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CHAPTER 1

Moral precepts and society

CATEGORIES OF MORAL INJUNCTION

The question of how one individual should behave to another within the framework of any more than fleeting relationship is one of the most intriguing dilemmas in the whole of social life. The reason for this is that people know at the back of their minds that certain types of social interaction affect not only themselves, the interacting parties, but also the communal system of which they are a part. Some moves made with respect to another person may indirectly and in the long run strengthen this system and promote the development of effective communal life; other moves can weaken it, setting in motion chain reactions that may surreptitiously undermine or forcibly overturn it. The cumulative, long term side effects of interpersonal interactions may thus devolve ultimately upon their initiators. As early as the eighth century the poet Hesiod spelt out this deeply felt but all too often suppressed association of ideas: 'He hurts himself who hurts another man | And evil planning harms the planner most.'[1]

Despite this instinctive understanding of the long term side effects of social interactions, human beings hold it to be self-evident that in interacting with another person some strategies are preferable to others. They are preferable for no other reason than that they pay off better. For instance, by using superior force one can change rules to fit one's own wishes, obtain control over others or remove obstacles that are preventing one from attaining desired goals, thus obtaining valued resources. The dilemma that presents itself is this: the types of behaviour that appear to the interacting individual to be the most immediately rewarding are precisely those that will in the long run harm the communal system most, while the types of behaviour that appear to the interacting individual to be less immediately rewarding are those that may in the long run benefit the communal system most.

[1] *Works and Days*, 265–6 (trans. D. Wender).

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Legislators, religious teachers, rhetoricians, politicians, philosophers and social reformers down the ages have contemplated this dilemma without ever reaching any consensus as to which sort of behaviour should be regarded as in absolute terms preferable. At times they have privileged the individual interest over the communal; at times they have preferred the communal interest above the individual. As some of their pronouncements withstood the vicissitudes of time, the moral heritage of the western world filled up with a multiplicity of injunctions, proverbs, commandments, guides to behaviour and theoretical writings stemming from the manifold traditions of many ages.

The collection of moral precepts thus assembled looks perplexing at first. It seems to present us with a forest of pronouncements, a jumble of moral norms, so tangled and so intricate that it would be impossible to resolve it into any simple and consistent scheme whatsoever. I hope to show, however, that this impression is a false one. Irrespective of when, where or by whom they were proffered as answers to our central question, the injunctions, proverbs, commandments, guides to behaviour and theoretical writings that make up the moral tradition of the western world reveal an underlying order. Sharing, as they do, certain basic characteristics arising out of human nature in general, they can be reduced to three major categories. These categories cover, roughly speaking, the three main varieties of interpersonal interaction.

The *first* category contains those moral injunctions that license one to give free rein to one's own wishes or passions in flagrant disregard of the individual with whom one is interacting, of the communal system of which one is a part and perhaps even of one's own rational calculations of utility and self-interest. One symbolic representation of this precept, sometimes referred to as 'a head for an eye', appears in the book of Genesis. In a poem that expert opinion regards as one of the earliest parts of the Old Testament, Lamech, one of the antediluvian patriarchs, tells his two wives that he has killed a man and a youth who have done him injury. That Lamech is jubilant, that he means to strike a note of victory, comes clearly through the splendid parallel verses designed to reflect his mood: 'Adah and Zillah, hear my voice; ye wives of Lamech, hearken unto my speech; for I have slain a man for wounding me, and a young man for bruising me.' Lamech goes on to allude to the famous ancestor whose pattern of action inspired his own: 'If Cain shall be avenged sevenfold, truly Lamech seventy and sevenfold.'[2]

[2] Genesis 4.23–4, quoted from *The Holy Bible (Revised Version)*. For the question of who precisely was supposed to avenge Cain and for further examples of this sort of 'overkill', which is not typical of the

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Lamech's response to his injuries puts in a nutshell a strategy of interaction to which mankind presumably resorted as a matter of course millennia before it emerged from the hunter-gatherer stage of its prehistory. According to this strategy, when one is offended or hurt one has the right to discard all considerations other than one's own craving for revenge; one is entitled to inflict injuries far more severe than those that one has sustained, since, according to the dictates of this age-old precept, extreme retaliation *is* justice.

