourgeois virtues" it fostered (McCloskey 2006), generated enormous increases in private and social prosperity. These increases spawned a post-secular and post-modern institutional form based upon arbitrary entitlements (entitlements to equality of outcomes, for example) that ostensibly are correlatives of duties owed to the secular state (duties of submission and obedience, for example). The sociologist Daniel Bell aptly noted that "institutionalized expectations of economic growth and a rising standard of living ... have been converted into a sense of *entitlements*... a revolution of rising entitlements" (Bell 1996 [1976], 23). Institutionalized entitlement thinking (the term "entitlementarianism" aptly characterizes this line of thinking as a new civil religion) blossomed in the 1960s (see, for example, Reich 1964), a point that will be documented empirically in Figure 1 below. Since then, entitlement thinking has displaced significant portions of the secular Enlightenment values and virtues that were grounded upon rational structures of legal and economic rights (Montanye 2015). Defining all rights in "entitlement" terms has become common practice (Wenar 2011). Accordingly, "injustice" and "shame" are invoked nowadays to justify entitlements that purport to reify the utopian "mirage of social justice" (Hayek 1976). Scant respect remains for the notion of correlative duties owed to, or demanded by, the state.

This essay explores the complementary roles of “injustice” (that is, “grievance”) and “shame” in the context of modern political economy. It builds upon Plato’s inquiries by integrating modern economic concepts of social discrimination, collective action, and rent seeking, along with the phenomenal and philosophical principle of “bullshit.” These concepts broaden the compass of shame and injustice, from a rhetorical means for ensuring justice for the weak and the *many*, to a political means for generating windfall entitlements for minority groups comprising the weak and the *few*.

The first section below explores the evolution of “shame.” The next section sketches an economic theory of shame-based “entitlement seeking.” The third section examines social discrimination against “the weak and the few” as a source of grievance. The next two sections examine grievance, shame, “bullshit,” and collective action as strategic and communicative weapons of neo-Hobbesian warfare. The following section visualizes the course of entitlement seeking by two minorities—African Americans and Jews—against a background of rising aggregate economic prosperity for all. The essay concludes with a brief summary.

### Shame, then and now

Shame, as an element of moral suasion, traditionally mitigated adverse social consequences stemming from the self-interest of elite individuals and strong majorities. The historian Wilfred McClay explains that

shame has always been an inescapable element in our social existence, one of the most powerful of the sanctions by which the moral life of a community is sustained. Shame stems from our need to be well regarded by others, and is usefully distinguished from guilt, which involves our own sense of wrongdoing. Shame is inherently social, and is one of the chief means by which the community lets individuals know when they have transgressed acceptable boundaries. Shame disciplines the transgressors, both externally and inwardly, and makes an example of them to others. The more cohesive the community, the more effective the sanction when it is applied. ... beyond a certain point, [however], the force of shame can have no effect on a person who is immune to it. (McClay 2016, 16–17)

The scope of shame’s usefulness recently became enlarged. McClay explains that “[s]hame is now to be understood less as an imperative moral force than as a superfluous psychological burden. ... We have liberated ourselves from these ancient curses, vanquished the lingering effects of original sin, taken control of our own narratives, and stepped out of the shadows, into the broad, sunlit uplands of a new level of consciousness: a world beyond shame. Call it ‘The Higher Shamelessness’” (McClay 2016, 6). McClay notes that shame has become “weaponized” (“militarized” might be even more descriptive), and that “the potential ‘positive’ uses of shaming as a weapon to advance political

causes are spoken of more and more frequently and openly” (17). The upshot is that shame no longer is merely a defensive instrument for ensuring justice among the weak and the *many*. It now serves as an offensive weapon wielded by the weak and the *few* who have become “political and cultural warriors... particularly (but not exclusive) those on the Left” (17). These warriors seek to reshape society to their own pecuniary and ideological advantage, necessarily at others’ expense.

James Twitchell, a professor of literature and culture, observes that societies have lost their traditional ability to manage deviant self-interest and induce peaceable cooperation through shaming (Twitchell 1998). This loss is attributable partly to the changing perception of deviancy. Deviancy has been defined *down* in the familiar sense that once-aberrant behavior of all sorts has become not only acceptable, but also often worthy of reward. Deviancy simultaneously has been defined *up* in the sense that shame now is directed against “conservative” individuals who obstruct entitlement-seeking efforts that collaterally would rend the overarching social fabric. By Twitchell’s lights, modern societies have shifted from being productive, superego-driven “ought” cultures, to being entitlement-driven “want” cultures in which shame is an offensive weapon of choice.

The historian Shelby Steele argues that the liberal pursuit of social justice by means of shaming has “invited minorities [the weak and few] to make an identity and politics out of grievance and inferiority. Its seductive whisper to them was that their collective grievance was their entitlement and that protest politics was the best way to cash in on that entitlement” (Steele 2015, 2). The political scientist William Voegeli disparages such identity politics on grounds that “there are *no* clear ... [examples of] groups that have acquired significant, durable social and economic advantages by feeling sorry for themselves, or by inducing [through shaming] other, more powerful groups to feel sorry for and guilty about them. What such groups secure, instead, is the ‘advantage’ of being dependent on the kindness of strangers, an advantage that debilitates individuals struggling to build lives and communities on sturdier foundations” (Voegeli 2014, 117). Legal scholars Daniel Farber and Suzanna Sherry argue that “[v]ictimhood also has ‘passive and helpless’ connotations that can be disempowering, and can encourage individuals to define their identities on single traits. Indeed, [as the legal scholar Martha] Minow observes, the very idea of privileging the victim’s perspective ‘requires a ranking of oppressions that is itself rendered problematic by the asserted authority of subjective experience.’ Thus, discussion can degenerate into the ‘victim talk world’ where people ‘exchange testimonials of pain in a contest over who suffered more’” (Farber and Sherry 1997, 82).

Entitlement thinking clearly encourages individuals to compete for strategic advantage while (and perhaps instead of) striving for success via the traditional route of effort and sacrifice. Ernest Hemingway so advised fellow author F. Scott Fitzgerald: “[w]e are all tragic figures ...when you receive a damned hurt use it ... [just] don’t cheat with it” (qtd. in Lilienthal 1982, 485). Cheating is commonplace where entitlements are at stake. Voegeli devotes a chapter to exploring “How Liberal Compassion Leads to Bullshit” (Voegeli 2014, 139–193). Bullshit is a cheat that amplifies grievances and stimulates shame, compassion, and sympathy in order to justify and reify entitlement demands. Today’s post-secular Age of Entitlement, whose values and virtues essentially are the antithesis of Enlightenment secularism, corresponds to McClay’s previously-quoted “world beyond shame” and “Higher Shamelessness.” It entails a politics of “grievance” for which “shame” ranks immediately behind government action as the weapon of choice for neo-Hobbesian warfare in which truth and justice often are the first casualties.

Neo-conservative political economy argues, partly from ideological faith, that entitlements permanently lessen minorities’ need, and ultimately their ability, to prosper and flourish in unfettered social and economic markets. The worst upshot is the unintended yet predictable creation of permanent social underclasses, a result that ironically is a springboard to more grievances, and therefore to additional entitlements. Paraphrasing Sartre, the weak and the few who exploit grievance and shame tactics injudiciously conceivably are complicit in their own victimization over the long run. A related argument against entitlements is that their principal effect often is to relieve the short-term moral suffering of elites and majorities at the cost of increasing the long-term economic suffering of the weak and few (Steele 2015).

This litany of adverse social consequences notwithstanding, the historian Charles Maier observed in 1993 that American politics had become in fact “a competition for enshrining grievances. Every group claims its share of public honor and public funds by pressing disabilities and injustices. National public life becomes the settlement of a collective malpractice suit in which all citizens are patients and physicians simultaneously” (qtd. in Novick 1999, 8).

Accordingly, entitlement seeking becomes an economically wasteful activity that is fundamentally redistributive rather than productive. Moreover, it can become narcotizing when successful. Nevertheless, it is sufficiently rewarding to encourage successful practitioners to continue the endeavor. That is the demand side of the equation. Supply side justifications for entitlements often are wrought through the well-meaning abuse of such philosophical devices as “veil of ignorance” and “difference principle” (Rawls 1971), and of such economic devices as cost-benefit analysis (Frank 2011).



### **Economic rents and rent seeking**

This essay portrays the political economy of grievance and shame as a species of “rent seeking.” Rent seeking is a term of art in the argot of economics and political theory. An “economic rent” in essence (many technical refinements exist) is a supra-normal economic return, profit, surplus, benefit, or other advantage that is not dissipated spontaneously by competitive economic and socio-political forces (see Alchian 1991 [1987], 591–597). Textbook examples of “rent” include wages that exceed the absolute minimum amount necessary to retain a worker, and corporate earnings that are inflated by the adverse consequences of cartels, monopolies, quotas, etc. Economic theory treats rents as windfalls (what Marxists call “surplus value”) that can be redistributed through taxation, regulation, and by other means without distorting individuals’ economic incentives to be productive (provided, of course, that individuals value money above such competing goods as dignity, integrity, leisure, etc.). Rents are not objectionable perforce: those accruing to superior innovators, technologists, researchers, entertainers, and athletes, among others, are regarded as justly earned returns to human capital and entrepreneurship (Montanye 2006). We are all “rent seekers” under the skin in this sense, although few among us are wildly successful at it. Ordinary individuals who succeed against the competitive odds may be shamed nowadays for their achievement.

“Rent seeking” is the process by which self-interested individuals, businesses, and political factions pursue rents through legal means, typically at the expense (often permanently) of consumers, employers, taxpayers, and competitors (Tullock [1987] 1991, 604–609; see also Hamilton, Madison, and Jay (1961 [1787], 77–84). Technically, rent seeking refers to “[t]he use of real resources in an attempt to appropriate a surplus in the form of rent” (Pierce 1992, 372). Rent seeking is a pejorative concept because its social consequences are both costly and distinctly negative. The activity consumes economic resources (through lobbying activities, for example) solely for the private purpose of redistributing income, wealth, opportunities, and other forms of utility. Nothing of real economic (exchange) value is produced. The social cost of rent seeking is estimated to be substantial, yet identifying, tracking, and quantifying its public costs and private benefits often verges on the impossible. Other, more narrowly descriptive labels for the phenomenon have been offered, including “privilege seeking,” “transfer seeking,” “preference seeking,” “advantage seeking,” “directly unproductive activities,” and “unjust enrichment.” The underlying principal is the same regardless of labeling.

The rent-seeking concept remains blunt and narrow as it stands (Tullock 1989, 88, 96–97). Gordon Tullock, the political economist credited with

identifying the concept (the term itself was coined some years later by the economist Anne Krueger), lamented its early inexactness, but expected economists to refine its theoretical aspects over time. The balance of this essay enriches the greater Public Choice literature by developing three aspects of rent seeking that are not conventionally recognized within economics: grievance, shame, and “bullshit.” The term “entitlement seeking” is used throughout to denote rent seeking that is pursued through the manipulation of these three elements. The essay also addresses the developing awareness that “modern economics inherently fails to grapple with deception and trickery. People’s naïveté and susceptibility to deception have been swept under the rug” (Akerlov and Shiller 2015, 164). The analysis introduces the use of ngrams (published word frequency data), cast against a background of rising economic prosperity for all, as a tool for identifying and tracking entitlement-seeking efforts.

### The economics of “might” and “right”

In the second book of *Republic* (359d–360d), Plato shows how “might” derives not only from superior strength, but also from anonymity. Plato’s interlocutor, Glaucon, describes a mythical Ring of Gyges that creates a form of might by conferring anonymizing invisibility upon its wearer (Plato 1997b, 1000–1001). Such anonymity is shown to corrupt justice by making individuals unaccountable for their unjust actions. Unaccountability, like love, means never having to say you’re sorry, or otherwise having to face and feel shame.

Injustice is not an ineluctable consequence of anonymity, however. The Nobelist Milton Friedman, building upon Adam Smith’s memorable “invisible hand” metaphor (Smith 1976 [1776], 1:477), noted that free markets provide a measure of anonymity that permits the weak and the few to prosper despite contrary efforts by strong elites and majorities. Anonymity in this context is the opposite of a corrupting force. By Friedman’s lights, “an impersonal market separates economic activities from political views and protects men from being discriminated against in their economic activities ... the purchaser of bread does not know whether it was made from wheat grown by a white man or a Negro, by a Christian or a Jew. ... It is a striking historical fact that the development of capitalism has been accompanied by a major reduction in the extent to which particular religious, racial, or social groups have operated under special handicaps in respect of the economic activities; have, as the saying goes, been discriminated against” (Friedman 1962, 21, 108–109). The intrinsic discipline of free markets yields productive, just, and non-corrupting outcomes because, continuing with Friedman’s example, “the producer of wheat is in a position to use resources as efficiently as he can,

regardless of what the attitudes of the community may be toward the color, the religion, or other characteristics of the people he hires” (109).

