

<https://doi.org/10.3176/hum.soc.sci.1993.1.08>

Niels THOMASSEN*

COMMUNICATIVE ETHICS

Philosophy begins in the midst of things — in the midst of life, problems, experiences, issues, everything. From this centre it unfolds its problems, points of view, arguments, and visions.

Its intention is to broaden and deepen our understanding. To come to terms with that which is difficult, absurd, evil, cruel, insuperable. To find and create more order out of the unordered.

Philosophy has no absolute basis, no absolute beginning. This also applies to ethics. So for this reason it is all the best to start in the midst of things, in the experiencing of ethical qualities, such as those of good and evil.

Ethical Experiences

We have experiences of good and evil in what may be called our historical lives, our lives as they are lived in time, in fellowship and conflict with others, in dealing with matters and things, with the many institutions of modern society and with the natural environment. Ethical experiences are historical experiences, or life experiences. A concept of historical experience is to be found in Hegel. It is taken up by Hans-Georg Gadamer in a particular critique of Hegel.¹ It is this concept of experience that I now want to deal with.

Evil consists in doing evil, in causing unpleasantness, pain, suffering, in giving rise to unhappiness. One is primarily evil towards others, but it is possible to be evil towards oneself. We do not experience evil only as a completed act, but also as the intention to do evil. Evil consists in doing or wanting to do evil.

This statement needs to be qualified, however. Firstly, evil is a human phenomenon. If there is a God, then the least we can assume is that he — or she — is not evil. The Devil must be regarded as definitely dead, and Descartes' 'malevolent demon' was only a hypothesis. Even though human nature can contribute to evil and man can be evil towards nature, nature — despite all its cruelty — cannot be evil towards man. Evil is man-caused.

Secondly, it is perfectly possible for someone to cause unhappiness without being evil. Unhappy love is not a moral evil. I do not blame the doctor for the pains suffered at his hands during treatment, unless he bungles things or uses me as a victim for some hidden sadistic purpose of his own. Further: it is meaningless to be angry with a man who has given you a venereal disease if he was in fact ignorant of the fact that he was a carrier. In short, evil is only the unhappiness that could have been avoided, which is not necessary.

What it means to say that evil could have been avoided is a subject that has been philosophized about since Aristotle advanced the view in his ethics that the involuntary act is that which is carried out as the result of coercion or ignorance, demonstrating at the same time by his

* Odense Universitet (Odense University). Campusvej 55, DK 5230 Odense M. Denmark.

¹ Gadamer, H.-G. *Wahrheit und Methode*. J. C. B. Mohr, Tübingen, 1966, 329 ff.

examples that it can be extremely difficult to decide when we can speak of coercion and what we should understand by ignorance.² We are at present only concerned with establishing that evil is experienced as voluntary.

This brings me to a third qualification. Evil which could be avoided is also that which others just as easily could endure as I can. If the family leaves all the housework to the mother without this being part of an agreed division of labour, it is a moral problem. Necessary evil is only exempt from suspicion on ethical grounds if it is justly distributed. Evil is an expression of injustice. What justice actually is has been the subject of philosophical speculation in a long tradition, stretching back to pre-Socratic times. This must wait for another occasion. Both the voluntary and the unjust can, by the way, be conceived of as being forms of the not necessary.

In other words, evil is experienced as the unhappiness which is man-caused, which could have been avoided, and which is the expression of injustice. That these types of evil are experienced as being *moral* evils means that they are condemned. The experiencing of moral evil is the experiencing of that which ought not to have existed and which must henceforth be combated. The means of combating it are first and foremost the direct appeal to the other person, but also (the threat of) sanctions, and a large number of other things. This is ignoring the epistemological and ontological status of evil (and good).

Corresponding definitions apply to good. Good is only truly good when it is done voluntarily, if it is the expression of a just distribution and finally if it is man-caused. The last does not mean that I am excluding the possibility that a good God exists, but that I am ignoring this possibility to begin with, i. e. am not taking into account whether experiences of i. a. the good should be given a religious interpretation. In addition, that which is good is experienced as desirable, as something that ought to be encouraged, etc.