There can be no doubt that in the past the emotions associated with this precept have been responsible for catastrophes that left in their wake the heaviest of casualties. When thousands of lives are lost and villages depopulated as a result of vendettas; when elderly people, women and children are massacred in the course of civil wars; when men go to war (and in particular when they wage the sort of war that is called 'holy' or 'total', the sort of war that can only end with the utter destruction of one party by the other), then we can be certain that we are watching Lamech's spirit of vengeance in action.[3]

Western tradition is also familiar with a more refined and certainly more civilised manifestation of this sort of egotistic self-assertion. This finds its supreme expression in the Machiavellian creed, whose well-known epitome, 'The end justifies the means', is often surreptitiously (but sometimes quite openly) invoked as justification for everyday actions. This precept differs from the last in that centre stage is taken by an active partner, rather than a passive one reacting to provocation. The two precepts overlap in that each answers the question of how one person should behave to another according solely and exclusively to what is likely to further his or her interests, without regard to those of others or of the community. The Machiavellian creed seeks to teach the individual that he or she *should not* allow any moral inhibitions to hinder his or her interactions with other people: that if one has set one's heart upon something it is acceptable to lie, to intrigue, to deceive and if necessary to use force to get whatever it is that one wants. The behaviour prescribed for princes dealing with civilian populations illustrates how this logic was meant to be carried into practice. Men, according to Machiavelli, must be either pampered or annihilated.

Old Testament, see Schapera 1955. For the attitude towards revenge that may be regarded as typical of the Old Testament, expressed in the passage 'Thou shalt not avenge, nor bear any grudge against the children of thy people, but thou shalt love thy neighbour as thyself' (Leviticus 19.18), see Lemaire 1984.

[3] The universality of the precept is illustrated by a German communiqué of 10 May 1940 that almost perfectly parallels the Biblical injunction: 'From now on, every enemy bombing of German civilians will be answered by five times as many German planes bombing English and French cities.' Cited in W. L. Shirer (1940) *Berlin Diary*. New York: Grosset and Dunlap: 268.

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Annihilation is sometimes necessary because men take revenge for small injuries. If the injury is sufficiently great, however, they will not be able to. The implication is that any injury that a prince inflicts should be so crushing that he need have no fear of retributive vengeance.[4]

It is not always easy to pin down the manifold manifestations of these precepts in real life, variations on the Machiavellian creed often operating under the guise of efficiency. It is, however, worth pointing out that some of the more attenuated versions of these ways of thinking are even today quoted openly to justify everyday actions. For example, 'business is business', that supreme expression of cut-throat capitalism, recommends the cool-headed pursuit of gain above sympathetic consideration for others. Regularly put into practice, this principle has only occasionally come into conflict with a more humane conception of things mercantile. Writing in an age of nascent capitalism, the poet Heinrich Heine was among the very few to register a protest. In Heine's ballad *Das Sklavenschiff* the supercargo Mynheer van Koek, on being informed of the unusually high death rate among the blacks he is exporting to Brazil, supplicates the Almighty thus: 'Oh spare their lives, for Jesus' sake | Who died for our human salvation. | Unless there remain three hundred head | It spoils my calculation.'[5]