The weak and few not only prosper to varying degrees through capitalism and free markets, but also flourish as individuals. Echoing Aristotle’s conception of the good life, the Nobelist Edmund Phelps identifies “flourishing” as “the heart of prospering—engagement, meeting challenges, self-expression, and personal growth. Receiving income may lead to flourishing but is not itself a form of flourishing. A person’s flourishing comes from the experience of the new: new situations, new problems, new insights, and new ideas to develop and share” (Phelps 2013, vii). Phelps’ commentary is unusual among modern economists (the sentiment is more closely associated with the age of Adam Smith) because “flourishing” does not lend itself readily to dollarization and mathematization. Other social scientists as well overlook flourishing’s contemporary significance. Writing about capitalism, Daniel Bell argued that “[f]or the modern, cosmopolitan man, *culture* has replaced both religion and work as a means of self-fulfillment or as a justification—an aesthetic justification—of life. Behind this change, essentially from religion to culture, lies the extraordinary crossover in consciousness, particularly in the meanings of expressive conduct in human society” (Bell 1996 [1976], 156, *italics added*). Flourishing is a principal objective of entitlement seeking, yet it lacks a fixed place in modern analytical conceptions of mankind’s economic nature.

The strong racial, ethnic, and religious preferences that fuel social discrimination lie beyond the compass of free markets to remedy in full. Nevertheless, capitalism’s critics often and “mistakenly attribute ... residual discrimination to the market [process itself]” (Friedman 1962, 21). “Residual discrimination,” even when it is non-trivial, exists because individuals, whether numbering among the few or the many, have an inherently strong taste for it. Unfettered markets tend nevertheless to yield the beneficial results touted by Friedman and Phelps. The American playwright David Mamet illuminates this point: “I will not say that this Christian country [America] has been good to the Jews, for this suggests an altruism or acceptance, neither of which exists. But America has been good *for* the Jews, as it has been, eventually, good for every immigrant group fleeing oppression, seeking prosperity, or indeed, brought here in chains” (Mamet 2011, 221). Prosperity and flourishing among these groups flows largely from capitalism and free markets. Over the past half-century, however, these benefits have been augmented through successful entitlement seeking.

The economic consequences of “residual discrimination” are easily misinterpreted, misrepresented, overestimated, and overcompensated. The Nobelist Gary Becker’s theoretical work on the economics of discrimination argued that minorities might naturally become disadvantaged in the marketplace

(Becker 1972 [1957]; 1976). The costs of such discrimination are substantial, and they are borne by all members of society although they impose a relatively greater burden upon the weak and few. Becker's theoretical analysis complemented 'Thucydites' and 'Thracymachus' pessimism about the plight of the weak. It nevertheless stopped short of committing the "naturalistic fallacy" of accepting the adverse consequences of spontaneous discrimination as being right and just. Becker's work in fact grounded much of the remedial anti-discrimination, civil rights, and affirmative action legislation that emerged during the 1960s and 1970s. This legislation benefitted favored minorities, occasionally disregarded less favored minorities, and operated at the expense of many non-discriminating majority individuals.

Becker's theoretical model was general in form. Its emphasis, however, was upon the plight of African-Americans (respectfully identified then as "Negroes") who constituted a conspicuously weak minority within America. If Becker's model were categorically correct, then its implications and predictions necessarily would apply to all minorities. This, however, has not been the case. Another distinguished economist, Thomas Sowell, who has written extensively about the economics of race and ethnicity (and is African-American), noted that "[t]he presence of Jewish and Japanese Americans at the top of the income rankings must undermine any simplistic theory [including, by implication, Becker's] that discrimination is an overwhelming determinant of socio-economic position. It would be inexplicable how these groups could have higher incomes than Anglo-Saxons [and much higher incomes than African-Americans] despite a well documented record of anti-Semitism and anti-Oriental feelings, policies, and laws" (Sowell 1981, 126). Real prosperity and flourishing, by Sowell's lights, and by the lights of most politically conservative commentators, turns upon a myriad of factors other than preferential, politically-mandated social and economic entitlements. The litany includes the relatively obscure factors of grievance, shame, and bullshit, which (in Habermasian terms) are elements of strategic and communicative action.

### **Grievance, shame, and bullshit**

Whether considered at the verbal, behavioral, or biological level, the communication of grievance and shame is a rational means by which inherently self-interested individuals compete for scarce economic resources by interacting with, manipulating, and modifying their environment. Communication always is purposeful in this respect. To paraphrase Adam Smith's familiar dictum (Smith 1976 [1776], 1:18), it is not from the benevolence of individuals that we expect communication, but from their regard for their own interests. The pursuit of these interests often entails the sort of deception and trickery that undermines modern economics theory (Akerlov and Schiller 2015).

The biologist Richard Dawkins explains communication's practical side:

Whenever a system of communication evolves, there is always the danger that some will exploit the system for their own ends. Brought up as we have been on the 'good of the species' view of evolution, we naturally think first of liars and deceivers as belonging to a different species: predators, prey, parasites, and so on. However, we must expect lies and deceit, and selfish exploitation of communication to arise whenever the interests of the genes of different individuals diverge. This will include individuals of the same species. ... we must even expect that children will deceive their parents, that husband will cheat on wives, and that brother will lie to brother. Even the belief that animal communication signals originally evolve to foster mutual benefits, and that afterwards become exploited by malevolent parties, is too simple. It may well be that all animal communication contains elements of deception right from the start, because all animal interactions involve at least some conflict of interest. (1989 [1976], 65)

Dawkins goes on to argue that "most animal signals are best seen as neither informative nor deceptive, but rather as *manipulative*. A signal is a means by which one animal makes use of another animal's muscle power" (Dawkins 1989 [1976], 282). Among humans, it must be added, signals also are used to manipulate other individuals' brain power. Mankind is unique, not only in the tools it uses to compete for scarce economic resources, but also in its ability to increase resource availability through cooperation, trust, specialization of labor, and the exchange of economic goods (Montanye 2009 and 2012). Accordingly, communication among human animals is not always deceptive and manipulative. It also can be *productive*. Communication behavior that is manipulatively redistributive rather than productive, as in the case of entitlement seeking, fits the technical definition of "bullshit."

The philosopher Harry Frankfurt ascribes analytical meaning to the traditionally loose concept of "bullshit" (2005). He explores the term's neology at some length (34–42), yet overlooks its most obvious cognate: a cleverly pejorative allusion by Protestants and atheists to the substance of Papal Bulls. By Frankfurt's contemporary specification, the term now denotes assertions that lack a "connection to a concern with truth," reflect an "indifference to how things really are," and yet are not grounded "in a belief that [what is said] is not true, as a lie must be. ... Convinced that reality has no inherent nature, which [the individual] might hope to identify as the truth about things, he devotes himself to being true to his own nature. It is as though he decides that since it makes no sense to try to be true to the facts, he must therefore try instead to be true to himself [true, that is, to his self-interest]" (33–34, 61–62). This characterization describes bullshit in its most general and genteel form. For reasons to be explained, it can be characterized as "bullshit lite."

Bullshit in this sense bears some resemblance to “eumerdification,” a term coined by the philosopher Daniel Dennett to characterize obscurantistic forms of “impenetrable nonsense” (Dennett 2006, 405, n. 12). It is related as well to TV personality Stephen Colbert’s neologism “truthiness,” a term meaning “the quality of preferring concepts or facts one wishes to be true, rather than concepts or facts known to be true” (American Dialectic Society 2006). Consider in this light a brief passage from Ayn Rand’s novel, *Atlas Shrugged*, wherein an antagonist touts a utopian social scheme as being “a sound, practical plan! ... It will work! It has to work! We *want* it to work!” (1999 [1957], 980). Actual societies of the sort parodied by Rand can be described as “merdecracies” (Montanye 2003; 2005; 2010).

Bullshit also can be characterized pragmatically as occurring wherever “the idea of truth as correspondence to reality [is] gradually replaced by the idea of truth as what comes to be believed in the course of free and open encounters” (Rorty 1989, 68). Anticipating this line of thinking (and influenced perhaps by the “pragmatism” of philosophers William James and John Dewey), the novelist Franz Kafka penned these pre-Orwellian lines: “It is not necessary to accept everything as true, one must only accept it as necessary. ... It turns lying into a universal principle” (Kafka 1995 [1937], 220). Arthur Bullard, a socialist muckraker, policy hack, and political appointee of President Woodrow Wilson wrote in 1917 that “[t]ruth and falsehood are arbitrary terms... there are lifeless truths and vital lies .. the force of an idea lies in its inspirational value. It matters very little if it’s true or false” (qtd. in Goldberg 2007, 111). Mussolini echoed this sentiment in a 1932 press interview, asserting that “[i]t is faith that moves mountains, not reason” (quoted p. 36). Big goals, not to mention (as Rousseau rudely did) great private wealth, rarely are realized through objective truth and reason alone.

Where objective truth is absent, bullshitters are free to expound without limit upon the spirit of their beliefs and objectives. Their rhetoric may include trivial and irrelevant facts, arguments based upon logical non-sequiturs, leaden clichés, and outright gibberish. Consider, for example, this bit of institutional nonsense spoken by NASA astronaut Eileen Collins: “Having people in low earth orbit is beneficial because we [?] become better citizens for having been in space” (qtd. in Marc, 2003, 30). Bullshit of this sort resembles a rhetorical form that the librettist W.S. Gilbert mockingly described as “corroborative detail, intended to give artistic verisimilitude to an otherwise bald and unconvincing narrative” (Gilbert 1932 [1885], 390). The implicit narrative behind Collins’ statement is that public funding for space exploration ought to be increased.

Steele politely characterizes entitlement-seeking bullshit as the fallacy of “poetic truth.” Just as

Poetic license occurs when poets take certain liberty with the conventional rules of grammar and syntax in order to achieve an effect. ... we might say that “poetic truth” disregards the actual truth in order to assert a larger *central* truth that supports one’s ideological position. It makes the actual truth seem secondary or irrelevant. ... When poetic truth is in play, facts carry no weight. ... Poetic truth—this assertion of a broad characteristic “truth” that invalidates actual truth—is contemporary liberalism’s greatest source of power. It is also liberalism’s most fundamental corruption. ... poetic truth is not about truth; it’s about power. It is a formula for power. (Steele 2015, 16, 19–20)

Accordingly, Steele writes that “poetic truth ... must be imposed on society not by fact and reason but by some regime of political correctness—some notion of propriety and decency that coerces people into treating such claims as actual fact” (Steele 2015, 23–24). Propriety and decency, by Steele’s lights, are modern suasive equivalents of injustice and shame.

Frankfurt defined, in a subsequent monograph, the concept of “truth” from which bullshit, eumerdification, truthiness, corroborative detail, and poetic truth are departures. Truth by his definition (and contra the claims of philosophical pragmatists) exists where “[t]he relevant facts are what they are regardless of what we may happen to believe about them, and regardless of what we may wish them to be. ... [they] are what they are, independent of any direct or immediate control by our will. We cannot alter the facts nor, similarly, can we affect the truth about facts, merely by an exercise of judgement or by an impulse of desire” (Frankfurt 2006, 54–55). Frankfurt complements this description of “truth” with a harshly cynical recap of his initial explication of bullshit:

My claim was that bullshitters, although they represent themselves as being engaged simply in conveying information, are not engaged in that enterprise at all. Instead, and most essentially, they are fakers and phonies who are attempting by what they say to manipulate the opinions and the attitudes of those to whom they speak. What they care about primarily, therefore, is whether what they say is *effective* in accomplishing this manipulation. Correspondingly, they are more or less indifferent to whether what they say is true or whether it is false. ... bullshitting constitutes a more insidious threat than lying does to the conduct of civilized life. (2006, 3–4)

This characterization describes behavior that transcends the notion that bullshit is merely an element of social bonding, which is one “lite” interpretation that flows easily from Frankfurt’s earlier description. He now characterizes bullshit as a vibrant element of persuasive rhetoric that complements such traditionally legitimate devices as analogy, symmetry, logic, authority, definition, experimental evidence, introspection, thought experiments, etc. (McCloskey, 1991 [1987], 610–611). The Jesuitical dissembling techniques



of “ambiguity” and “mental reservation” can be included with this expanded collection of techniques, as can indiscriminate name-calling (the liberal use of terms like “racist” and “anti-Semite” to generate cheap and easy “smear” pressure, for example), and hypocrisy (the Black Lives Matter movement’s conspicuous inattention to Black-on-Black violence as the movement attempts to establish Blue-on-Black violence as a new shame vector, for example).