Two things are important in connection with moral experiences. Firstly, we are not dealing with immediate experiences but reflected experiences. They involve a quite considerable understanding of human life (much more than I have discussed here) partly because we have a large number of experiences of the complexity of questions of guilt, formed through our continued life experiences. As Gadamer says, experiences are made on the basis of expectations, of a horizon of insight and understanding.³ In other words, moral experiences always have their preconditions in the form of this horizon of expectations. They are not ahistorical experiences of the essence of things. These experiences are determined by our tradition, but also — as has been demonstrated — known as a result of our tradition. Moral experiences are based on an ethical, but also a universal, pre-understanding which has to stand the test in each new experience.

Secondly, ideas about just and unjust distribution of the good and the bad things in life are very much part of moral experiences. Moral experiences are not based on a value-free position. They are made by persons who are ethically or morally involved. An amoral person does not have moral experiences, i. e. he does not separate the experiences described from other experiences. Either because he does not possess or understand the concepts of good and evil, or because he refuses to recognize them.⁴

² Aristotle. The Nichomachean Ethics. 1109b30 ff.

³ Gadamer, H.-G. Wahrheit und Methode. Second Part, section II.

⁴ I have chosen to ignore nature, both here and later on, even though a nature ethic is a pressing problem in a world marked by environmental crises.

Conflicts

Insofar as I am in the process of harming others, we are on a collision course. The evil is rooted in conflicts, in wrong ways of preventing and solving them.

Conflicts are a part of our lives. But not every state of suspense or dynamism in our existence involves a conflict. One can be in a state of suspense about something in the sense that one looks forward to it with anticipation, eagerness, and the wish to see it get under way. In other words, it can be a challenge without being a cause of unhappiness. This does not exclude its being tough, dangerous, demanding — even something which requires a serious amount of suffering. Work to be carried out, a task to be resolved, adversity to be overcome — all of this can be something I seek and take pleasure in accomplishing. The last-mentioned is the essential thing, it is that which determines that we are not dealing with any form of conflict. For there are, of course, people who seek conflicts for their own sake, impelled by some form of destructiveness.

So a boundary must be drawn between the challenges that develop and please one and the declarations of war that create undeserved and unwanted unhappiness and harm. Only the last two have anything to do with conflicts. It is also improbable that one can draw clear-cut divisions here. It is often difficult to decide whether we are dealing with a conflict or a game — something we can see with children, when games suddenly give way to tears. Also, those implicated are often a prey to illusions. And finally, there are many interim phenomena. Yet an attack on human conflicts is not one of suspense and dynamism in our lives.

Conflicts cannot be cordoned off as special areas, they occur in all forms of communication. Nor are certain parts of our lives more affected by conflicts than others. Conflicts are at their worst where the stakes are at their highest. They can, however, arise at any time.

Lack of communication is not enough for conflict to arise. If I am unsuccessful in starting a conversation with those in my train compartment, it will only lead to a conflict if I insist on such contact taking place. I could keep myself to myself. Conflict is a breakdown in insistent communication, whether for voluntary, compulsory, or for whatever reason. Conflicts consist in managing power in the wrong ways.

Conflicts are a part of human communication, of our active life — or practice, if you like. This means that any adequate elucidation of them would be a comprehensive task. So I will confine myself to mentioning briefly various forms of power relations in interpersonal encounter, and finally include a different aspect of communication.⁵

Interpersonal Relations

All communication has the character of self-surrender. The person making his move makes himself dependent and the approached person gains power over the other person. Little or much may be at stake: we may be dealing with asking someone when the bus is due to leave; or making a declaration of love. No matter the level, all communication between individuals consists in daring to make a move and in being met. We are, then, never in a power vacuum.

⁵ Translation of the Danish word *samvær*, which means every form of encounter between persons.

This point of view has been advanced by the Danish philosopher K. E. Løgstrup (1905—1981). Various arguments are put forward, and reference is also made to a number of remarks by other modern philosophers on the subject of interdependence. I do not intend to pursue this further here, only point out that he ignores all other relations of power linked to communication.⁶

Suprapersonal Power Relations

In practically all forms of communications one also meets the other person within hierarchical structures. These can take the form of employer and employee, superior and inferior, white and black, or teacher and pupil. Common to all of them is the fact that the parties, prior to communication taking place, are allocated varying degrees of power and influence. These forms of communication could therefore be called suprapersonal power relations.

Let us take a brief look at the teacher/pupil relationship. Even though it is far from obvious that the teacher has power from the moment he or she enters the classroom, as many a teacher can bitterly testify to, he or she has the office, the institution, and the education system behind him or her and is the one who awards marks. It is amazing just how much this relationship can, even at university level, have a disturbing effect on communication. Another example is the relationship between man and woman. As long as our society can be called a patriarchal one, women will always be swimming against the current. A third example could be the relationship between parents and children.