Within the domain of moral philosophy, advocates of egotistic self-assertion maintain that succeeding at the expense of others is a necessary condition of human existence. As early as the fifth century BC Pindar was claiming that the strong should rule and be free, while the weak should be their slaves.[6] In the generation that followed Pindar a group of Greek thinkers now usually known as 'the Sophists' elaborated upon this idea, anchoring it philosophically in the 'eternal unchanging laws of nature'.[7] One central tenet of their view was that justice naturally consisted of rule by the strongest, a doctrine that followed on from the dual vision of man inspired by the *physis* (nature) – *nomos* (convention) controversy that raged at the time. The conventional man, as Alasdair MacIntyre put it, lives in a particular polis and abides by her laws and conventions. The natural man lives in any polis or none and only pretends to abide by the rules and conventions of those around him: 'He has no moral standards of his

[4] N. Machiavelli (1961) *The Prince*. Harmondsworth: Penguin: 37–8 (Original edition, 1512); cf. Schellenberg 1982: ch. 9.

[5] Trans. Ernst Feise. The original reads: 'Verschone ihr Leben, um Christi will'n, | Der für uns alle gestorben! | Denn bleiben mir nicht dreihundert Stück, | So ist mein Geschäft verdorben.'

[6] Cf. Plato, *Laws* 4.714e: '. . . to quote Pindar – "the law marches with nature when it justifies the right of might"'.

[7] Popper 1966, vol. 1: 68.

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own and is free from all constraints upon him by others. All men are by nature either wolves or sheep; they prey or are preyed upon.'[8] According to Thucydides the Athenians, presumably inspired by this way of thinking, claimed before they captured the tiny island of Melos and put to death all its men of military age (415 people) that the strongest reigned in accordance with a general and necessary rule of nature; anybody else possessed of the same sort of power would thus, of course, have acted in precisely the same way (5.105.2). Despite Plato's objections (*Republic* 1.339) this doctrine gained in strength amongst subsequent generations, providing the rulers of autocracies, slave systems and empires with a convenient justification for wielding their superior powers.[9]

Many people down the centuries seem to have been much taken with the idea that the strong could crush the weak without ever stepping outside the bounds of justice, with the result that it has kept reappearing throughout most phases of mankind's history. 'It is', writes Hartvig Frisch, in connection with Plato, 'not a problem that has arisen merely once and has then slipped back into oblivion and unawareness; but the question and the doubt that lurks behind it, have haunted mankind from one generation to another.'[10] More often than not the idea has been adopted all over again by new generations of thinkers and embellished and elaborated upon according to the trends of their age. In the seventeenth century Thomas Hobbes argued pessimistically that since people were animated by a desire to use others to their own profit or advantage a more or less permanent state of conflict was bound to exist. At the same time, however, he believed that the bleak conditions that he described could be mitigated, even in the absence of any concern for the community in the realm of ideas, by negotiating the terms of interpersonal interaction in the realm of social practices. If each individual relinquished part of his natural right to self-assertion in return for a similar concession on the part of the other, a self-interested balance of individual wills and rights would be established. This balance would create a social covenant that could in turn become the basis for the creation of a state. Hobbes warned, however, that even after the state had been created extreme measures would be necessary to prevent the disintegration of the social covenant. The best way to safeguard it was, in his opinion, irrevocably to confer sovereignty, not upon any parliament or other inefficient group of men, but upon an absolute monarch.[11]

8 MacIntyre 1967: 16.
9 For an analysis of the issue of power in the Melian dialogue, see Kallet 2001: 9–20; for the concept of 'might is right' in antiquity, see Frisch 1949.
10 Frisch 1949: 12.
11 R. Peters (1956) *Hobbes*. Harmondsworth: Penguin.