Bullshit facilitates the “anything goes” and “non-foundational” forms of pragmatism advanced by the philosophers Paul Feyerabend (2010 [1975]) and Richard Rorty (1982; 1989; 1999). It arguably is an intrinsic aspect as well of modern economics (McCloskey 1985 and 1994; Nelson 1991 and 2001), of the scientific method (Duhem 1991 [1906]; Kuhn 1996 [1975]), and of “junk science” generally. Not all scholarly discourse is bullshit, of course. Scholars and researchers often strive to discover and communicate honest approximations of truth *à la* Frankfurt. Nevertheless, the ubiquity of self-interest and bullshit necessitates healthy cynicism wherever entitlements are at stake.

The deconstruction of bullshit-as-power along the analytical lines established by the pantheon of post-modernist thinkers has preoccupied the social sciences since the 1960s, which not coincidentally corresponds with the beginning of the Entitlement Age. This course is particularly evident in the fields of critical legal, cultural, race, feminist, and literary studies. The literature in this area treats bullshit (especially the “implicit” sort) as being reprehensible in principle while often applauding its morally-appealing redistributive consequences. Such post-modern critical studies have spawned a redolent rhetorical form that has been dubbed, among other things, “fashionable nonsense” (Sokal and Bricmont 1998).

Dawkins describes pragmatic bullshit as “meme,” which he defines as a self-replicating “unit of cultural transmission, or a unit of *imitation*” that is easily propagated (1989 [1976], 192). Dawkins notes that “[n]othing is more lethal for certain kinds of meme than a tendency to look for evidence. ... The meme for blind faith secures its own perpetuation by the simple unconscious expedient of discouraging rational inquiry” (198). Dawkins links the memetic concept to theistic religion. It applies equally well to civil religions (including entitlementarianism).

Hobbes and Locke argued that liberty in an ordered society cannot be tantamount to unrestricted license. This constraint applies to the propagation of bullshit, albeit only at the margins. Free-speech theory and doctrine accept implicitly that bullshit is too ubiquitous and diverse to be regulated pervasively (Montanye 1999). Following an insight articulated by James Madison in Federalist Paper No. 51 (Hamilton, Madison, and Jay (1961 [1787], 322), individuals and factions are permitted great liberty of bullshit under

the law in the wishful expectation that private ambition among individuals and groups will counteract and ultimately cancel out. Bullshit that does not counteract other bullshit poses the threat to civilized life that Frankfurt eagerly condemns. Therefore, the more self-interested bullshit in a society the better, short of falsely yelling “FIRE!” in crowded theaters, and fraudulently claiming to cure disease using snake oil. Bullshit is as American as apple pie, and it is the handmaiden of entitlement seeking.

Concerted efforts to silence counteracting bullshit and neutral truth-telling alike predictably are commonplace. Such efforts occur routinely even within societies where the liberties of speech and expression ostensibly are highly valued and constitutionally protected. Silencing actions range from the use of shaming as a means for enforcing political correctness (see, for example, Voegeli 2016), to muscular attempts to suppress the publication of scholarly books and articles, and to destroy the good reputations and careers of honest competitors and truth-tellers (see, for example, Mearsheimer and Walt 2007, vii–xii; 185). Smear tactics serve as a warning to speakers and writers as well as a punishment for transgressors. Farber and Sherry demonstrate how discussants who “do not have any personal resentment toward Jews” nevertheless might be labeled “anti-Semites” as a proleptic means for silencing others (1997, 10). Such entitlement-seeking tactics elevate abject thuggery above the Enlightenment virtues of reason and persuasion.

### **Collective action**

Bullshit’s power to modulate entitlement seeking flows in large measure from its ability to unite the weak and few into solidarity groups for the purpose of undertaking collective actions that mitigate the effects of residual discrimination, and which also have the potential to elevate the weak and few to the status of privileged elites. “Lite” forms of collective bullshit inspire pragmatic collective beliefs and rituals that perform three essential functions: (1) strengthening group solidarity; (2) creating syncretic “isms” that bleed into the collective imagination and consciousness of outside elites, larger minorities, and majorities; and (3) ultimately increasing the prosperity and flourishing of the weak and few.

Minorities often are better able than majorities to organize for the pursuit of entitlements. Their advantage lies with the economics of organization: to wit, “[i]n the [voluntary and spontaneous] sharing of the costs of efforts to achieve a common goal in small groups, there is a surprising tendency for the ‘exploitation’ of the *great* by the *small*” (Olson 1971 [1965], 3). For example, Orthodox Jews once monopolized the diamond trade in New York City and other world diamond capitals through nothing more than mutual trust and cooperation plus “trade custom and usage, a little common sense,

some Jewish law, and, last, common-law legal principles” (Bernstein 1992, 127; 140–42; see also Richman 2006). Their efficient and robust business practices engendered a U.S. Justice Department antitrust action in the 1950s to end an explicit and per se illegal group boycott against German diamond traders (Civil Action No. 76-343 [S.D.N.Y. 1952]), but which nevertheless left the market’s long-term structure essentially intact. The episode evinces the inherent power of small solidarity groups.

Theistic and civil myths rooted in bullshit (creation mythologies regarding peoples and nations, for example) are powerful forces for fostering group solidarity (Montanye 2012). Homogeneous minorities are bound together by mythologies of ethnicity, race, religion, etc. that majorities cannot share. Sociological research reveals, much to the consternation and dismay of social thinkers and planners, that “[t]he more diverse or integrated a neighborhood is, the less socially cohesive it becomes, while the more homogenous or segregated it is, the more socially cohesive” (Voegeli 2014, 81, citing the sociologist Richard Florida). Consider, for example, Mamet’s personal expression of solidarity through his strong ethnic and religious preferences (what might otherwise be characterized as “racism” and “reverse discrimination”): “Jews associate exclusively with Jews. Though we may identify the momentary agglomeration as based on wealth, politics, location, profession, or avocation, a quick check will reveal the group (even if made of enemies of Israel, or of the Jewish Religion itself) is made of Jews. We Jews live among ourselves. I love it” (Mamet 2011, 132). Mamet and his co-religionists “love it” because ethnicity and nominal religious faith serves as the focal point for group identity and solidarity, the word “religion” being a cognate of the Latin verb (*ligo, ligare*) meaning “to unify.” Jews are well assimilated and integrated into the mainstream of American social and political culture. Minorities living further from the mainstream draw correspondingly greater solace, solidarity, and strength from their religion, race, ethnicity, and shared mythologies. Solidarity is the source of their potential for prospering and flourishing through entitlement seeking.

Bullshit often bolsters solidarity by positing and reinforcing the often false belief that outsiders necessarily value their own strong tastes for discrimination above the benefit of mutually profitable cooperation and exchange. The reason for believing such myths is to build solidarity among entitlement-seeking groups through the false perception of unrelenting outside pressure and a permanent sense of imminent crisis. Much of African-American literature and culture predictably stresses the history of racial discrimination and slavery, often to the point of romanticizing it in books, movies, and television miniseries—Alex Haley’s novel *Roots* (1976) being the iconic example. Similarly, the literary genre called “Judaica” provides reinforcing accounts of anti-Semitism and discrimination against Jews (see, for example, Sarna

2012). These literary forms provide a useful basis for identifying and tracking entitlement seeking, as the following section demonstrates.

The existentialist philosopher Søren Kierkegaard noticed (perhaps with regard to the wave of nationalism that swept through Europe during his lifetime) that “[i]n these times everything is politics ... [and that] the religious is eternity’s transfigured rendition of the most beautiful dream of politics” (1998 [1859], 103). The dreams and renditions of both religion (covenants of the rainbow and the cross, for example) and secular politics (covenants of the flag) actually represent alternative social means for extracting value from economic scarcity. Religion and politics have co-adapted to this end across the breadth of human experience. Many economists, historians, and political theorists presently view religion and government as being partly-complementary and partly-substitutable social forces whose balance at any juncture is determined spontaneously and entrepreneurially by the needs, interests, and possibilities of local societies (Montanye 2011 and 2012). Civil religions, by this light, essentially are theocracies that have replaced traditional theologies and gods with nationalistic and ethnic mythologies and numinous but otherwise all too human public figures. Humanists, atheists, and others who claim to reject religion unconditionally may not appreciate fully the faith-based metaphysical world of political spirits and other unseen forces that govern them.

The economist Dennis Mueller argues that theistic “religion, in its extremist form, poses a threat to liberal democracy” Mueller (2009, 24). He, like most commentators writing in this context, overlooks the corresponding (if not greater) threat posed by civil religions. Mueller’s claim tracks Adam Smith’s observation that “[t]imes of violent religious controversy have generally been times of equally violent political faction” (Smith 1976 [1776], 2:313). Mueller’s claim tracks as well the views of post-secularists and New Atheists alike that “religion is undoubtedly a divisive force” (Dawkins 2006, 259). Religious bullshit by Frankfurt’s lights would constitute “a more insidious threat than lying does to the conduct of civilized life” (Frankfurt 2006, 4). Divisiveness of this sort arises, however, only *between* religion-based solidarity groups. Within such groups, religion (both theological or civil) is a powerful unifying force that is especially well adapted for entitlement seeking. Its effectiveness is amplified by America’s present, politically-correct reluctance to question the motives of anyone acting ostensibly from sincere moral and theological convictions, notwithstanding the generally rising awareness of certain religions’ potential for creating malign social consequences. The U.S. Supreme Court ruled long ago that “[w]ith man’s relations to his Maker and the obligations he may think they impose, and the manner in which an expression shall be made by him of his beliefs on those subjects, no interference can be permitted, provided always the laws of society, designed to

secure its peace and prosperity, and the morals of its people, are not interfered with" (*Davis v. Beason*, 133 U.S. 333, 342 [1890]). The wisdom of the Court's "provided always" clause tends nowadays to be minimized when not forgotten altogether. Congress' Religious Freedom Restoration Act of 1993 (42 U.S.C. § 2000bb), for example, sought to undermine the Court's constitutional judgement (see Greenawalt 2006, *passim*). Interfering with theistically-based entitlement seeking has become politically taboo.

### Visualizing entitlement seeking

Ideas and opinions can have dramatic consequences when they are timely, well expressed, and amplified (often anonymously) through social media. Sowell emphasizes the importance of studying the process by which elite opinions develop and spread: "Because of the enormous impact that intellectuals can have, both when they are well known and when they are unknown, it is critical to try to understand the patterns of their behavior and the incentives and constraints affecting those patterns. ... [Most consequential] is their creating a general set of presumptions, beliefs and imperatives—a vision—that serves as a general framework for the way particular issues and events that come along are perceived" (Sowell 2009, 5, 282). The CIA's decision in the late 1950s to print and distribute a smuggled copy of Boris Pasternak's implicitly anti-Soviet novel *Dr. Zhivago* exemplifies this line of thinking. The literary biographer Michael Scammell quotes from declassified CIA memos that characterized Pasternak's book as being

more important than any other literature which has yet to come out of the Soviet bloc. ... [CIA officials] believed in the power of ideas, and agreed with the CIA's chief of covert action that "books differ from all other propaganda media primarily because one single book can significantly change the reader's attitude and action to an extent unmatched by the impact of any other single medium." Crass and reductive as the sentiment may be, it acknowledges an important aspect of literature that cannot be denied. Ironically, the idea seems to have been borrowed from the Soviets themselves, who were guided by Maxim Gorky's 1934 dictum (itself reflecting centuries of Russian attitudes) that books are weapons, "the most important and most powerful weapons in socialist culture." (Scammell 2014, 41)

The present and previous centuries have hosted numerous social movements and civil religions for which books served as weapons, including anti-communism, democratic fundamentalism, feminism, environmentalism, consumerism, legalitarianism, and now entitlementarianism. Book publishing per thousand households consequently rose sharply over the interval, from a low of 0.25 in the 1950 decade to a modern high of 1.5 in the 2000 decade (Gordon 2016, 175). This increase occurred despite steep declines for newspaper and periodical publishing (175), and also despite "widespread

predictions in the early postwar years that television would mean the death knell of book reading as a leisure activity” (176).

Entitlement seeking through books can be illuminated by juxtaposing (i) empirical measures of the extent to which published grievances and complementary shames appear contemporaneously in published works, against (ii) a background of rising aggregate economic prosperity for all. A grievance in this context is any established social practice, condition, belief, or “ism” that appeals both to reason and to mankind’s inherent sense of *injustice*—social discrimination and economic inequality, for example—and which carries the potential for sustained progressive-liberal action. Shame, by comparison, entails particular events that stir the passions and bring claims of injustice into sharp focus. Entitlements ultimately flow to those factions that manipulate grievance and shame proficiently.