These power relations are relatively overt. But we can add a large number of more or less covert power relations to them. Every social hierarchy contains such roles and every power hierarchy has its symbols: buildings, inventory, clothing, cars, posture, etc. So there is a marked difference between sitting behind one's own desk and being placed in front of another person's desk. Even our democratic society is pervaded with hierarchical structures and, because of this, by power relations.

These power relations play a central role in Habermas' philosophy under the name of supremacy relations. Habermas' ideal is for them to be done away with, or at least made transparent and accepted by everyone. His ideal for a free society is one where all disagreements are resolved by means of supremacy-free dialogue.⁷

The Power of the Personality

The dependence and power of self-surrender can interact with suprapersonal power in many ways, but it can also be set aside by other forms of power; by the power of the personality, for example. This power of the personality also has many, partly overt forms. Anyone familiar with meetings and democratic gatherings knows what it means to have power over words. Every woman knows what a man's physical dominance can mean in sexual relationships. My intention, by the way, is not to attempt some typology of the power of the personality, only to emphasize certain things.

⁶ Løgstrup, K. E. *The Ethical Demand*. Philadelphia, 1971.

⁷ Cf. for instance Habermas, J. *Der Universalitätsanspruch der Hermeneutik*. — In: Habermas, J. et al. (eds.). *Hermeneutik und Ideologiekritik*. Suhrkamp, 1971, 120—159.

One can be powerful by virtue of one's natural authority. This can in fact be connected to a number of things: personal integrity, mental faculties, specialized knowledge, self-confidence, quick-wittedness, etc. — all of which are positive qualities. The decisive factor, however, is that the authority asserts itself with a force that is out of the ordinary and only thereby does one gain power over other people. If one claims that a person acquires authority from other people, I feel the emphasis is wrong. For a person is recognized as being an authority *by virtue of* his personal qualities. This faces authority with the particular problem of how to administer his power. And the problem is not of itself all that special, since all of us are authorities in some respect or another, e.g. in relation to our children.

A second form of powerfulness is seen in the dominating personality. This can be linked to many different things: a direct thirst for power, or just inconsiderate self-expression, e.g. in the common form of not wanting to be bothered with other people's lives, only one's own. And finally there are those for whom all life is a battle, a question of winning or losing. This winner complex has the objective setting in our culture behind it. For the winner-type power relations are always the deciding factor in communication and his strategy is, from the outset, to abrogate power to himself, for example by placing himself at the magical end of the table, by placing himself right in relation to notabilities present, or in a high, central position in the room.

When the power-thirsty individuals are successful in seizing power for themselves this is often due to the fact that they already have a position of some social importance, that they have been placed in powerful roles. Powerful personalities and powerful roles are of course made for each other.

The means of controlling communication are manifold. One way is by direct manipulation, the less obvious the more dangerous. Another way is to try to get laughter onto your side, to make the others feel stupid and turn their lack of specific knowledge into a personal vice. Political discussions are a rich source of study material in this respect. So are many other types of communication, e.g. those of the academic world. It is also possible to control others by means of being unpredictable or taciturn, since this gives rise to feelings of insecurity and fear, cf. Kierkegaard's depiction of the Emperor Nero in *Either-Or*.⁸

The opposite type is the power-weak person who is self-effacing or self-destructive in every act of communication. Here too one can find a type of complex, one interwoven by the central Christian demand to be unselfish, which is often confused with being self-effacing, and the traditional female role.

The Power of History

Each of my actions is always a continuation of my own history. I continue the reality that I have established, and I continue by virtue of it. It is full of both values and power (as well as powerlessness), constituting my life, no matter how much or little influence I myself have had on it.

My actions are, however, practically always a continuation of a shared history, whether it be the one I share with my colleagues at work, my parents, my brothers and sisters, my own nuclear family, or with friends and acquaintances. Family life is full of examples. Part of the difficulty

⁸ Kierkegaard, S. *Either-Or*, II. Collected Works. Princeton University Press, 1978 ff, Vol. 2, 184 ff.

of entering a new family as a son-in-law or daughter-in-law may have to do with the family tone, the way in which the members treat each other, the status of the individual members, etc. An awful lot is implicitly understood in every family, its picture of enemies and friends, its views about political, social, and other relationships. This of course often becomes apparent in the family's special brand of humour. But what is important in this connection is that there also lies in all this a whole range of established power relations. Even a strongly patriarchal family pattern does not guarantee the man power — henpecked husbands have always been a well-known phenomenon — or deprive the other family members of all power. In short: in each relationship between human beings a sediment of a great number of values is quickly deposited, including power relations. A pecking order if you like.