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During the second half of the nineteenth century this idea took on a further twist when a series of writers applied Charles Darwin's discoveries in biology to the study of society and politics.[12] These 'social Darwinists', as they were called, espoused the idea, dismissed by Darwin as vulgar, that the theory of 'natural selection' that had been developed to account for animal evolution might also apply to human history.[13] Adopting the ancient position that might was right, Walter Bagehot went on to suggest that struggle was a necessary catalyst to most evolutionary change: 'In every particular state of the world, those nations which are strongest tend to prevail over the others; and in certain marked peculiarities the strongest tend to be the best.'[14] The triumph of a stronger over a weaker nation or tribe was, according to him, to be achieved by war, not by any more peaceful form of contest: 'The strongest nation has always been conquering the weaker; sometimes even subduing it, but always prevailing over it . . . Conquest improved mankind . . . But why is one nation stronger than another? In the answer to that, I believe, lies the key to the principal progress of early civilisation, and to some of the progress of all civilisation. The answer is that there are very many advantages – some small and some great – every one of which tends to make the nation which has it superior to the nation which has it not . . .'[15]

The advantages that Bagehot had in mind were subsumed under a term that he had already coined: 'the cake of custom'. Nations and tribes that developed good habits of discipline and conformity and had high standards of law, morality and religion would, he believed, triumph over groups whose 'cake of custom' was no good. The former would survive and flourish; the latter were doomed to extinction.

Bagehot was, however, no pitiless social Darwinist. According to his scheme, the very 'cake of custom' that promoted stability during the earlier stages of evolution became in its later stages an obstacle to progress. War had in the past, as he saw it, had beneficial consequences, but by the nineteenth century it had lost its original function. As a framework for regulating relationships between nations and individuals, he believed, it must eventually be superseded by constructive debate and rational decision-making.

[12] R. Hofstadter (1944) *Social Darwinism in American Thought*. Boston: The Beacon Press; Alexander 1979; G. Jones (1980) *Social Darwinism in English Thought*. Sussex/New Jersey: The Harvester Press/Humanities Press; Schellenberg 1982: ch. 3.

[13] In a letter to Sir Charles Lyell, Darwin wrote, 'I have received in a Manchester newspaper rather a good squib, showing that I have proved "might is right", and therefore that Napoleon is right, and every cheating tradesman is also right.'

[14] Bagehot 1872: 43. [15] Bagehot 1872: 49–50.

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In order for this to happen the old 'cake of custom' must be broken up, no matter how successful it might have been up to that point. When the cake was broken the 'little seed of adaptiveness' hidden in it would be released, allowing a new form of society to emerge. This society would be characterised by a decline in bigotry, by an openness to new ideas and by the creation of a new type of human being whose behaviour would be regulated not by 'the hereditary barbaric impulse' but by the freer operation of intelligence through discussion. The emergence of this creature of 'animated moderation' would, according to Bagehot, be a sign that humanity's advancement consisted in a progression from conflict to co-operation, from impulsiveness to rationality; that, as Peter Gay put it, 'aggression can be – and in civilised times ought to be – sublimated'.[16]

Bagehot's social Darwinism was unusual in that it contained a streak of liberalism. Other social Darwinists distanced themselves from any such idea, projecting Darwin's conception of nature onto society without qualification. Nature being an arena for pitiless struggle between selfish and individualistic animals, human society came to be seen as an arena for pitiless struggle between selfish and individualistic human beings. At times the very distinction between nature and society came to be blurred. Famously paraphrasing Hobbes (who had himself been inspired by Plato), T. H. Huxley called life 'a war of each against all' and, in an article published in an influential London periodical, a 'continuous free fight'. Competition between individuals of the same species was, as he saw it, not merely a law of nature, but the principal driving force in evolutionary change and progress. 'From the point of view of the moralist', he wrote in a famous passage, 'the animal world is about the same level as a gladiators' show. The creatures are fairly well treated and set to fight; whereby the strongest, the swiftest, and the cunningest live to fight another day. The spectator has no need to turn his thumbs down, as no quarter is given.'[17]

This was some sort of culmination of the ancient and widespread notion that man is naturally an aggressive animal and that aggression has supplied most of the fuel for historical action and change.[18] I shall not dwell on the tragic consequences of the real-life implementation of this mode of thought: the great cataclysms that befell Europe in the first half of the twentieth century, when 'might' suppressed 'right' in most international relationships and the idea of claiming 'a head for an eye' gained a foothold in

[16] Gay 1993: 55.
[17] T. H. Huxley (1888) 'The struggle for existence: a programme', *Nineteenth Century*, February. The idea of 'war of each against all' is foreshadowed in Plato, *Laws* 1.626a.
[18] Gay 1993: 3.