Theory predicts that entitlement-seeking activities track aggregate economic prosperity, and empirical evidence broadly supports this expectation (Montanye 2015). The theory, in brief, is that entitlement seeking requires costly efforts by legal, legislative, and public relations professionals to overcome inherent public resistance to arbitrary and involuntary redistributions of income, wealth, and opportunities. These efforts are fueled by the economic payoffs made possible by rising aggregate prosperity. This, of course, is not to claim that rising prosperity is the *only* basis for entitlement seeking. However, the dramatic increase in aggregate prosperity during the latter half of the twentieth century bears significant responsibility for the political shift from secularism to entitlementarianism (Montanye 2015).

The three Figures below visualize aspects of the entitlement-seeking process. They incorporate, first of all, quantitative measures of word frequencies appearing in published books. These measures are called “ngrams,” a term of art in the argot of computational linguistics. (Ngrams are unrelated to “engrams,” the latter being hypothetical changes in brain states that explain the process of memory.) The ngram data depicted graphically in each Figure are drawn from an online research tool, the “Google Books Ngram Viewer” (2014), which can be accessed freely using Google’s equally-free “Chrome” browser. Google has digitized several million books, which by some estimates total 15 percent of all books ever published. A substantial number and assortment of these digitized volumes exist as searchable text, from which the Ngram Viewer calculates relative word frequencies. The database is stratified by language, and in some cases by geographic region as well, for books published between 1500 and 2000. Data for years before 1700 tend to be volatile due to the relatively small number of books published and scanned.

Entering *entitlements* into the Viewer’s input window reveals the sharp rise of entitlement thinking beginning around 1960. This result is visualized in

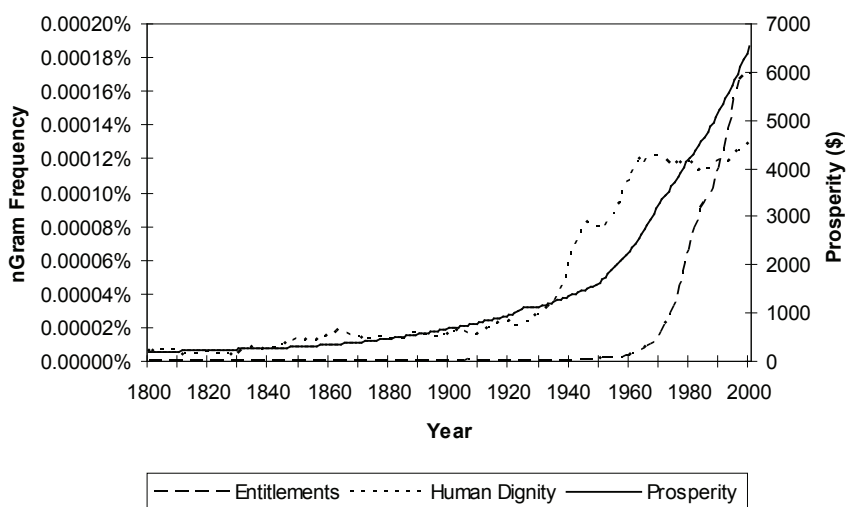


Figure 1 Entitlements, Human Dignity, and Prosperity. Data sources: Google (2014) and DeLong (1998).

Figure 1. Also depicted is the ngram frequency of “human dignity,” which was the moral claim grounding neo-liberal thinking prior to the “entitlement” era.

Figure 1 and the two Figures below cast nGram frequencies against a trend line depicting the rising tide of aggregate economic prosperity. Note three points about this trend line: (i) as dramatic as growth appears to be between the years 1950 and 2000, the annual compound growth rate is less than 3 percent; (ii) the trend line reflects average prosperity for the population as a whole rather than any particular minority or other sub-group; and (iii) averages conceal the fact that some individuals and groups realized astonishingly large increases while others experienced losses. These aggregate data are drawn from estimates compiled by the economist J. Bradford DeLong, who has assembled and critiqued economic growth estimates spanning the years 100,000 BCE to the near present (1998). The trend line shown in the Figures reflects DeLong’s “preferred” estimates of real purchasing power, which are stated in terms of real per-capita gross world product (GWP) expressed in hypothetical (“Geary-Khamis”) 1990 international dollars. This measure serves as the proxy for “prosperity.” Not shown is that the rate of prosperity growth flattened during the early years of the twenty-first century, and some analysts project that it will remain flat for decades to come (Gordon 2016). Such projections augur for a more nearly zero-sum, nihilistic, and increasingly contentious future.



As discussed throughout this essay, African-Americans and Jews historically have been objects of discrimination. They nevertheless have prospered and flourished, albeit to relatively lesser and greater extents. Their relative success arguably is attributable in part to successful entitlement-seeking efforts. The following visualizations of grievance-and-shame entitlement-seeking mechanics reflect these efforts. The *success* of these efforts must be inferred using other empirical and anecdotal means.

### **Entitlement seeking and African-Americans**

The African-American educator Booker T. Washington observed a century ago that “[t]here is a class of colored people who make a business of keeping the troubles, the wrongs and the hardships of the Negro race before the public. Having learned that they are able to make a living out of their troubles, they have grown into the settled habit of advertising their wrongs—partly because they want sympathy and partly because it pays. Some of the people do not want the Negro to lose his grievances, because they do not want to lose their jobs” (Washington 1972, 430). Modern race entrepreneurs continue this tradition (Timmerman 2002), as do genteel First Ladies who comment ironically upon their experience of living in an official residence “built [in part] by slaves.” Such politically sensitive, entitlement-seeking efforts rarely are addressed openly and fully, and almost never are documented empirically.

Figure 2 depicts entitlement seeking to benefit African-Americans. “Racism” (that is, strong racial, ethnic, and religious preferences) constitutes a historical and persistent grievance. “Slavery” constitutes a single shameful event. Data drawn from the Ngram Viewer’s “American corpus” reveal the frequency of “slavery” declining steadily between the post-Civil War era and the mid-1950’s Civil Rights era. A fresh peak occurred around 1970 following passage of the Civil Rights and Voting Rights Acts that promised equality of citizenship to minorities generally. These Acts were followed quickly by affirmative-action legislation guaranteeing quasi-permanent social and economic entitlements to the African-American population in particular. “Slavery” declined between the early 1970s and mid-1980s, then began increasing in the shadow of rising aggregate prosperity for the population as a whole. The frequency of “racism,” by comparison, began increasing in the early 1960s coincident with the shift from Enlightenment to Entitlement social thinking, and coincident also with rising social activism by African-American groups and their supporters. The trend leveled off in the 1970s, after which it paralleled the rise in “slavery” from 1990 onward.

### **Entitlement seeking and Jews**

Entitlement seeking helps to explain, among other things, the curious phenomenon of American foreign policy toward modern Israel ever since

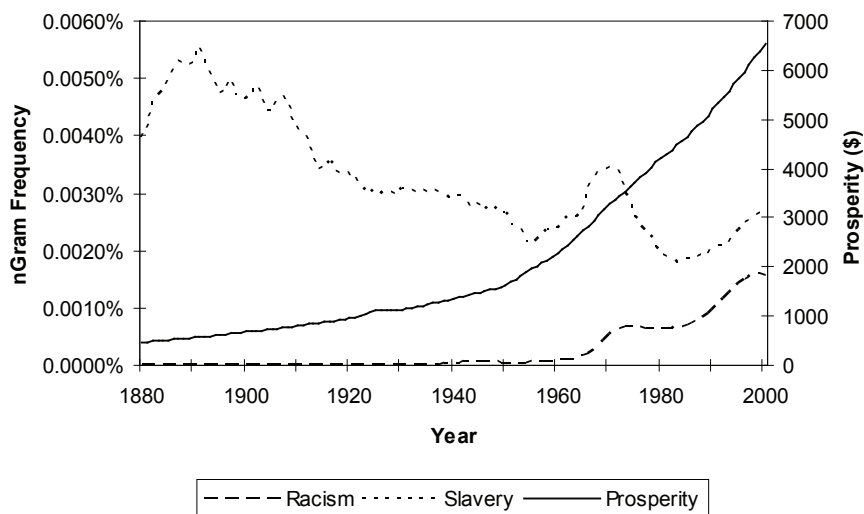


Figure 2 Racism, Slavery, and Prosperity. Data sources: Google (2014) and De-Long (1998).

America supported its push for statehood in 1948 following the “Holocaust” in Europe. The distinguished political theorists John Mearsheimer and Steven Walt show that America’s foreign policy in support of Israel’s continued survival, prosperity, and flourishing “has become a strategic liability for the United States” (Mearsheimer and Walt 2007, 50; see also Montanye 2008). Their conclusion is congruent with former President Jimmy Carter’s view that “[t]he United States is squandering international prestige and goodwill and intensifying global anti-American terrorism by unofficially condoning or abetting the Israeli confiscation and colonization of Palestinian territories” (Carter 2006, 216). Mearsheimer and Walt conclude that “the activities of the groups and individuals who make up the [Israel] lobby are the main reason why the United States pursues policies in the Middle East that make little sense on either strategic or moral grounds” (Mearsheimer and Walt 2007, 11). Mueller adds that “Jews are far too small a minority to bring about a foreign policy so strongly at odds with America’s interests. Without the support of a large faction of the Christian community, the United States would most likely not have adopted such a strong, pro-Israel stance” (Mueller 2009, 371). The upshot is that legislators and citizens alike arguably have been manipulated by entitlement seekers to adopt and accept policies that are contrary to America’s national interest.

The political theorist Norman Finkelstein has identified another aspect of entitlement seeking by Jews, which he labels “The Holocaust Industry.” By Finkelstein’s lights, the Industry’s work “is a tribute not to Jewish suf-

fering but to Jewish aggrandizement” (2002, 8; see also Montanye 2002). Finkelstein notes in passing that the Industry has persuaded several States to adopt Industry-approved courses of Holocaust studies in public schools, a conventional entitlement-seeking tactic that “lowers the cost of wealth transfers by instilling the right views” through a process of indoctrination (Lott 1990, 201). Holocaust museums and national laws criminalizing “Holocaust denial” produce similar cost-reducing effects.

Figure 3 depicts entitlement seeking to benefit Jews. “Anti-Semitism” represents a grievance: the term ironically was coined in 1879, not by Jews, but by the German socialist Wilhelm Marr to denote the discriminatory condemnation of Jews on racial rather than religious grounds. “Holocaust” is the complementary shame element (capitalized occurrences of the word typically denote mid-century wartime events perpetrated against Jews.) The Holocaust supplanted France’s 1894 Dreyfus Affair, which was a “shameful” episode that successfully leveraged both the modern Zionist movement and the resulting 1917 Balfour Declaration that grounds in part Zionism’s modern claim to the land of ancient Israel.

Data drawn from the Ngram Viewer’s “English corpus” reveal the frequency of “Holocaust” shadowing the rising trend of aggregate prosperity for the population as a whole from the mid-1950s onward. It inflects sharply upward following Israel’s near defeat in the 1973 Yom Kippur War. The frequency of “anti-Semitism,” by comparison, began increasing shortly before the Second World War, then subsided until the 1980s when (paralleling the

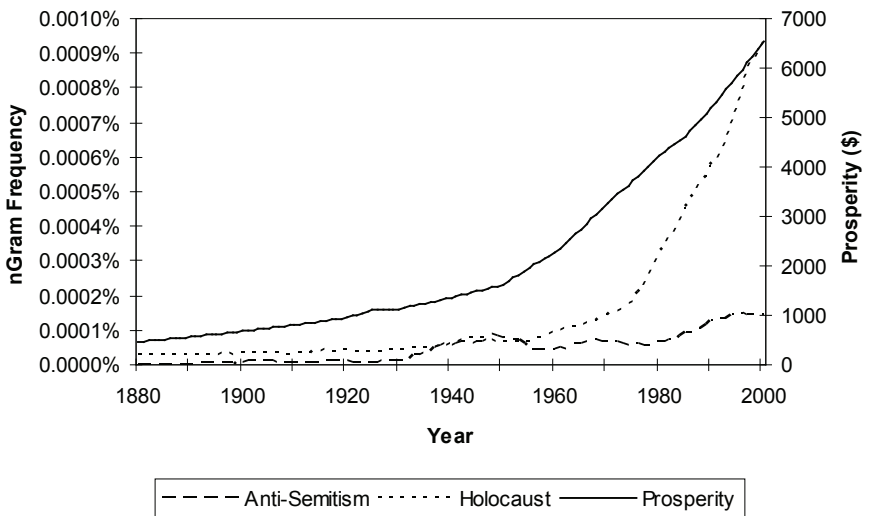


Figure 3 Anti-Semitism, Holocaust, and Prosperity. Data sources: Google (2014) and DeLong (1998).

rising frequency of “racism” depicted in Figure 2 above) it began a sustained rise above wartime levels.