This power is a result of communication and its content. It is then given with its individual history. It is probably partially a result of suprapersonal power relations and the power of the personalities, but is first and foremost a result of the interaction of the persons involved and the relationship to the surroundings.

Interdependence

These four forms of power differ slightly as regards status. The power I gain over others by virtue of the fact that they surrender themselves to me in the act of communication is a part of all communication. The three other forms need not be present, as for example when two people meet each other in a train compartment and have no shared past history, no visible symbols of power, and share the same level of personal authority. This must, however, be a rare exception. Generally speaking, communication takes place in a complex interaction of various forms of power and dependence. It can lead to conflict in situations where power is misused, where communication results in something evil.

The concept of interdependence is central to communicative ethics. A decisive point in its development was Hegel's dialectic of recognition. It has also been strikingly formulated in Habermas' discourse ethics and the posthumous ethics of Sartre — the latter being very close to Hegel. K. E. Løgstrup's ethics is also a form of communicative ethics, though his inspiration does not come from Hegel but from Luther. This leads one to presume that Hegel's dialectic of recognition is a development of Luther's protestantism, or that the historical root of communicative ethics is the parable of the Good Samaritan.

The Basic Demand

To communicate is to manage power and powerlessness, as well as to be exposed to the management by others of power and powerlessness. This raises the fundamental problem of in what ways and according to what guidelines this ought to be done.

The problem becomes more acute as a result of the fact that we often find ourselves in conflict with each other. Conflicts and power are closely interrelated. Conflicts involve struggle, for which means of power are necessary. The question of management of power is closely connected to that concerned with how we prevent and solve conflicts in a civilized way. It is in fact possible to define the basic concern of ethics as being the management of power in a civilized way. The content of ethics emerges as a result of determining what it means to be civilized.

Communication with its power and conflicts pose the problem, but do not in itself provide the solution. The question is how the respective life-fulfilment of the parties is to be evaluated. The answer ought to be obvious: the participants should be given equal value. All humans must be considered as equal in the fundamental sense that they have the right to a life of quality, that their life should succeed. The happiness of one is not more important than that of another. It may be greater or lesser, it may differ in quality, but not in import. (This concept of equality needs of course to be expanded and justified, but this will have to wait until another occasion.)

The basic moral demand must therefore be a demand that communicative power is managed in such a way that the life-fulfilment of all, including myself, is given equal consideration. Formulated negatively: no-one realizes himself at the expense of others. Or yet again: equal care should be taken of the common life that is at stake in communication.

The attitude of taking equal consideration of all and therefore of siding with the oppressed, unfairly treated, and the humiliated is normally called solidarity. The norm can therefore be formulated as a demand to act in such a way that one shows solidarity for all parties involved. The fundamental moral 'virtue' thereby becomes solidarity. Norm and attitude must be on a par. They cannot be grounded in each other. The norm is not a substitute for spontaneous action. Norm and attitude express the same: equality is the crucial thing.

All communication consists of managing power over others' and one's own life. This means that with every action one affects others' happiness and unhappiness, helps to form their life and fate, whether one realizes it or not. Ethics proves its necessity by the fact that we botch this managing of power to an incredible extent. The moral point of view consists in making this evident and of assuming the problem.

In addition, the dialectic of recognition implies that self-interest cannot without more ado be separated from interest in other people's welfare. Man is not a presocial, rational, abstract individual, but his life is always involved with that of others. The problem, therefore, is not why we should pay regard to anyone other than ourselves, but how we are to manage the relationship between paying regard to the parties involved in communication.

In all its abstract emptiness such a principle of ethical solidarity is not particularly interesting. It only becomes interesting when it is used and concretized, and gains substance. Ethics begins in everyday experiences of good and evil. Its aim is to find general, justified principles that can create order out of these experiences. It therefore ends with the application of these principles to everyday life, by demonstrating how they can help us answer the question of how we ought to act in situations of conflict and choice. Before giving a single example of this, I would, however, like just to add a couple of general comments.

