# 1

# Solidarity

## *Backgrounds, Concerns and Claims*

### 1.1 An Emerging Interest in Solidarity

In bioethics, there is an emerging interest in the concept of solidarity. An important milestone was the publication of the report *Solidarity: Reflections on an Emerging Concept in Bioethics*, written by Barbara Prainsack and Alena Buyx and published by the *Nuffield Council on Bioethics* in 2011. A few years earlier, the Nuffield Council on Bioethics published a report on the ethical issues in dementia which presented an ethical framework in which solidarity was included as one of its main principles (2009). This initiative was followed by the publication of a special issue in the journal *Bioethics* on the role of solidarity in bioethics with contributions on the theoretical status of the concept as well as on the role solidarity might play in ethical debates on organ donation, research with children, dementia care and global health (2012). There have also been applications of the concept of solidarity to the field of genetic databases and biobanks, particularly by Ruth Chadwick (Chadwick 1999; Chadwick & Berg 2001) and Prainsack and Buyx (2017).

The emerging interest in solidarity may be rooted in dissatisfaction with mainstream bioethics, particularly the emphasis on the principle of respect for autonomy as the main principle of the so-called Four Principles of Bioethics (Beauchamp & Childress 2012). Particularly the liberal interpretation of the principle of autonomy could be considered as the main reason for the increased attention to other, more relational, approaches of autonomy. Prainsack and Buyx (2011), for example, put solidarity forward as an alternative to an individualised concept of autonomy, in which the individual is seen as a rational decision-maker who is mainly guided by enlightened self-interest. As opposed to such a narrow view of the individual, Prainsack and Buyx (2011) argue that a solidarity-based approach considers human persons as shaped by their social relations and that social and political arrangements should take

such relations into account instead of the arrangements that only look at individual interests. Further explorations of the relation between autonomy and solidarity can be found in a special issue of the journal *Theoretical Medicine and Bioethics* (2016).

Solidarity seems to be based on a different philosophical anthropology, meaning an anthropology which emphasises the importance of relationships as a condition to realise autonomy, instead of considering this autonomy as already given. This contextual approach to autonomy leads to different moral obligations, particularly a responsibility for the well-being of the other. The dementia report of the Nuffield Council on Bioethics, for example, states that solidarity is the idea that we are 'fellow-travellers' and 'that we have duties to support and help each other and in particular those who cannot readily support themselves' (Nuffield Council on Bioethics 2009). Solidarity, the report argues, underpins the duties of individual and society to support those with dementia and their caregivers and to reinforce our responsibility towards them. This suggests that the perspective from solidarity opens a different perspective on duties and responsibilities in health and social care than the traditional accounts in bioethics.

While the interest in bioethics in the concept of solidarity is rather recent, the concept does have a long tradition as a principle to organise access to health care and other social services in European welfare states. According to this principle the stronger groups in society are expected to make a financial contribution to a collectively organised insurance system which enables access to health and social care for the weaker groups (ter Meulen, Arts and Muffels 2001). However, welfare states have been in decline in the past decades, and it is questionable to which extent solidarity can be maintained as a principle to guide the distribution of welfare and the access to health and social care. Solidarity seems to be at odds with the increasing individualism and neoliberal reform agenda which put a strong emphasis on individual freedom and personal financial responsibility. Is solidarity with its emphasis on social cooperation not an outmoded concept that has no place in a modern society where individuality and personal differences play such an important role? Is solidarity not stifling autonomy and individuality in the interest of the common good?

Moreover, there is an important question why we should refer to solidarity if, as is usual in bioethics, there is the concept of justice which tries to find a fair balance between benefits and burdens. If we do not agree with libertarian or liberal-egalitarian accounts of justice, because of their obsession with the enlightened self-interest of individuals, is

solidarity the right concept to look at? As Illingworth and Parmet (2012) argue in the Editorial to the Special Issue of Bioethics: 'what does solidarity offer that other ethical concepts, such as justice, communitarianism, egalitarianism, or even altruism, do not?'