### Conclusion

The weak and the few often suffer at the hands of bullies, thugs, trade unions, governments, political liberals, moralists, and pseudo-altruists. Their suffering tends to be mitigated not only by the beneficial effects of capitalism, free markets, and by the formation of voting coalitions, but also through the strategic and communicative uses of grievance, shame, “bullshit,” collective action, and entitlement seeking. Bullshit combined with grievances builds racial, ethnic, and religious solidarity. Bullshit combined with shame softens the hearts and minds of ostensibly ruthless elites, larger minorities, and majorities. Entitlement seeking through collective action allows the weak and few to capture disproportionately large shares of aggregate prosperity growth, and to flourish as individuals to a greater extent than they otherwise might. The productive attributes that these individuals offer to society—talents, skills, knowledge, work ethics, ambition, entrepreneurship, network connections, etc.—also matter, of course. Entitlement seeking nevertheless remains a persistent aspect of many minorities’ cultural heritage, and constitutes a prominent aspect of their continued prosperity and flourishing as individuals.

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## Addressing Microaggressions and Epistemic Injustice: Flourishing from the Work of Audre Lorde

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### ABSTRACT

Microaggressions cause epistemic injustice and prevent human flourishing. As a step toward the recognition of microaggressions as sources of epistemic injustice and their remedy as a source for flourishing, I propose active engagement with narratives that present cases of microaggressions as they are contextualized in experience. The poet, essayist, and mythobiographer, Audre Lorde, provides contextualized narratives that express experiences of microaggressions from multiply intersectional and humanistic perspectives. Lorde's work is an ideal source for actively engaging with experiences of microaggressions and epistemic injustice from a practical, humanist perspective. I argue that Lorde provides useful tools that assist in acknowledging, addressing, and remedying epistemic injustice. Her work suggests uses of anger through reconstruction and receptivity to difference that facilitates human flourishing.

### Keywords

Audre Lorde, microaggressions, epistemic injustice, ethics, narrative, difference, intersectionality

*and when we speak we are afraid  
our words will not be heard  
nor welcomed  
but when we are silent  
we are still afraid.*

*So it is better to speak  
remembering  
we were never meant to survive.*

(Lorde 1997, 255–256)

Humanism includes the belief that human persons have the potential for flourishing. Persons have the capacity for improvement—to become better—even when their own habits tend to threaten and undermine their flourishing. Overt habitual injustice, often perpetuated through acts of racism, sexism, heterosexism, and cissexism, are clearly observable and verifiable cases of behavior that prevent moral improvement. People may target these acts and directly attempt to remedy them. Typically, there are discernible demarcations to unjust actions, as is often expressed in courts of law: this is the act that is unjust; here it begins, and here it ends. Often it is possible to discern those who commit such unjust behaviors and those who do not. Remedying unjust habitual behavior facilitates flourishing.

Cases of injustice that everyone commits to some degree or another, but of which we are largely unaware, are more problematic for flourishing. *Microaggressions*, “brief and commonplace daily verbal, behavioral, and environmental indignities, whether intentional or unintentional, that communicate hostile, derogatory, or negative racial, gender, sexual-orientation, and religious slights and insults,” are especially problematic because they are embodied so often in unintentional actions and dispositions (Sue 2010, 5). Microaggressions are often part of a person’s habitual repertoire. In addition, those who commit microaggressions are largely unaware of committing them and generally think of their own habits that may be classified as microaggressions as being benign. One of the problems with ignoring or rejecting the existence of microaggressions is that such ignorance or rejection neglects their effects and perpetuates epistemic injustice, thus stifling human flourishing. But what can be done to address microaggressions as causes of epistemic injustice if most people are unaware of committing them? By what means may folks address microaggressions and concomitantly decrease epistemic injustice while increasing human flourishing?

As a step toward the recognition of microaggressions as sources of epistemic injustice and their remedy as a source for flourishing, I propose active engagement with narratives that present cases of microaggressions as they are contextualized in experience. This is in contrast with separating microaggressions from the persons to whom indignities are directed and merely listing or describing the microaggressions apart from those persons and the situations in which they are embedded. Although I find the latter useful, I proffer that active reception to such narratives within context provides a foundation for understanding textbook cases, which can be applied to specific behavior in which one engages. The poet, essayist, and mythobiographer, Audre Lorde, provides contextualized narratives that express experiences of microaggressions from multiply intersectional and humanistic perspectives. Lorde’s work is an ideal source for actively engaging with experiences of microaggressions

for at least two reasons. First, she writes her experiences of microaggressions concisely and without reservation. Her experience is accessible to many readers and listeners. Second, throughout her work, Lorde self-identifies as intersectional. She is a Woman. She is Black. She is a Lesbian. She is also a mother, a poet, an academic, a lover, and a number of other identities that all intersect with one another. No single identity is more important than the others, and her writing conveys various microaggressions that pertain to most of these identities individually and at the intersections. Her work successfully conveys the complexities of experiencing microaggressions as directed within and between intersections of identity.

Lorde also presents her experience of microaggressions as they relate to silence. Throughout her discussions of silence and the importance of ending one's silence through the power of voice, she addresses issues of epistemic injustice. In addition, she provides readers with tools to overcome silence and silencing that are imposed upon persons through microaggressions. Lorde thus supplies means by which to help overcome epistemic injustice and engage in flourishing.

This essay is structured as follows. The first section defines and connects epistemic injustice and microaggressions. The second section relates epistemic injustice and microaggressions to ignorance and presents the first step of humanistic inquiry that addresses microaggressions as unjust. The third section, which is central, presents from the work of Audre Lorde a set of exemplary cases of microaggressions causally related to epistemic injustice. The final section provides pragmatic suggestions as to how to utilize Lorde's work to construct a humanistic ethic receptive to addressing and overcoming microaggressions and epistemic injustice, while engaging in proactive work toward human flourishing.

### Microaggressions and epistemic injustice

Generally speaking, epistemic injustice is a wrong or series of wrongs that harms or diminishes a person's capacity as a knower. Miranda Fricker divides these wrongs into two types: testimonial and hermeneutical. *Testimonial injustice* occurs when the credibility granted to a person is diminished because of prejudice. Such prejudice need not be known. In fact, what an analysis of microaggressions helps elucidate is that one's prejudices are usually unknown by those who have them. *Hermeneutical injustice* occurs when persons are limited in their capacity as knowers to participate in social practices (Fricker 2007). Capacity is limited to such a degree that persons are left without the conceptual tools available by which to *know* or contribute to knowledge within or in reference to specific social practices. Microaggressions contribute directly to testimonial and hermeneutical injustice.

Microaggressions are divided into three major subcategories: microassaults, microinsults, and microinvalidations. *Microassaults* are forms of racism, sexism, heterosexism, cissexism, and other forms of prejudice and discrimination of which most people are aware. These are what might be referred to as classic or old fashioned instances of indignity, such as name-calling and other overtly discriminatory behavior that targets persons because of presumed or actual inclusion within a group. Hate speech fits within the frame of microassault. *Microinsults* are “characterized by interpersonal or environmental communications that convey stereotypes, rudeness, and insensitivity and that demean a person’s racial, gender, or sexual orientation, heritage, or identity” (Sue 2010, 31). Because microinsults are often embedded within hegemonic communication, they are often not as easily detected as microassaults. Microinsults include pathologizing cultural values by presuming that white, heterosexual, male habits of communication are normative, while other habits are abnormal or to be devalued (35). Finally, *microinvalidations* cast a net of devaluation over groups. “Microinvalidations are characterized by communications or environmental cues that exclude, negate, or nullify the psychological thoughts, feelings, or experiential reality of certain groups” (37). A common microinvalidation is “colorblindness,” wherein a person denies that race or racial inequities and experience exist. Colorblindness contributes to further microinvalidations, such as the *myth of meritocracy*. Although microaggressions are often subtle and unintentional, their effects are serious. Effects include detriments to psychological health, such as anger, frustration, low self-esteem, and emotional turmoil; the creation of hostile environments; perpetuations of stereotype threat; stress-related health problems (e.g. high blood pressure); devaluation of social group identities; decrease in productivity and problem-solving abilities and capacities, and feeling a loss of autonomy (51–52).

The expression of microaggressions perpetuates epistemic injustice through individual behaviors, dispositions, as well as dominant institutions and cultural systems. Microaggressions undermine the credibility of knowers, and their capacity for becoming knowers. Marginalization and depersonalization from microaggressions places persons who are targets of microaggressions in a position in which their autonomy is called into question and diminished. Testimonial injustice is committed—they are denied as knowers—when persons suffer microaggressions. Hermeneutical injustice is also committed through microaggressions. Experience of stress, anxiety, fear, illness, low self-esteem, and being devalued all diminish capacities to access and utilize resources in order to participate in various epistemic practices.

## (Meta-)Ignorance

What allows microaggressions to persist unchecked and to perpetuate epistemic injustice? Primarily ignorance. Ignorance of microaggressions functions as a tool by which to deny their occurrence. Charles Mills has indicated that such ignorance is *reliable* and is an actual practice of *unknowing*. Reliable ignorance functions, at least in part, as a means by which to protect those who commit microaggressions from acknowledging their complicity. Reliable ignorance preserves and protects the status quo by perpetuating injustice it functions to deny (Applebaum 2015; Mills 2007). Microaggressions are further obfuscated by *meta-ignorance*—the ignorance of ignorance. Meta-ignorance denies that one commits microaggressions and further denies that one could possibly be ignorant of committing an offense if it was committed.

Meta-ignorance, as described by José Medina, is a set of second-order epistemic attitudes—meta-attitudes—that incorrectly assess one's first-order epistemic attitudes (Medina 2013, 58). Meta-ignorance that disallows people from correctly recognizing microaggressions they commit is a form of *active ignorance*, what Medina describes as “a recalcitrant, self-protecting ignorance that builds around itself an entire system of resistances” (107). Resistances to one's own ignorance are founded, *inter alia*, on insensitivities that function as protective self-defenses. Insensitivities are general attitudes that deny and claim ignorance to differences between oneself and others (for example, the microaggression of *color-blindness* is an actualization of insensitivity to difference). This ignorance is an epistemic barrier to one's own microaggressive habits that are epistemically unjust; that is, that cause or perpetuate testimonial and hermeneutical injustice. Meta-ignorance reinforces and prevents both knowledge of others as experientially different from oneself, as well as knowledge of one's own habits as damaging to others. Medina states, “Meta-level ignorance about others is produced by meta-attitudes that limit our abilities to identify and correct our ignorance about others; attitudes about who counts as a relevant other for me, in what way, for what purposes, in what set of relations, and so on” (149). Microaggressions persist and are protected from detection through meta-ignorance.

One's own ignorance of microaggressions is embodied by the statement, “I don't know that this is a microaggression.” Meta-ignorance is embodied by the second-order statement, “It is impossible for me *not* to know if I am committing a microaggression, and since I do not know of committing any microaggression, then I am not committing one.” In other words, meta-ignorance dictates that it is *impossible* for one to be ignorant of one's own ignorance, thus strengthening and perpetuating ignorance. In tandem, ignorance and meta-ignorance function as protective tools that deny the existence of microaggressions or that one commits them, and, in turn, persons prevent

themselves from recognizing the epistemic injustice for which they are culpable.

How can people address epistemic injustice in a way that allows for awareness, acknowledgement, and possible remedy of microaggressions? Miranda Fricker recommends reflective critical openness as a step toward addressing epistemic injustice. Remaining aware of possible prejudices is necessary in order to *prevent* prejudices (Fricker 2007). The first step toward remaining aware of possible prejudices is to become aware of one's own ignorance that perpetuates prejudices through microaggressions. Thus, one must be open to acknowledging one's own ignorance, which entails negating meta-ignorance. This is a difficult task because meta-ignorance serves as a self-protective barrier. Negating meta-ignorance is threatening—one has to become vulnerable to the consequences of being wrong and for having contributed to injustice without having previously acknowledged it. The consequence of *not* negating meta-ignorance of microaggressions and epistemic injustice is more problematic than acknowledging and attempting to remedy ignorance because remaining ignorant stifles flourishing—both of oneself and of others.

### Narratives of Audre Lorde

My recommendation for overcoming one's own ignorance to difference and the microaggressions that persist because of this ignorance is to mire oneself in narratives reflective of identities apart from one's own. In other words, escape the sameness of the echo chamber and become actively receptive to narratives that are a departure from that with which one is comfortable or accustomed. In the case of microaggressions and epistemic injustice, I advocate becoming actively receptive to narratives that clearly convey experiences that entail microaggressions as they have been experienced. For this, the work of Audre Lorde is exemplary in providing a set of tools for undermining ignorance, addressing microaggressions, and remedying epistemic injustice.