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many forms of interpersonal relationship.[19] Nor do I wish to claim that this survey is exhaustive, or to suggest that all or even some European history is reducible to these simple principles. In moving on to the *second* category of moral injunctions, however, I shall attempt to show that the same principles have reappeared in different guises at all sorts of historical junctures, often transcending specific cultural, ethnic or national characteristics, so much so that it would be illogical not to assume that they spring directly from our common human nature.

The forms of behaviour that belong in this category appear to relate to what is perhaps the most ancient and universally venerated principle of primitive justice. The English 'tit for tat', the German 'Wie du mir, so ich dir' and the French 'Un prêté pour un rendu' are all versions of an age-old strategy of interpersonal interaction that turns up in world literature in a staggering number of variations and permutations. In Roman law it appears as the *lex talionis* (the law of like for like),[20] in later Judaism and early Christianity as 'the golden rule' ('Do as you would be done by' (Matthew 7.12)) and in the Old Testament and the Koran as 'an eye for an eye'. Here it will suffice to cite the Biblical version, by no means the earliest in humanity's long history: 'Eye for eye, tooth for tooth, hand for hand, foot for foot, burning for burning, wound for wound, stripe for stripe.'[21]

This system of commensurate action and reaction is neither so self-centred in outlook nor so unrestrained in spirit as Lamech's. Rather than seeing an interaction from the perspective of a single individual, it looks at it from the points of view of two; rather than licensing one individual to give free rein to his emotions, or ruthlessly to push his own interest at the expense of the other, it counsels both individuals to inflict equal harm – or, conversely, equal benefit – on each other. It should be noted, however, that the 'eye for eye' maxim in its original form merely prohibits retaliating by

[19] For the special form taken by social Darwinism in Germany, see Stein 1987.

[20] Some further examples: 'Ab alio exspectes alteri quod feceris', Publilius Syrus, *Sententiae* 2 (cited by Seneca, *Epistolae ad Lucilium* 94.43; '*Sua quisque exempla debet aequo animo pati*', Phaedrus, *Fabulae* 1.26.12 (following Aesop). For a general collection of passages on the theme of 'an eye for an eye' see Hobhouse 1915: 74–7; for a collection of passages on this theme from classical literature, see Hirzel 1907–10.

[21] Exodus 21.24–5. For alternative formulations of the same idea, see Leviticus 24.19–20, Deuteronomy 19.21 and Obadiah 15 ('as thou hast done, it shall be done unto thee; thy reward shall return upon thine own head'), to be read with Lemaire 1984. Judges 1.7, 1 Kings 20.39–42 and 2 Kings 10.24 give examples of 'an eye for an eye' in action; see also the Koran 5.45 (*The Table*). A still earlier variation occurs in the Code of Hammurabi: 'If a man has destroyed the eye of one of citizen status, they shall destroy his eye': W. Thomas (ed.) (1959) *Documents from Old Testament Times*. New York: Harper Collins: 33 (no. 196).

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inflicting any injury that is greater than the one sustained; it does not rule out the option of violent response.

This exclusion appears only in a sub-category of the 'tit for tat' group: the doctrine of non-violent compensation (material or otherwise) deemed to be the economic equivalent of the harm done. In archaic Rome the Twelve Tables provided that anyone who killed without intent should hand over a ram to the victim's agnates,[22] while a law code from the fifth-century Greek city of Gortyn states that any person taken in adultery with a free woman in the house of her father, brother or husband shall be required to pay a certain sum of money.[23] Although both 'tit for tat' and commensurate compensation often coexisted with more aggressive strategies of interpersonal interaction, they clearly represent a more advanced stage of social evolution than the items included in the first category of moral injunctions.