This book will try to answer the question posed by Illingworth and Parmet: what is the specific contribution of solidarity as a moral principle to policy-making in health care? What can solidarity offer to the moral analysis of societal obligations as compared to rival accounts like liberal justice or communitarianism? Should solidarity replace justice or should it be a complimentary approach? At the same time, the book will try to answer some other important questions about the relation of solidarity and autonomy. If we think that solidarity is a valuable concept, can it be combined with the moral agenda of autonomy, individual choice and responsibility? This analysis will not only be relevant for theoretical debates in bioethics, but also for policy-making in countries where governments and policy-makers are increasingly struggling with the concept of solidarity and particularly the *limits* of solidarity as a moral principle in regard with the access to welfare state arrangements. While solidarity had a massive influence in the build-up of welfare states in Europe, what is the contribution of this concept when welfare states are in decline or retrenched as they have been in the past four decades? Finally, what can the concept offer to countries with a more individualistic culture, like, for example, the United States?

## 1.2 Origins of the Concept

The idea of solidarity has a long history with roots in various traditions and discourses. This rather confounded history makes it sometimes difficult to define or to pin down to a specific meaning. Solidarity means something different for example in sociology, where it is used as a descriptive concept, as compared to moral and political discourses where solidarity is used as a normative concept. To get a better understanding, of these various meanings, this section will present three main sources of the concept of solidarity: French sociology in the nineteenth century, the socialist movement and Catholic social teaching. Some of these sources, particularly the roots in sociology, will be presented in more detail in the following chapters.

### *Solidarity in Early French Sociology*

The idea of solidarity was first introduced by philosophers and political thinkers in nineteenth century France as a response to the increasing

individualisation of French society, a process which was associated by some authors with the emphasis on individual rights following the French Revolution. In the 1840s the word 'solidarity' gradually emerged in the political debate, as well as in the sociological discourse, as an alternative for what many saw as the fragmentation of French society (de Swart 1962). 'Solidarity' was increasingly seen by social critics as a solution for the social problems resulting from the lack of community, and also for the increasing industrialisation. Before the political and social discourse, the term solidarity was used in law to express the mutual indebtedness of the members of a legal enterprise. The principle of mutual assistance or unlimited liability of individuals was called 'obligation in solidum' (Bayertz 1999). 'Solidarity' designated the accountability of each member of a certain community for the debts of any other. Normally this would hold for families, but the French word *solidarité*, for instance, was originally used in the context of partnerships in law firms (Hayward 1959).

The word solidarity permeated gradually the sociopolitical discourse as an alternative to the individualism in French society on the one hand, and to anarchist, utopian, socialist positions on the other hand. In other words, solidarity became associated with a middle position between individualism and collectivism, a conciliatory type of social morality and social organisation that presented itself as a harmonious alternative to extreme positions on both sides of the political spectre (Hayward 1959). The word solidarity expressed the idea that individuals are connected with each other, not only in the contemporary society, but also with societies and individuals in the past. However, the connectedness was not seen as just an empirical, social fact: the fact that we are mutually connected implied also a *guilt* towards society and a *moral responsibility* for fellow human beings. This connection was strongly emphasised in the emerging discipline of sociology, and has remained a key feature of many interpretations of the concept in French sociological, political and economic discourse (Reisz 2007).

The idea of solidarity became entrenched in French social and political thought by the work of Léon Bourgeois, political leader and ideologue of the Radical Party which came into power in 1895. Bourgeois took up the idea of solidarity to reform the French Republic and introduce various laws to improve the situation of the poor and disadvantaged groups in French society. Bourgeois developed the ideology of 'solidarism' as a synthesis between the *laissez-faire* policies of economic liberalism and the collectivism of socialism and communism (Bourgeois 1896). The idea

of solidarity, which was central in the 'solidarism' of Bourgeois, was based on the idea that individuals are connected with and dependent on each other: the isolated individual does not exist. The solidarism of Bourgeois became the official ideology for social reform by collective action in France from the late nineteenth century and early twentieth century onwards (Hayward 1961; Donzelot 1994).