In her paper, "Age, Race, Class, and Sex: Women Redefining Difference," delivered at Amherst College in 1980, Audre Lorde said, "As a forty-nine-year-old Black lesbian feminist socialist mother of two, including one boy, and a member of an inter-racial couple, I usually find myself a part of some group defined as other, deviant, inferior, or just plain wrong" (Lorde 2007, 114). As Cheryl Clarke stated in the forward to the 2007 edition of Lorde's book of essays *Sister Outsider*, "Were she here among us in the funky US instead of floating elsewhere over the Guinea Coast, Lorde would still want and have to claim that 'outsider' stance" (6). One of the great gifts of Lorde's work is that she voices the experience of outsider—both someone who is continually cast in the role of outsider and as someone who asserts herself as an outsider. Lorde surely does not speak for *all* outsiders—this likely would be



an impossible task. Her voice is self-reflectively one that comes from multiple intersections. She occupies many places among the margins where microaggressions are most prevalent.

Reflecting and writing about her experience as an outsider, Lorde developed a voice that captures the experience of microaggressions, even at an early age. In her essay, "Eye to Eye," Lorde recalls a horrific memory of being three-years old and surrounded by doctors who had been testing her eyes (as a child, Lorde suffered from an ocular condition that affected her ability to see). She says, "I have been poked and prodded in the eyes and stared into all morning. I huddle into the tall metal and leather chair, frightened and miserable and wanting my mother. On the other side of the eye clinic's examining room, a group of young white men in white coats discuss my peculiar eyes" (Lorde 2007, 148). In this example, Lorde clearly establishes the division of power between the clinicians and herself as the child patient. Although the doctors likely are somewhat aware of her suffering, they ignore and exacerbate it through their clinical distance. The epistemic injustice committed against Lorde is increased by one of the doctors, whom Lorde remembers saying, "From the looks of her she's probably simple, too." Lorde notes that they all laugh, complicit in the microassault, which devalues her as an intelligent subject. "One of them comes over to me, enunciating slowly and carefully, "OK, girly, go wait outside now." He pats me on the cheek. I am grateful for the absence of harshness" (148). Already at three-years old, Lorde was being taught to devalue herself; to be grateful for the lack of harshness, rather than being angered by the harsh injustice she experienced. Her voice was being silenced. Despite the trailing pity from the doctor who touches her cheek, the environment is charged with epistemic injustice performed through microaggressions. These include the microassault upon her status as an intelligent person, the microinsult that is conveyed through the laughter of the doctors to the comment, and even the microinvalidation of the environment, which is harsh and oppressive. This experience speaks of the epistemic injustice from which Lorde suffered as a child, entailing both testimonial and hermeneutical injustice. In the space of the doctor's office, Lorde has no voice, and the derision with which she is treated, especially the declaration that she is probably "simple," removes the possibility of sources being provided to her by which she could ennoble her voice. What such examples reveal is that microaggressions are severe cases of epistemic injustice that have profound affects that persist beyond the moment in which they occur. Memories are haunted as knowledge is unjustly ignored, restricted, or both.

Also in "Eye to Eye," Lorde recounts being a five-year old child on the AA subway train to Harlem with her mother during the winter. Sitting next to her was a white woman "in a fur hat staring at me" (2007, 147).

Lorde describes how the woman stared at her, “Her mouth twitches as she stares and then her gaze drops down, pulling mine with it. Her leather-gloved hand plucks at the line where my new blue snowpants and her sleek fur coat meet. She jerks her coat closer to her. I look. I do not see whatever terrible thing she is seeing on the seat between us—probably a roach. But she has communicated her horror to me” (147). As a child, Lorde searched for the offensive object from which the woman had recoiled. “It must be something very bad from the way she’s looking. So I pull my snowsuit closer to me away from it, too. When I look up the woman is still staring at me, her nose holes and eyes huge. And suddenly I realize there is nothing crawling up the seat between us; it is me she doesn’t want her coat to touch” (147). This is an example of a non-verbal microaggression that is commonly experienced by children. Not only does it present problematic behavior on the part of the person committing the microaggression (in this case, the white woman in the fur coat), but also the epistemic injustice that immediately ensues and persists for the person toward whom the microaggression is directed. The experience traumatically effects Lorde, both in the moment and forever afterwards. “Something’s going on here I do not understand, but I will never forget it. Her eyes. The flared nostrils. The hate” (148). During her adolescence, while interviewing for her first part-time job, Lorde experiences the same kind of microaggression: “The man behind the counter reads my application and then looks up at me, surprised by my Black face. His eyes remind me of the woman on the train when I was five. Then something else is added, as he looks me up and down, pausing at my breasts” (149). This experience later in life indicates that microaggressions are not only repeated, but can increase in complexity. The man’s racist gaze is reminiscent of the woman’s, and a sexist microaggression is added with which Lorde is forced to contend. As a five-year old child, Lorde was left doubting herself and her knowledge, and she suffered from hermeneutical injustice. She did not have the epistemic resources to understand what had happened. As an adolescent woman applying for a job, Lorde was not only faced with the hermeneutical injustice projected by the man’s gaze, but the testimonial injustice of being undermined by both his sexism and racism. His stare telegraphed his devaluation to Lorde, diminishing her voice.

The non-verbal nature of both cases of microaggression led Lorde to internal conflicts in which she could not determine quite what was happening or what it meant at the time. This is especially the case for the five-year old girl who is experiencing a white woman’s derisive gaze. Derald Wing Sue, concerning such situations, states:

The internal conflict between explicit and implicit messages (meanings) creates our exceptionally stressful situation because it (1) fosters confusion

between the overt message and one's experiential reality, (2) implies perpetrators are not true friends or allies, (3) alters an important personal, social, or professional relationship with perpetrators, and (4) places targets in an unenviable position of ascertaining when, where, and how to resist oppression versus when to accommodate it. (2010, 88)

Microaggressions are not mere isolated incidents that are confined to a single individual. Rather, they are part of a trajectory of stigma, discrimination, and oppression that debilitates persons. In fact, Sue assesses that this trajectory encompasses generations, persisting through microaggressions and related epistemic injustice (2010, 95). Generations of women, for instance, are directly affected by sexist microaggressions. Generations of persons of Color are affected by racist microaggressions. Generations of lesbian, gay, bisexual, and queer persons are affected by heterosexist microaggressions. Generations of transgender and intersex persons are affected by cissexist microaggressions. And microaggressions extend beyond these groups to other distinct and intersectional groups (for example, persons living with HIV; *cf.* Tschaepé 2016).

Groups and the individuals who are part of these groups are affected negatively by microaggressions on at least four levels, all of which entail epistemic injustice: biological, cognitive, emotional, and behavioral (Sue 2010, 97). As an example, Sue assesses that racial microaggressions have dire consequences for those who suffer them, causing mental health issues, such as health-threatening “anger, frustration, low self-esteem, and emotional turmoil” (51–52). Microaggressions also penetrate the environment, creating a toxic climate and signaling the devaluation of groups at whom microaggressions are directed. This often causes stereotype threat, wherein persons internalize and perpetuate the stigmas projected upon them through microaggressions. Persons devalue themselves and one another because of the barrage of slights directed toward them. Lorde comments that the internalization of devaluation has persisted for both Black women and for those in the “gay world” (1982, 224); people have been habituated to viewing their own groups with suspicion and derision.

Because most people are largely unaware of the microaggressions they commit, they continually perform microaggressions that cut across intersections both outside and within their own groups. Lorde comments extensively on experiencing microaggressions that have been performed by white women who are attempting to address the general oppression of women. These examples of racist microaggressions that have been committed within the context of women's academic groups are instructive because they indicate both the ignorance of the perpetrators, who are often acting with good intentions, and the epistemic injustice done to those upon whom they act. In her 1981

keynote presentation, “The Uses of Anger: Women Responding to Racism,” Lorde provides examples of racist microaggressions between women that have facilitated her anger. By providing these examples, Lorde recognizes their usefulness for flourishing, “my anger and your attendant fears are spotlights that can be used for growth in the same way I have used learning to express anger for my growth. But for corrective surgery, not guilt” (2007, 124). Lorde recognizes the discomfort of presenting and being presented with microaggressions that she has experienced and that many of those women attending the conference have likely performed. As she notes in her remark concerning guilt, this is a step toward correction that is meant for growth, not shame. She observes: “Guilt and defensiveness are bricks in a wall against which we all flounder; they serve none of our futures” (124). The end of ignorance is painful, but it is necessary for flourishing. Being receptive to the experience of microaggressions provides a means by which to develop mindfulness of one’s own microaggressions and epistemic injustice experienced by others. In addition, receptivity to others’ experiences of microaggressions helps facilitate understanding those microaggressions that one may have questioned in one’s own experience, thus helping address epistemic injustice one has suffered.

In “The Uses of Anger,” Lorde recounts when a white woman approached her after Lorde had given what she describes as a direct and angry speech. The woman directed Lorde, “Tell me how you feel but don’t say it too harshly or I cannot hear you” (Lorde 2007, 125). The woman claimed that Lorde was causing the woman to experience hermeneutical injustice—she claimed to be unable to *hear*, or have access to, how Lorde felt *because* of Lorde’s harshness. The woman’s meta-ignorance prevented her from being able to recognize that she was policing Lorde’s ability to express her knowledge. In other words, the woman committed a testimonial injustice through her microinsult of Lorde’s means of expression. She presumes that her own emotive habits of communication are normal, whereas Lorde’s are abnormal. Lorde poses the question, “But is it my manner that keeps her from hearing, or the threat of a message that her life may change?” (125). The woman’s meta-ignorance functioned as a protective barrier that, in turn, leads to a microaggression against Lorde.

Another example Lorde provides recounts a white female academic who commented to Lorde about the collection, *This Bridge Called My Back: Writings by Radical Women of Color*, which Lorde notes is by non-Black women of Color. “It allows me to deal with racism without dealing with the harshness of Black women” (2007, 126). This is an example of a microinvalidation, in which Blackness is devalued as harsh. In addition, the woman commits testimonial injustice against Lorde and Black women in general: their alleged harshness is claimed to prevent receptivity to their words.

Lorde's examples of microaggressions committed by white women toward Black women indicate the problem of ignorance that allows people to commit acts of epistemic injustice without cognizance of doing so. According to Lorde, this particular ignorance is born from privilege. "As white women ignore their built-in privilege of whiteness and define *woman* in terms of their own experience alone, then women of Color become "other," the outsider whose experience and tradition is too "alien" to comprehend" (2007, 117). Ignorance causes both testimonial and hermeneutical injustice. Through alienation, the voices of women of Color are silenced (testimonial injustice), and they are removed from having access to epistemic resources that would assist women of Color in having a voice (hermeneutical injustice). The experiences of microaggressions that Lorde recounts provide a means to help alleviate ignorance. This form of ignorance prevents detecting and understanding how microaggressions persist between and within groups. Lorde's examples facilitate understanding the intersectional nature of microaggressions. They do not exist solely between binary contrasts. For instance, men commit microaggressions against women, and these often communicate sexism, but they may also carry with them racism (for example, Lorde's experience applying for her first part-time job) and heterosexism (for example, the devaluation of lesbians through simultaneous desexualization and hypersexualization by heterosexual men).

Just as racial microaggressions persist between academics, Lorde comments about how similar microaggressions occur within the gay community. For instance, she recounts a female bouncer at a gay bar who always asked her for her identification to verify her age, even though she was older than the other women with whom she frequented the bar. The bouncer claimed, "You can never tell with Colored people." As Lorde remarks, "And we would all rather die than have to discuss the fact that it was because I was Black, since, of course, gay people weren't racists. After all, didn't they know what it was like to be oppressed?" (1982, 180). Even those who are oppressed commit microaggressions, often against those who are within their own oppressed group, but who are further oppressed because of membership in an intersecting group. For example, Lorde recalls a case of microinvalidation committed by one woman toward a group of women, "At an international cultural gathering of women, a well-known white American woman poet interrupts the reading of the work of women of Color to read her own poem, and then dashes off to an "important panel" (2007, 126).

In this single sentence, Lorde describes testimonial injustice across an intersection within an oppressed group. The white female poet, who is oppressed as a woman, commits microinvalidation against a group of women of Color, who are oppressed as both women and as women of Color. The white woman

further devalues the testimony of the women of Color by claiming that she must interrupt their reading with her own for the sake of a panel that she deems more important than the readings she is interrupting. This is a micro-insult that replaces their voices with her own, then further silences their voices by re-directing attention to the voices of others.