Ethics is an excellent thing, but it does not of itself solve problems. It is important, to begin with, to be quite clear about the nature of its indications. It is a common prejudice, even among philosophers, that ethics gives reliable answers about how one ought to act in practically any given situation. With the aid of a set of general and particular norms ethics is thought to be able to provide an answer to every ethical question.

Ethical rules and ideals, however, are not a body of laws. They have more the character of a collection of good pieces of advice. Sometimes it is easy to use them, sometimes it is inordinately difficult. There is, however, a difference between ethical precepts and good advice in that the former are impersonal and universal, as well as being linked to

sanctions that have to do with the particular weight attached to ethical utterances. The demand to promote the good and combat the evil, to seek to prevent and solve conflicts in a civilized way, etc. is more than just good advice. Evil is by its very nature despicable. This is contained in the very meaning of the word. In the same way, the good is by its very nature something which should be promoted.

The second thing I would like to add is that ethics is not worth anything unless the necessary human resources are present. To understand ethics and to act ethically demands, first and foremost, sympathetic understanding.

Such understanding involves empathy and it is dependent on the fact that one's emotional life is developed. This involves emotional sensitivity as regards one's surroundings and the ability to express one's reactions with a corresponding degree of sensitivity. A central thing is that one is able to love and accept tenderness from others. Without warm feelings one never learns how to identify oneself with others, with their joys and sorrows. This empathy is often mistakenly identified with romantic sentimentality. This is one of the reasons why it has theoretically speaking been discredited since the last century, under the motto: objectivity is everything. This theoretical repression is almost as fatal as its practical counterpart.

The Morality of Terrorism

Terrorism is a political phenomenon, but it also has an ethical aspect. Perhaps it is not particularly well suited for illustrating what I have said about power relations, but it can serve to bring other aspects of ethical solidarity into focus.

The name *terrorism* came into being during the French Revolution,⁹ but the reality is as old as history. Terror from above is presumably as old as despotic rulers. Terror from below, understood as violent rebellions against the regime by organized groups, can be dated at least as far back as the zealots in Palestine in the first century A.D., but it has spread rapidly since the Russian 'nihilists' of the last century and has been called the greatest scourge of our time.¹⁰

Terrorism has been the object of intensive research, but mainly during the past two decades.¹¹ Many theories have been advanced as to its real nature and underlying causes. The most thorough and comprehensive analyses to date are those undertaken by former West Germany of the German groups, such as Baader-Meinhoff.¹² One of the most interesting points of view is that the present-day increase in terrorism and support for terrorism should be seen as part of the spread of the logic of utilitarian and pragmatic ethics. In an ever increasing number of situations the ends justify the means, so why not use terror? Translated into Habermas' terminology this means that terrorism as a pronounced goal-rationality should be seen as a consequence of the encroachment of instrumental reason on the life-world.

What is interesting about studies made of terrorism is that they are so clearly determined by the interest of the authors, ranging from those that condemn terrorism and recommend a firm or hard anti-terrorist

⁹ Laqueur, W. *Terrorism*. Little, Brown and Co., Boston, 1977, 6.

¹⁰ Rapoport, D. C. and Alexander, Y. (eds.). *The Morality of Terrorism*. Pergamon Press, New York, 1982.

¹¹ *Ibid.*, p. XI f.

¹² Fetscher, I. et al. *Analysen zum Terrorismus*, Vol. 1—4. Westdeutscher Verlag, Opladen, 1981 ff.

stand to those who seek to understand it and to those who defend terrorism in one way or other. The terrorists themselves have unfortunately remained silent for the most part. The relatively few arguments and theories they themselves have come with are often ignored. Even though there exists both a terrorism of the Left and of the Right, terrorism is nearly always considered by bourgeois democracies to be an outcome of revolutionary fanaticism and a social illness carried out by sick people. Just to mention some of the comparatively large number of prejudices surrounding the concept.¹³

It is however a fact that a large number of modern states have come into being via terror and that a large number of this century's so-called great statesmen began as terrorists or guerillas. The problem is often formulated as one man's freedom-fighters are another man's terrorists. In general people are unwilling to consider freedom movements in German-occupied territories or in Germany itself during World War II as terrorist, but do not always have the same reservations when talking about Lenin's, Mao's or Tito's rebel forces.

Modern terrorism is very dependent on the interest of the media, and in that respect the terrorists have little to complain about. It has also been claimed that if those in power and the media did not react as hysterically as they do about terrorism, it would be a limited problem and possible to combat. Based on the number of victims terrorism is a minimal problem when compared with, for example, traffic accidents. What is the actual difference in offering human sacrifices on the altars of traffic and of liberation? The perspective of future terrorists being armed with atomic, biological or some other such weapons is, though, incalculable. And in fact all top politicians are protected by bullet-proof glass.