As will be presented in more detail in Chapter 2, it was the French sociologist Emile Durkheim who laid the groundwork for the concept of solidarity in modern sociological thought. According to Durkheim, solidarity is a 'moral phenomenon': The goals of solidarity are moral goals, like social harmony and taking care of the needs of others. However, the implantation of social morality cannot be based on voluntary actions or cognitive processes only: the state should pay an important role in implementing moral rules. Social solidarity, according to Durkheim, is the result of an acceptance of the moral authority of the state, but this acceptance is based on a voluntary decision.

The connection between moral motives and empirical observations, which was typical for French sociology, came to an end in the first decennia of the twentieth century. This was due to the work of the German sociologist Max Weber who argued that sociology should not get involved in moral discussions or policies, but should limit itself to 'objective' and descriptive statements about social and cultural reality. In the effort to become a value-free science, solidarity became a descriptive concept to describe the degree of social cohesion in a group or society whereby individuals are willing to serve and promote the collective interest of the group or of society. An important part of sociological theory and research has been trying to find out the motivations why individuals want to serve the collective interest and how strong these motivations are.

### *Solidarity in the Socialist Movement*

A second root of the concept of solidarity lies in the labour movement and in socialist theory. When discussing the concept of solidarity (particularly in the Anglo-American context) there is often the question whether we are talking about the Polish trade union 'Solidarnosc' which was leading the protests in the 1980s against the Polish communist regime. There is indeed a strong connection between solidarity and the struggle of the working class to improve living and work conditions by the change or overthrow of capitalist society. In socialist theory, solidarity

means that the members of the working class have joint interests and should work together to reach a class-free society. Solidarity in the socialist tradition stands for social cooperation and mutual assistance whereby the members of the working class put their own individual interests aside to reach a common goal. There are two interpretations of solidarity in the works of Karl Marx (Stjernø 2004): the first one is the traditional brotherhood in capitalist society which is restricted to the working class and which has the goal to overthrow capitalist production. The second connotation of solidarity in Marx's work is solidarity in post-capitalist society or communism in which there is a genuine companionship and community life. Marxist theory developed into two different lines, with Leninism on the one hand and social democracy on the other hand. While Leninism limited solidarity to the working class, social democracy broadened the concept of solidarity to all those who were exploited and who could improve their living conditions by working together.

The social-democratic conception of solidarity was founded by the work of Karl Kautsky (1910) who argued that solidarity should not be embraced by the industrial proletariat only, but should include all wage earners in society (Stjernø 2004). It was Eduard Bernstein who developed the modern social-democratic version of solidarity as part of his revisionist version of Marxist theory. As capitalism had survived many crises and seemed not to break down in the near future, Bernstein (1899) developed the view that the working class could only improve their condition by seeking alliances with other classes and groups to establish a majority in Parliament. Instead of revolution as Marx and Lenin claimed, he argued for an evolutionary approach in which the Social-democratic party should try to achieve gradual improvements of the working class by way of parliamentary action.

An important part of Bernstein's social-democratic approach, which became influential in many European countries at the beginning of the twentieth century, was a socialist ethics which consisted of three core elements: equality, solidarity and freedom or autonomy (Stjernø 2004). The three elements needed to be balanced against each other: solidarity against autonomy, equality against individual freedom. The workers should sacrifice some of their personal autonomy and to engage in collective action to gain an improvement of their living conditions and their own freedom. But this sacrifice has its limits in personal autonomy. According to Stjernø (2004), Bernstein was the first to articulate the ethical component of socialist discourse and to emphasise the role of

values, including solidarity and autonomy. However, the relation or balance between these two values remained unclear and have led to tensions in social-democratic thought.