Epistemic injustice also occurs within groups that are unified by race or ethnicity. Microaggressions within such groups often occur due to sexism, heterosexism, and cissexism. In her presentation at Howard University in 1982, "Learning from the 1960s," Lorde recounts the complexity of microaggressions as they pertain to her own intersectionality in the context of racial unity and heterosexist division. The student body president at Howard University, referring to persons of Color who were homosexual or bisexual, had stated, "The Black Community has nothing to do with such filth—we will have to abandon *these people*" (Lorde 2007, 143). Lorde notes the depth of her intersectionality and the epistemic injustice committed against her with this example of a micro-aggression. "Over and over again in the 1960s I was asked to justify my existence and my work, because I was a woman, because I was a lesbian, because I was not a separatist, because some piece of me was not acceptable. Not because of my work but because of my identity" (143). This type of microaggression, which is similar in nature to those Lorde had described in women's meetings, strips her of her voice as anything but one identity and leaves her without the epistemic resources to address those parts of herself that have been rejected.

### **Anger reconstructed and difference appreciated**

What tools has Lorde provided for curtailing microaggressions and epistemic injustice? And how may these tools be used for persons to flourish? The use of anger and the habitual acknowledgment and appreciation for difference are tools that Lorde provides to address these issues. When these tools are understood pragmatically, it is possible to apply them in order to assist in overcoming microaggressions and epistemic injustice, and overcoming these offenses facilitates flourishing.

In her presentation, "The Uses of Anger," Lorde specifically addresses women responding to racism, but her message concerning anger also applies to microaggressions and epistemic injustice more generally. As she indicates about the usefulness of anger, "Focused with precision it can become a powerful source of energy serving progress and change" (2007, 127). Anger is a tool that has been used for survival, and Lorde suggests continuing to use it for survival through unapologetic and cultivated habit. Reconstruction is necessary in order to make anger useful rather than wasteful. For instance, Lorde says of Black women that their anger becomes useful in "our power to examine and to redefine the terms upon which we will live and work; our power

to envision and to reconstruct, anger by painful anger” (133). What Lorde suggests is *philosophical thinking* about anger and its objects; that is, microaggressions and epistemic injustice that cause anger. John Dewey’s pragmatic concept of reconstruction and philosophical thinking aids in understanding Lorde’s approach to anger as a tool. He states:

Philosophy is thinking what the known demands of us—what responsive attitude it exacts. It is an idea of what is possible, not a record of accomplished fact. Hence it is hypothetical, like all thinking. It presents an assignment of something to be done—something to be tried. Its value lies not in furnishing solutions (which can be achieved only in action) but in defining difficulties and suggesting methods for dealing with them. Philosophy might almost be described as thinking which has become conscious of itself—which has generalized its place, function, and value in experience. (1981–1990a, 336)

Anger is not useful as a blind force, but as a self-conscious emotion that calls out microaggressions and epistemic injustice. As the target of microaggressions, one’s anger may be put to good use through the process of reconstruction, which provides ways of understanding and overcoming the epistemic injustice with which one is faced. Lorde’s reports of microaggressions help reconstruct the causes of epistemic injustice, thus allowing both Lorde and her readers to better address them. In addition, reconstruction of anger is useful for those who *commit* microaggressions to help acknowledge, address, and overcome causing epistemic injustice. Part of overcoming the epistemic injustice that one causes is being receptive to the anger of those against whom one has committed microaggressions; another aspect of overcoming epistemic injustice that one causes is to become self-conscious of the microaggressions one habitually commits.

Reconstruction provides people with self-consciousness that facilitates breaking down their own barriers of ignorance. In the face of the microaggressions one commits, meta-ignorance and, in turn, ignorance, are sustained through unreflective anger. Philosophical thought allows for what Dewey referred to as analysis and synthesis. Analysis discriminates that which is typically simply felt or experienced into discernible parts or objects. Synthesis pieces; that is, reconstructs, the discerned objects that are analyzed back together into *an* experience (Dewey 1981–1990b, 275). Rather than simply reacting to Lorde’s reports of microaggressions with unreflective anger, that anger may be put to use through the process of analyzing the experience being reported, as well as the anger that results from it. Through reconstructing the processes by which one commits microaggressions, which are aided through the examples given by Lorde through her narrative, ignorance is more easily diminished as self-consciousness increases. Reconstruction through the benefit of narrative is an important step toward overcoming



habits that prevent flourishing. In order for such reconstruction to become a habit that replaces committing epistemic injustice, it is necessary to appreciate difference. Appreciation for difference allows for receptivity to narratives that indicate the existence of microaggressions and epistemic injustice that might otherwise go unnoticed and unchecked.

According to Lorde, it is not differences which have divided people, but the “reluctance to recognize those differences and to deal effectively with the distortions which have resulted from the ignoring and misnaming of those differences” (2007, 122). Recognizing and appreciating difference provides receptivity to different narratives that speak from outside of what Lorde calls *mythical norms* (116). Microaggressions and epistemic injustice become more easily discernible and capable of being addressed when persons are more receptive to differences that are too often obfuscated by ignorance.

Overcoming ignorance and addressing one’s own microaggressions is by no means a simple or painless process. Lorde is aware of this when she discusses acknowledging and appreciating difference: “Change means growth, and growth can be painful” (2007, 123). If persons are to overcome their own microaggressive habits that prevent them and others from flourishing, painful change is necessary. Humanism requires being able to acknowledge, address, and attempt to remedy the epistemic injustice one causes. Audre Lorde provides some useful tools for doing that. These tools aid in overcoming epistemic injustice, as well as facilitating human flourishing.

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## The Philosophical Basis of “Transhumanist” Politics: Analyzing the future of transhumanist ideology based on the book *The Transhumanist Wager*

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### ABSTRACT

Transhumanism conceives itself as the next phase of humanism, postulating to leave behind most of its allegedly outdated features and paradigms. To that purpose, transhumanism has recently developed its own philosophy to get to a concrete social ideology, on which political action can be based. This philosophy has been first concentrated in a number one *New York Times* bestseller, *The Transhumanist Wager* (2013). We discuss the basic elements of the social philosophy of transhumanism in its attempt to overcome traditional humanism both in the social sphere and in politics, including the innovative elements and the contradictions inbuilt in its current self-concept and thought.

### Keywords

transhumanism, transhumanist Wager, Zoltan Istvan, politics, social ideology, humanism and technology, humanism and innovation, humanism and futurism

### I

Over the past couple of years there has been a steadily growing importance of technology in daily life. This trend is reflected by the rise of technology and its applications to always more crucial factors for the economy, health care, the military and political rhetorics. Among the systemic factors that are shaping globalization in a medium- and long-term perspective, technology has indeed become probably the most influential factor—to the point that critics speak of a “universalization” of technology in our time. Not only have computer and internet revolutionized society since the 1990, like probably only the invention of book print before, but they have also profoundly

changed the ways we look at the human being and its desirable future. To a certain extent, technology hasn't only changed traditional—including ideological—utopias, but has become itself the most important utopia, if not the embodiment of utopia as such (Benedikter and Giordano 2012).

As a logical consequence, a technology-inspired “transhumanist movement” has begun to arise out of (as at yet mostly Western) civil societies. Its goal is not only to further modernize civilization, but to overcome the existing human condition, which it regards as unsatisfactory because still too dependent of factors outside human influence. The meaning of “transhumanism” is, as the key term suggests, to “go beyond the existing human being” (Bostrom 2005a, 2005b) through the more or less unconditioned application of technology to all sectors of human activity, but—more important—also by melding technology with the human body, in particular with the brain, in order to extend the human lifespan dramatically and, if possible, to eventually defeat death. Another “transhumanist” goal is to expand human perception and cognitive potentials for example through the systematic and broadest possible employment of brain-machine interfaces (BMI's); that is, direct interfaces between the human brain and technology through brain implants which already have reached a noticeable level of maturity and applicability.

Given their positive, if not sometimes flamboyant basic drive, “transhumanists” are gaining relevance in several sectors of society, particularly in those which are involved in the discussion about the possible—and worth pursuing—future of mankind under “super-technological” conditions, which includes the debates about a rising “global imaginary” (Steger 2008), about what humans should become, and the ethics of technology application (Benedikter and Giordano 2011; Giordano and Benedikter 2013, 2014).

## II

This development reached a new phase during 2014 with the outreach of transhumanist ideology from civil society to politics. The year saw the more or less simultaneous founding of transhumanist political parties in several countries, including the US, the UK, and an ongoing process in Germany and Austria. At the start of 2015, all these new parties were preparing for presidential elections (such as those of 2016 in the USA) or general elections, such as those of May 2015 in the UK (Volpicelli 2015), with the goal of gaining direct impact on big-picture policy decisions and aspiring to political power in order to maximize impact on societies. Most important, the transhumanist Zoltan Istvan (born 1973), who might be viewed by now as a leading political figure of the transhumanist movement, in November 2014 founded the “Transhumanist Party of the United States of America” with the goal to run for US presidency in 2016 (Istvan 2014), and elaborated—

as one of its main ideological bases—the philosophy of “Teleological Egocentric Functionalism” (TEF), a fictional transhumanist system of ideas developed in his best-selling book *The Transhumanist Wager* (Istvan 2013). This philosophy, although not the only one within the still very pluriform and diverse transhumanist movement and partly contested by leading transhumanists themselves, seems to be a first clear condensation of existing transhumanist ideology likely to drive the transhumanist movement’s political engagement. Therefore the question has been posited to what extent TEF might be able to impact the future of transhumanism as a movement, and if and how it might become influential for politics in the broader sense. Although there might be restricted implementation potentials for TEF in applied contextual politics, there will be most likely many mutual influences between TEF and the practical political aims of the “Transhumanist Party of the USA.”

### III

In order to analyze “Teleological Egocentric Functionalism” and its political potentials, it is first necessary to get a closer view of transhumanism in the broader sense, as it is the departing basis of TEF and therefore may indicate how TEF fits into the greater array of posthuman and transhuman philosophies of the present.

The philosopher Max More (by the way a telling pseudonym, as transhumanism is clearly about “maximizing and more” in every sense!) often addresses issues of transhumanism in his speeches and papers. He explains the basic transhumanist philosophical approach through its theoretical and practical key elements. According to More, transhumanism as a mindset which strives to overcome the physical and psychological barriers of being human by rationally using technology and science to their fullest and without inhibitions. Its most significant aims are a distinctive extension of life, improved intelligence and the “optimization” of the human body. To ensure that this mindset and its aims will be supported by current society, the transhumanist movement claims to be based in both its ideology and its aspirations on rationality, including partly the tradition of rationalism (DeTrans 2005).

Nick Bostrom, professor of philosophy and director of the Future of Humanity Institute at the University of Oxford and of the Program on the Impacts of Future Technology, includes in his definition of transhumanism “The study of the ramifications, promises and potential dangers of the use of science, technology, creativity, and other means to overcome fundamental human limitations” (Bostrom 2003, 2).

In such a framework, transhumanists explicitly promote a fundamental “enhancing transformation” of humans, in particular of human bodies and human consciousness. This position is in many cases explained by transhu-

manists firstly as being part of a long historical tradition consisting in the perpetual historical strivings of humans to overcome their boundaries, which therefore can be understood as a primordial human instinct, without which for example no medicine would have been possible, achieved in century-long hard fights against theology as it was (Unschuld 2009). Secondly, transhumanists claim that postmodern high-tech times (since the 1990s) for the first time in history make it possible to reach out beyond every option humans ever had before, and to take the endeavor of human emancipation against bodily and natural restrictions to a new level (DeTrans 2005). Thirdly, transhumanists regard it as human will and determination to take an active role in human-technology development, including the development of the human body which was subject to nature until only recently but can now be “transferred” to human responsibility (DeTrans 2005).

#### IV

On these bases, the book *The Transhumanist Wager* by Zoltan Istvan (2013) introduces a transhumanist philosophy called “Teleological Egocentric Functionalism,” which is developed by the fictional protagonist and transhumanist *Jethro Knights* (again, a quite telling name since according to their discourse patterns not few transhumanists seem to conceive themselves as “knights” in the present “battle” for a better future against those unwilling, or incapable of recognizing the new technological opportunities—including a well-pondered self-irony hinting to “Star Wars”). *Jethro Knights* begins to evolve the philosophy after a near-death experience, which brings him to the conviction that his aim in life must be to conquer death and that this also applies to all transhumanists worldwide (Istvan 2013, 19). While developing TEF, the key terms “omnipotender” and “transhumanist wager” are introduced at an early stage in the novel and then explained throughout the book’s story. According to the story, being the “omnipotender” means to become “the elite transhuman champion [and] the ideal and zenith of life extension and human enhancement populace” (Istvan 2013, 33).