The main reason for this is not merely that they reject the social-Darwinian view of society, but that in both its manifestations the idea of 'tit for tat' differs substantially from that of 'a head for an eye'. 'A head for an eye' does not depend upon a willing response for its success: the stronger party can injure or destroy the weaker to his or her own advantage regardless of what the weaker party does. Both commensurate compensation and a version of 'tit for tat' that I shall call 'positive' (people may, after all, exchange equivalent benefits as well as equivalent injuries) require willing responsiveness if they are to succeed. When people exchange benefits or provide compensation in return for injuries they introduce reciprocity into their relationships, and reciprocity is an indispensable prerequisite for co-operation.

This point can be seen better by considering one particular attempt to refute social Darwinism. In 1902 Peter Kropotkin, a Russian anarchist and revolutionary who renounced his aristocratic birthright, published a book entitled *Mutual Aid: A Factor in Evolution*. Basically this was a criticism of Huxley's picture of the natural world as a savage jungle, red in tooth and claw, that argued that Darwin's valuable theories had been distorted by his followers. While carrying out anthropological fieldwork in the exceedingly harsh conditions of eastern Siberia and northern Manchuria, Kropotkin came to the conclusion that although the Darwinian 'struggle for existence' was an important factor in promoting evolution and the progress of

[22] Twelve Tables 8.24a: '*si telum manu fugit magis quam iecit, aries subicitur*'.
[23] 'A hundred *staters*'; see R. F. Willets (1967) *The Law Code of Gortyn*. Berlin: Walter de Gruyter and Co.: 40 (Col. II., 20–4).

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species, it was not the only one. Co-operation and mutual support between members of the same species, he concluded, contributed far more to the survival of that species than did struggles between its members. Both the animal and the human groups that fared best were in his opinion the most co-operative ones. Morality, he argued, had evolved from the human impulse to sociability, from the unconscious recognition (or perhaps instinct, developed over the course of an extremely long evolution) 'of the close dependency of every one's happiness upon the happiness of all; and of the sense of justice, or equity, which brings the individual to consider the rights of every other individual as equal to his own'.[24]

However beneficial the 'tit for tat' strategy may prove, with or without ramifications in the communal interest, it is still a far cry from the strategy embodied in our *third* category of moral injunctions, which differs profoundly from the first two. The precepts in this group not only reject the idea of commensurate compensation, but enjoin under-reacting to injury, not reacting to it at all, or even repaying it with benefits. In its simplest version this doctrine is encapsulated in Christian precepts such as 'turning the other cheek' or 'not casting the first stone'. In its fully developed version it figures in the New Testament thus:

> Never pay back evil for evil. Let your aims be such as all men count honourable. If possible, so far as it lies with you, live in peace with all men. My dear friends, do not seek revenge, but leave a place for divine retribution; for there is a text which reads, 'Justice is mine, says the Lord, I will repay' (*mihi vindicta, ego retribuam dicit Dominus*). But there is another text: 'If your enemy is hungry, feed him; if he is thirsty, give him a drink . . .'[25]

It cannot be claimed that this precept of self-restraint or under-reaction to violence has not at one time or another captured the imagination of past thinkers. Adam Smith, for instance, called it one of the 'great precepts of nature' and turned it into one of the central motifs of his *Theory of Moral Sentiments*:

> And hence it is, that to feel much for others and little for ourselves, that to restrain our selfish, and to indulge our benevolent affections, constitutes the perfection of human nature; and can alone produce among mankind that harmony of sentiments and passions in which consists their whole grace and propriety. As to love our

[24] Kropotkin 1939: 16.
[25] Letter of Paul to the Romans 12.17–21, the New English Bible translation; cf. Nahum 1, 2–3. For the 'love of neighbour' motif in Greek, Roman, Christian and Jewish writings see Den Boer 1979: ch. 5.

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