Since the early twentieth century, social-democratic parties have been key players at the political scene in many European countries and have been largely responsible for the build-up of the welfare states in collaboration with Christian-democratic parties. Solidarity expressed the need for collaboration between individuals of all classes to work towards a better future, but it should be combined with respect for autonomy and individual freedom (Stjernø 2004). This ethical position sets the social democrats' concept of solidarity apart from Leninist theory in which the collective, and the solidarity with the collective, is overruling all other values or principles.

### *Catholic Teaching: Solidarity and Subsidiarity*

A third root of solidarity lies in Catholic social teaching. The idea of solidarity as part of Catholic social thought was initially developed in the 'solidarism' of the Jesuit Heinrich Pesch around the turn of the nineteenth and into the twentieth century. 'Solidarism', which will be further explored in Chapter 2, was developed as an alternative to the 'collectivism' of socialism on the one hand and the 'ruthless individualism' of liberalism on the other hand. A key element of solidarism is the responsibility of all individuals for the well-being of the social community. Individual and society are fundamentally reciprocal, and because of this reciprocity individuals have an ethical duty to assist each other, which is the duty of solidarity. The individual Christian conscience is directed towards the whole and this leads to feelings of togetherness, sacrifice, self-limitation, subordination of individual interests and Christian love (Reisz 2007). This social orientation of the Christian conscience is the basis for a corporatist order of society in which not equality is the leading principle, but the creation and maintenance of an order of professions and classes where everyone should find his place and is related to others by obligations of love and justice.

Though Pesch developed solidarism into a philosophically consistent social theory, it did not receive many followers. One of the reasons was the change in Catholic philosophy from neoscholasticism towards social personalism (ter Meulen 1988). The solidarism of Pesch which was based on a scholastic ontology in which the individual was seen as an isolated ego for whom the relation with other individuals and society in general

was just an instrument to develop his or her own goals. In social personalism, which became influential from the 1930s, this view was criticised: The relation with the other is not just a means for personal development, but is in itself a necessary part of this personal development (ter Meulen 2000; Verstraete 1998; Verstraete 2005; Stjernø 2004). Only by assisting the other and by taking part in the existence of the other, one can reach one's destiny. Solidarity and social engagement in social personalism were founded as ethical duties in the personal, social existence of man and no longer in an abstract ontology as was the case in Pesch's solidarism.

However, it was not just philosophical critique that was responsible for the lack of interest in solidarism in the Catholic Church. The term 'solidarity' raised suspicions because of its link with the, allegedly anti-Christian, socialist movement (Doran 1996). Instead of solidarity, 'charity' or caring for the needy was for many Catholic writers the key word to express the social commitment of the believer. It lasted until the post-war period and particularly the Second Vatican Council before solidarity was officially embraced by the Popes and the Vatican. Pius XII argued that the awareness of mutual necessity leads to the expression of solidarity which combines independence with collaboration. Pope John XXIII firmly established solidarity in Catholic social doctrine by way of his encyclical *Mater et Magistra* (1961). According to Pope John the principle of mutual solidarity is to be a guiding principle of the establishment of associations of workers and the relations between workers and employers (Doran 1996). He expanded the principle of solidarity to humanity and the needs of people in developing countries. In the Encyclical *Laborem Exercens* (1981) Pope John Paul II embraced the concept of solidarity as an action-oriented concept that is meant to support the actions of workers to improve their circumstances by creating unity and community, particularly as a reaction towards an unjust system (Dorr 1983). In *Centesimus Annus* (1991) John Paul again emphasised the role of solidarity in the struggle of individuals for improvement of their living conditions and for social justice (Verstraeten 2004).