There are various ways of defining terrorism, as something in itself unethical, a crime even, or as a form of possibly just warfare. A definition without ethical consequences is scarcely possible. The definition can also have legal consequences. For if terrorism is a form of warfare, then terrorists are to be treated as prisoners of war and not as criminals. Many have taken the opposite view and called for specially tough legislation against terrorism. Acts of terror are loathsome, but does total condemnation not mean, as has been said, that the last weapon will be taken away from the oppressed and forgotten on this Earth? Terrorism can be defined as political violence that aims at achieving political ends by creating fear or panic and thereby demoralizing or destabilizing. That is its *raison d'être*, no matter what the actual motives of the terrorists may be. It is achieved by causing serious injury or damage, death, the taking of hostages, the destruction of material values, or the threat of such. Terrorism seems to strike at random. But this 'accidental' quality is normally determined by the aim to intensify fear. It is *political* violence, i. e. part of or incited by acts that aim at ruling society. The objective of terrorism is neither the winning of a military victory, nor the fulfilling of such private motives as revenge or enrichment. It is a political manifestation and normally aims at winning a political victory and thereby possibly also an ethical and legal victory.

Coady, with a sideglance at theories about just wars, has suggested a definition of terrorism as political violence used against non-combatants.¹⁴ This allows terrorism to be unambiguously condemned. But a door is held open for other types of revolutionary violence being justifiable, as long as the revolution can be justified, the question of *ius ad bellum* and, if it is waged 'justly', that of *ius in bello* (p. 63 ff.). The

¹³ Cf. Laqueur, W. Terrorism, 5.

¹⁴ Coady, C. A. J. The morality of terrorism. — Philosophy, 1985, 60, 47—69.

definition is consciously narrow, but perhaps too narrow. Stalinist, Nazi, and Fascist state terrorism is not improved by the fact that it is possibly directed against combatants who, in that context, must mean resistance groups. And attempts against the holders and symbols of power is a common tactic adopted by so-called terrorists. I therefore favour a broader definition, but agree with Coady that the essential thing for judging political violence is whether it is directed against adequate targets — including combatants — or not, and that guerilla wars are not necessarily terrorist in nature (p. 66 ff.). Coady asks for political violence to be judged on the basis of uniform criteria, no matter who carries it out. This is directed against a double standard of morality, that states seek to justify their own attacks against non-combatants (bombing, the poisoning of drinking water, the destruction of crops, defoliation, etc.) with the aid of utilitarian considerations, while the attacks of terrorist groups on civilians and innocent people are condemned by their very nature. Here, too, I agree with him.

What I am interested in here is not the definition of, but the question of passing judgement on terrorism. This has consequences for a number of the discussions that occurred in the wake of World War II concerning the methods and acts of resistance movements during the occupation, the liquidation of informers, etc. This I do not intend to deal with at present.

The question is whether terrorism can be defended under any circumstances. In order to be able to answer that question I must comment briefly on communicative solidarity. You are always solidary with *someone*, about a *matter*, in a *situation*, and by means of a series of *actions*. I must assume that you are familiar with the concepts: matter, situation, person, and actions. They are constitutive for all forms of communication. Actions, persons, and situations are fairly obvious. The concept of *matter* needs, perhaps, to be clarified. The word derives from German philosophy (*Sache*). In Hegel it appears as mediations. Gadamer adopts it, and *Sache* and *Sachlichkeit* are fundamental concepts in his hermeneutical philosophy. By a matter I understand everything that is the concern of human communication: preparing a meal, putting one's economy in order, discovering the nature of justice, or appointing someone to a job. Practically all human communication is mediated matter-of-factly, besides being related to relationships between persons. Unmotivated violence and erotic relationships are among the few examples of personal relationships without matter-of-fact mediation. And so to terrorism.