Further, *Jethro Knights* as an individual is characterised as uncompromising, striving for the most possible power and improvement. Thus he will overcome biological limitations and find a lasting form of live, and in the end immortality (Istvan 2013, 33). The protagonist describes the significance of his transformation of consciousness from humanistic individual to radically egocentric as “advancing my memories, my value system, my emotions, my creativity, my reasoning” (Istvan 2013, 55), and therefore as an entire “enhancement of consciousness.” In this view, to transform an individual’s consciousness does not only mean to question ones experiences, knowledge and culture, but in doing so to think and act as “reasonably” as possible—

although the term “reasonable” and what is exactly meant by it are never clarified in detail by Istvan, and never compared to competing usages of the term and the concept in history and the present (Istvan 2013, 280). When applied to individuals as “systems nested in collectives nested in societies” as neuroethicists John Shook of the University of Buffalo and James Giordano of Georgetown University define them, reason could mean to examine, revise and in some cases replace current values, norms, social and governmental structures in order to reach a “transhuman” world that acknowledges the human in transition, in which everyone can have at least potential to become their own most efficient and enduring self, in ways that comport with social citizenship on small and large scales (Shook and Giordano 2014). However, the question is whether the version of transhumanism implied by Shook and Giordano aligns with those versions espoused by Bostrom and Istvan.

## V

Besides these obvious ambiguities, the “Transhumanist Wager” is clear in one point: The “wager” is about the decision if one wants to be part of the transformation into a transhumanist world, or not. In face of this decision, the “wager” implies the most primordial (and thus maybe most important) statement of TEF: “If you love life, you will safeguard that life, and strive to extend and improve it for as long as possible. Anything else you do while alive, any other opinion you have, any other choice you make to not safeguard, extend, and improve that life, is a betrayal of that life. [It] is a betrayal of the possible potential of your brain” (Istvan 2013, 270).

As a result, TEF—like transhumanism in general—considers it as the first priority to advance research and technology, as is it most likely to realize the transhumanist agenda through science. Science—and its outcome, technology—thus becomes the centerpiece of virtually “everything,” with politics, economics, culture and religion only in second place as servants of the natural sciences, and the humanities in essence irrelevant, since they stem from centuries ago and will therefore have to be rebuilt from the scratch for the new transhuman world arising.

Focusing on the individual this radically might lead to the conclusion that TEF does not pursue any kind of personal relationship between transhumanists and ultimately “omnipotenders.” But on the contrary, TEF asserts that while it is true that “a transhumanist has no immediate concern for others” (Istvan 2013, 281) she or he is nevertheless able to have intimate relationships with others, such as Jethro Knights has with his wife, friends and co-workers. According to Istvan, the reason for this is that while transforming into the omnipotender, the transhumanist individual is still dependent on the knowledge of and inspiration by others; and it can experience happiness through



interacting with others. Therefore, in the vision of TEF a transhumanist society encourages family cohesion as long as it is reflected through reason and in harmony with transhumanist values (Istvan 2013, 281). When this is not the case; that is, if one individual has lost its value to the other or is in any way in contradiction to transhuman development, then this individual will lose everything and finally be forced out of transhuman society (Istvan 2013, 202).

## VI

Taking these aspects together, it might seem surprising that while TEF supports upholding peace for as long as possible, it legitimates the use of “whatever means necessary” (Istvan 2013, 53)—including violence—, when it comes to conflict situations with anti-transhumanists. This is one of many parallels to other philosophies of “selfishness” like in particular the one called “Objectivism” by Russian-American writer and philosopher Ayn Rand (1905–1982) which inspired the Reagan era and had prominent followers such as Alan Greenspan, the former chief of the Federal Reserve. “Objectivism” hails egoism as the true altruism since, as the saying goes, “If everything cares about himself, everybody is taken care of.” Rand legitimates extreme violence of “first handers” (that is, entrepreneurs) against “second handers” (that is, employees), including cold-blooded murder of the helpless, in her monumental novel *Atlas Shrugged* (Rand 1957), where the historic goal to achieve is similar: to help “true egoism” taking care about itself and thus to create a world of “first handers” against a society where altruism has falsified reason by producing “second handers” who rise against those who are the inventors of machines and progress.

Transhumanism as condensed in the novel *The Transhumanist Wager* is not far from such a vision, particularly when it comes to interaction with opponents (Istvan 2013, 53). However, TEF proposes any actions taken are—as long as possible—characterized by the recognition of the potential value other individuals have for themselves. When asked in this regard, the fictional protagonist and developer of TEF in Istvan’s novel declares: “We want to teach the people of the outside world, not destroy them; we want to convince them, not dictate them; we want them to join us, not fight us. They may not be essential, but they may help make it possible for us when it is time to journey through what is essential” (Istvan 2013, 230).

Is there not implicit in these sentences a differentiation between “first” and “second handers” (those “not essential”)? Confronted with such ideals, it is unavoidable to ask questions concerning their social and political implications and how those might be concretely put into reality. Some arising questions could for example be what negative effects TEF as a mindset could have on the issue of community, and how a technocratic society of the future

could and should deal with these. How would a majority of individuals be able to reach omnipotence without getting in conflict with each other, and what consequences would arise from this? Who would be able to participate in governmental issues and how would that differ from now? And how would transhumanism be supposed to prevent misuse of inventions and technologies? These questions concern the concrete social and political possibilities of TEF for the years to come.

## VII

Whilst the book *The Transhumanist Wager* ends by outlining a throughout positive outcome of transhumanism and creates a clean and bright future scenario that seems utopia, it is questionable in what sense the transhumanist transformation would likely to happen in reality. For instance, massive social and political alterations such as a “world wide [sic] government” (Istvan 2013, 282), a broadly shared civilizational convention of a “one person universe, existence and culture” (Istvan 2013, 201) seem rather unrealistic in a close future, since there a competing narratives that oppose this vision. “Posthumanistic” philosophies are not necessarily egocentric and egoistic like transhumanism; and neither are “postmodern” ones, not to speak of “third way” approaches or even the surviving leftist systems of ideas—rather on the contrary (Benedikter 2012). The author Zoltan Istvan himself states that with regard to his political campaign for US presidency in 2016 he distances himself from TEF and Jethro Knights’ envisioned “measures” to spread the transhumanist mission in the world (Wood 2015). He explains this with the need for a civil competition between transhumanists and its governmental or religious opponents. Rather than through mobilization on the streets, Istvan wants his party to focus on publicity-based measures to attract attention, in order to make transhumanism popular foremost as a “soft power” and thus to prepare the ground for a “transhumanist mindset” that in his hope will receive widespread voluntary support at least in the technology-driven US and in the most developed Western nations (Wood 2015).

This peaceful and nonaggressive approach can also be found within TEF, as seen when the fictional protagonist declares in his speech to the world’s population that the transhuman nation “will strive to settle all disputes, conflicts and problems without violence” (Istvan 2013, 282). This at first gives a positive impression of the actions of the new transhuman citizen and might even lead to further interest in transhumanist psychology. But the statement in the book continues with the transhumanists stating their belief “in claim possessing the most powerful weapons, having an aggressive police force, and using military might against enemies” (Istvan 2013, 282).

Especially the first two points might remind readers all over the world of the arms race between the West and Russia during the cold war. Striving for the most efficient weapons and frightening the other country with their possible use created at the time a feeling of constantly being endangered rather than to reassure society. A strong police force might further add to an oppressive atmosphere since it could give the individual the impression of constantly being controlled for “wrong” behaviour. Although the punishments foreseen in this case by the transhumanists’ police executives are mostly non-violent ones, they do interfere drastically with the individuals’ possibilities of self-realization and egoism.

## VIII

By addressing someone as a full “Transhuman Citizen,” the fictional transhumanist leader Jethro Knights means an individual who has become a citizen of “Transhumania,” his transhumanist nation. This individual has broken with everything connected to her or his history, country of origin and personal provenience; she or he will only care for someone or something outside of “Transhumania” when this is of value for the cause of the new “Transhuman Citizen” (Istvan 2013, 201). If not so, she or he could be exiled from “Transhumania” for ignorance (Istvan 2013, 282) and most likely never receive a second chance to reintegrate into society, which would mean isolation from family, friends but also from the benefits society brings along for the individual, such as security or rights and freedoms. As “Transhumania” is supposed to be a worldwide nation, this would also mean that the exiled individual could not be able to turn to any other country and become a citizen there. In reality this would mean all established nations and their governments would have to be “integrated” or replaced by one “transhuman” government.

This seems to be a very unlikely scenario for the foreseeable future though as it would cause more conflicts than it could settle. Leading transhumanist thinkers such as Nick Bostrom themselves have long underscored that many crucial ethical questions concerning the human body or the further development of the human brain in relation to new technologies will not be solved quickly, since in the age of globalization they would require a global government which in his view is quite unlikely to come into existence anytime soon (Bostrom 2007). On the other hand, such a scenario would open the way for one forceful authority to bypass the variety of existing ones—a not very reassuring vision in times of new extremist movements around the world. Nevertheless, what seems safe to say is that the program of the “American Transhumanist Party” does indeed include plans to build up an internationally connected and unified transhuman political movement, the so-called “Transhumanist Party Global,” to maximise the international political influ-

ence of the movement, as Zoltan Istvan stated in an interview in early 2015 (Wood 2015).

## IX

The motivation behind the transhumanist strive for increased political influence is similar in Istvan's book and in the reality of his political initiative. Both are linked to the main goals of the transhumanist movement: First, supporting life extension research with as much resources as possible to give a majority of people the chance to benefit from the findings and applications of new technologies, and eventually even overcome death (Wood 2015). In order to do so it is second necessary to spread the transhuman mindset, and third, to participate actively in the development of new technologies, to be able to control them and to protect society from possible misuse of new technologies as well as other dangers they may incur. As Istvan put it in his "three laws of transhumanism":

1. A transhumanist must safeguard one's own existence above all else.
2. A transhumanist must strive to achieve omnipotence as expediently as possible—so long as one's actions do not conflict with the First Law.
3. A transhumanist must safeguard value in the universe—so long as one's actions do not conflict with the First and Second Laws...

If energetically adopted, these deceptively simple maxims ultimately compel the individual to pursue a technologically enhanced and extended life. [Transhumanists] have come to see the choice to accept or reject these principles as something far more fundamental than the choice between liberal or conservative principles. (Hewitt 2014, 2)

This assumption may be correct, as technology is indeed substituting traditional political mechanisms by a new logic. But while transhumanists such as Zoltan Istvan want to push forward according to the "three laws" both philosophically and politically and seem to not see any bigger risks or even contradictions in the joint endeavor, researchers from scientific fields involved, such as neuroscientist and neuroethicist James Giordano of Georgetown University, recognize the potential benefits of technological evolution and policy focus, but nevertheless express concerns about the all too direct political plans of the transhumanist political movement (2014). Even though Giordano sees positive perspectives, he points out that there are many contradictions in programs, such as those espoused by Istvan for instance, between the push toward the development of radical technologies and the need to safeguard society's safety when the innovations are not to be restricted by regulations.

This indeed poses an important question that most likely will arise louder in the years to come: the relation between radical technology and safety under the condition of a potential "Transhumania." Presumably, the absence

of a compelling solution for this issue will be a hindering factor for the spread of the transhumanist mindset. Accurate financing of transhumanist technologies and research might also become an issue when, as conducted in the fictive nation “Transhumania,” the government simultaneously issues the lowest possible taxation on the citizens’ income and as the price to pay for this discontinues to pay retirements and public pensions as well as ceases all governmental welfare (Istvan 2013, 282). This may be received as an attempt of the new political aspiration of transhumanism to get Republicans as well as rightist civil society movements such as the “Tea Party” on board. Unfortunately Zoltan Istvan has not made clear statements yet to address the issue of financing the transition from the present into a transhuman world. He has stated that if twenty percent of the defense budget is redirected into science, then that would trigger a great change for reaching the transhumanist core goal of defeating death (Wood 2015).

## X

Taking all of the above into consideration, it is obvious that Zoltan Istvan lets his political agenda be influenced by TEF and promotes this in a, so to speak, moderate form. By at first focusing his manifesto on three aims and otherwise concentrating his efforts on acquainting transhumanism publicly, he has been able to reach out to a broader public and achieved at least an increasing discussion about transhumanism and its political relevance. But it is not only due to Istvan’s commitment that transhumanism will likely become further present in international political and social debates, as also in Europe transhumanist parties are in the process of being founded—other continents most probably following. Consequently this could mean that when a committed figure such as Zoltan Istvan manages to connect and unify transhumanist parties around the world, then the latter could influence conventional parties and gain impact without growing a big membership first.

This feature combined with the increasing role technology plays in globalized individuals life could push forward a transition not into a fully transhuman, but at least into a more transhumanistic oriented society without being very noticeable to the public and conventional politicians. Despite all shortfalls, the developments around technological research and the transhumanist movement constitute a realistic potential for transhumanist parties to gain relevance in the political sphere. The ascent of transhumanism to a concrete social and political force is not imaginable without its philosophical fundament in “Transcendental Egocentric Functionalism.” Insofar TEF is itself inspired by other philosophies of “selfishness,” such as Ayn Rand’s “Objectivism,” it will have to be further researched in regard to direct and indirect relationships, affinities and differences.

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