Though solidarity is often associated with Catholic thought, the concept has never reached a firm position in Catholic social doctrine as compared to the principle of subsidiarity. This principle has to do with the help society owes to its members (*subsidium* means assistance). The best type of help society can offer is that which results in self-help (von Nell-Breuning 1978). All care or help offered by society should have the purpose to enable, to ease and to encourage the individual's development

by stimulating the individual's own resources and potentials. When one tries to help and support someone else by taking the other one's place and by ignoring the possibilities of this needy other, one does not help the other. Instead, one keeps the other under tutelage and dependent by hindering the development of talents and potentials. According to the subsidiarity principle, this help is no help at all, but an obstruction of the self-development of the other (ter Meulen 2000).

The principle of subsidiarity puts limits to solidarity organised by the state: it prescribes that society should only support the ill and dependent on a supplementary basis. Social support can help a person to overcome his troubles by using his own powers and resources. Therefore the state cannot take free initiative on a lower level of society: whatever individuals can do by themselves should not be taken over by a higher level (ter Meulen 2000). However, the principle can be interpreted in a restrictive and an expansive way: the restrictive interpretations called for a limited role of the welfare state and of the principle of solidarity, while the expansive interpretation argued for a generous interpretation of solidarity and an expansion of the welfare state (Verstraeten 1998).

In the early sixties, Pope John XXIII emphasised the positive interference of the state in social life in *Mater et Magistra*. For John, the principle of subsidiarity was not an argument for limiting the role of the state, but an argument for grounding this in a positive sense, that is by formulating it as a fundamental moral duty of the government (ter Meulen 2000). The independence of the civilian should not be limited, but if civilians fail to assist one another, the government should develop initiatives together with the civilians. While John XXIII's position supported the development of the welfare state, John Paul II took a much more restrictive position in his encyclicals than the Pope of the *Aggiornamento*. According to Verstraeten (1998), John Paul II's ideas were strongly influenced by his experiences with collectivism and 'real socialism' in the Eastern European states in the post-war period. John Paul II was especially critical of the welfare state, which according to him has led to dependency and a lack of own responsibility and civil initiatives (Centesimus Annus 1991). The individualistic mentality in our current society needs to be replaced by a 'concrete commitment to solidarity and charity'. This commitment should start in the family and apart from that in intermediate communities and 'networks of solidarity'. These real communities of persons will strengthen the social fabric, preventing society from becoming an anonymous and impersonal mass. It is by

personal relations on many levels that society can become more 'personalised' (Centesimus Annus 1991).

The restrictive interpretation of solidarity argues for a retreat of the welfare state and for the fostering of concrete networks of solidarity. These arguments concur to some extent with the call for deregulation and retreat of the welfare state as advocated by neoliberal ideologues. However, the neoliberal call for markets as the guiding principle of public and private services in modern societies is difficult to reconcile with the Catholic call for social personhood. This is particularly true for health care where market-based economic principles and consumerist ideologies can have a destructive impact on care relations and personal solidarity (ter Meulen 2000).

## 1.3 Solidarity and Social Reform

At the time when the idea of solidarity was introduced and debated as a principle for social reform, there was already a range of local initiatives and small systems of social security and medical support. In a number of countries in the late nineteenth and early twentieth century, groups of people with a social conscience like community leaders, employers and physicians worked together to provide financial support and access to medical care for those in need (Companje et al. 2009). Sometimes initiatives for mutual support were taken by labourers and artisans themselves. One could define these initiatives as types of concrete and personal solidarity where the individuals felt personally responsible for the well-being and fate of the other and his or her family (Houtepen, ter Meulen and Widdershoven 2001). As the local and spontaneous support became increasingly difficult to maintain, these types of solidarity were gradually taken over by the state which set up a system of financing and provision of social and medical support. Solidarity became enforced by the state with compulsory payment of an insurance premium in exchange for access to medical care or financial support in case of medical need or social distress: this development meant the introduction of solidarity as a normative criterion for the operating of a system of public health care, besides or above the local spontaneous types of solidarity.

State-enforced solidarity was first developed in the early eighties of the nineteenth century by the German Chancellor Graf Otto von Bismarck, who introduced a public insurance system which was meant to compensate workers for the impact of accidents, disability and illness. Health