The only matter that can justify the use of violence is freedom, understood as the possibility for all to achieve a life of quality. A prerequisite is that we are dealing with doing away with such basic forms of unfreedom as starvation and other forms of material or spiritual misery, and that the misery is an expression of evil, i. e. could have been avoided. Terror can then only be justified if it is aimed at doing away with violence. Every society is upheld only by virtue of a certain degree of violence, in the penal system and in defence against external foes. This violence is legal, but it is not necessarily ethical, defensible or legitimate. So it is not enough to declare that terror aims at doing away with illegal violence. For a positive law, which determines what is legal, can in itself be unethical. Terror must aim at getting rid of illegitimate violence. In short, legitimate violence has to do with protecting everybody's freedom, understood as the equal right to a life of quality. Illegitimate violence brings freedom to heel, no matter what its declared or actual aims may be.

The conclusion of this is that the only matter that can justify terror

is the doing away with terror, understood as brute, illegitimate violence, the doing away with the adversary's violent suppression of non-violent possibilities for action. If somebody is exposed to violence, one is justified in seeking to have this violence done away with, *if necessary* with the use of violence.

The last remark leads us to the question of possibilities for action and thereby to the situation. If terror is to be justified, the situation must be totally locked in that sense that all other possibilities have been exhausted, not only possibilities for negotiation, but also non-violent actions of every conceivable kind. This has the important consequence that terror can always only be justified as a weapon for the oppressed. Those in power will always have other possibilities.

The situation's possibilities for action are i. a. the result of cultural, religious, and political conditions. One complication is the fact that they have both an objective and a subjective side, i.e. are a question of objective characteristics and how these are interpreted. The crucial question as to whether all other possibilities have been exhausted is a difficult one. One must have certain knowledge that attempts will be met with brute violence, e. g. by having seen this occur. No-one can demand non-violent methods to be used if the result is sheer suicide. A time factor has, however, also to be taken into account. For non-violent actions can be effective only if they continue over an unknown long time (the problem of the Palestinian *intifada*?). The question is how much patience one can demand of the oppressed.

The problem as to whether there are typical situations where violence is the sole way out can presumably only be answered by pointing to examples such as periods in the dictatorships of Hitler and Stalin. The question as to whether there are typical situations where terror cannot be justified is easier, since it applies to all democratic societies if they are open societies not only in name but in deed. The truly open society is described by Habermas' discourse: everyone can put forward his viewpoint and only good reasons have weight in the final decision. I know of no examples where this ideal has been realized. But the Western democracies have to be considered as being partial realizations. Even considerable restrictions to the openness of society, including structural violence, cannot justify terror. As already mentioned, only a totally locked situation can do so. The claim of The Red Brigades that West Germany, Italy, and France were totalitarian, Fascist-like societies is false, and their terror can be condemned simply on this basis.

As regards persons, terror can only be justified if it is directed against those responsible for the practising of terror. The distinction between combatants and non-combatants must therefore be replaced by the distinction between those who are responsible for the practice of illegitimate violence and those who are not. Terror against the latter and misuse of them as hostages, etc. is therefore despicable. For both distinctions there is a large grey area in the middle. In the distinction suggested here it has to do with, among others, those who claim freedom from responsibility because they were acting under orders from their superiors. Just terror must always take place in respect of the fact that one's adversaries are human beings with a right to a life of quality. It must therefore aim at restraining or neutralizing those as responsible for — or as practising — violence, not to harm them beyond this.

Finally, terror can only be justified if its acts are without side-effects, or these can be kept within defensible limits. This is very much a question of taking care, of choosing the right goals and times, etc.

To sum up: terrorism can only be justified if it is used against a form of power that uses brute, illegitimate violence; if the situation ex-

cludes all other possibilities for action (they have either been tried before or are clearly suicidal); if it is only directed against those who are responsible for the practice of illegitimate violence; if its sole aim is to neutralize those people as practisers of violence and not to harm them further; and if one has taken precautions against unwanted side-effects or has seen to it that these are at any rate kept within restricted limits. In short: terrorism can be justified as the *absolutely last* weapon of the oppressed.

These are just a few general guidelines. They can only be applied when a considerable amount of discretion has been brought into play. The fate of the Palestinians, the struggle of the IRA, the so-called trial and execution of Elena and Nicolau Ceausescu illustrate in various ways the complications.

Presented by J. Rebane

Received
November 6, 1991

Niels THOMASSEN

SUHTLUSEETIKA

Suhtluseetika kontseptsioon põhineb Hegeli, Gadameri, Sartre'i ja Løgstrupi ideedel. Inimene pole abstraktne indiviid, tema elu on alati seotud teiste inimestega. See seos väljendub suhtluses, mis hõlmab inimtegevuse eritasandilisi alasisid — toidu valmistamisest õigluse uurimiseni. Suhtlus on praktiliselt alati esemeliselt vahendatud ja korrastab inimestevahelisi võimuvahetusi. Suhtluses osalevad mitmesugused võimuvormid: indiviidide omavaheline võim, indiviididest kõrgemal seisev võim, üksikisiku ülisuur võim teiste üle ja ajaloo võim (inimese tegevus on talletatud ajaloo jätkamine). Suhtluses esineb alatasa konflikte, need kajastavad asjaolu, et võimusuhted on ebaõigesti korraldatud.

Eetika ülesanne on aidata korraldada võimusuhteid tsiviliseeritud viisil. Peamine eetilise nõue on, et keegi ei realiseeriks ennast teisi kahjustades. Eetika seisukohalt on kuri (kurjus) teistele inimestele tekitatud õnnetus, mis on ebaõiglane ja mida saanuks vältida. Ometi ei ole nõue soodustada head ja vältida kurja midagi enamast kui vaga soov seni, kuni puuduvad vajalikud inimressursid. On tarvis, et inimene oleks suuteline teisi armastama ja et ta tunneks ka teiste heatahtlikku suhtumist endasse. Ühtekuuluvuse ja solidaarsuse kui eetiliste tundmuste vajaduse toonitamist on möödunud sajandist alates ekslikult samastatud romantilise sentimentaalsusega ning sellele vastandatud moto: objektiivsus on kõik. Tegelikult aga ei suuda inimene ilma soojade tundmusteta ialgi õppida ennast teiste inimestega identifitseerima.

Võimusuhetes on tähtsal kohal ka vihkamise, vägivalda ja terrorismi küsimus. Terror ülaltpoolt on niisama vana kui despotlikud valitsejad. Terror allpoolt kui organiseeritud mässajate vägivald kehtiva režiimi vastu tekkis juba Palestiinas 1. sajandil p. Kr., levis möödunud sajandil «nihilistide» tegevuse kaudu Venemaal ja on nüüdisaja suurimaid nuhtlusi. Eetika seisukohalt on terrorism üldjuhul taunitav. Terrorismi võib õigustada ainult siis, kui see on suunatud jõhkralt, ebaõiglast vägivalda kasutava võimu vastu ja kui olukord välistab muud tegutsemisviisid.

ЭТИКА ОБЩЕНИЯ

Концепция этики общения базируется на идеях Гегеля, Гадамера, Сартра, Лэгст-рупа. Человек — не абстрактный индивид, его жизнь всегда связана с другими людьми. Эта связь осуществляется через общение с окружающими. Процессы общения охватывают разнопорядковые области человеческой деятельности — от приготовления пищи до изучения проблем справедливости. Общение практически всегда опредмечено и регулирует межчеловеческие отношения власти. В общении могут иметь место различные формы власти: межличностная, надличностная, огромная власть одного человека над другим, власть истории (деятельность людей — это продолжение накопленного в ходе истории). В общении постоянно возникают конфликты, отражая то обстоятельство, что отношения власти отрегулированы неправильно.

Задача этики — помочь налаживанию отношений власти цивилизованным образом. Основной этический принцип: недопустимость нанесения ущерба другим людям во имя реализации собственных интересов. В этическом смысле, зло — это причиненное другим людям несчастье, которое несправедливо и которого можно было бы избежать. Однако если нет необходимых человеческих ресурсов, требование содействовать добру и воспрепятствовать злу останется лишь благим пожеланием. Необходимо, чтобы человек был способен любить себе подобного и чтобы он также чувствовал доброжелательное к себе отношение окружающих. Точка зрения, что этические чувства человеческой общности и солидарности имеют огромное значение, во многих случаях, начиная с прошлого века, ошибочно отождествлялась с романтической сентиментальностью и ей противопоставлялся принцип: объективность — это все. На деле же человек, лишенный теплых чувств, не способен научиться идентифицировать себя с другими людьми.

В системе отношений власти важное место занимают ненависть, насилие и терроризм. Террор сверху — явление столь же древнее, как и деспотичные правители. Террор снизу, как организованное насилие против существующего режима, возник еще в первом веке нашей эры в Палестине, распространился в прошлом веке через деятельность «нигилистов» в России и стал истинным бедствием современности. В этическом смысле, террор, как правило, достоин осуждения; террор может быть оправдан лишь в том случае, если он направлен против такой власти, которая сама несправедливо творит произвол и насилие, и если другие средства борьбы с ней исчерпаны или невозможны.