Chapter 1

Ontology of Ethics

Ethics today should be radical. In ethics proper, we need a radical global ethics of humanity. In media ethics, we need a radical global, integrated ethics of responsible practice.

But what is "radical"?

The first entry for "radical" in *The New Shorter Oxford English Dictionary* (1993) says the word means "going to the root or origin… affecting what is fundamental; far-reaching; thorough."

This is the sense of radical that informs this book. My radicalness is philosophical.

My radicalness seeks reform of fundamental ideas. Reform requires intellectual boldness and moral imagination: boldness to challenge outdated, yet cherished, ideas and imagination to invent new ideas. To be philosophically radical is to alter the structure of our thinking.

In media ethics, fundamental ideas such as responsible publishing and impartiality are like reinforcing rods that run through the structure, providing support for more specific values. Reform of fundamental ideas has a far-reaching impact.

I start, therefore, with meta-ethics. Why? Because meta-ethical beliefs color how we approach ethical questions. If I believe that ethics is God's absolute commandments for mankind, I may demand that society require all citizens to keep the commandments. Similarly, if I think ethics is a contemptuous attempt by the weak to restrain the strong, I feel justified in pursuing my interests at the expense of others. The need for meta-ethics is especially clear when we try to think in a new way about ethics. No radical media ethics is possible without radical meta-ethical thinking.

I proceed in this chapter as follows: In the first half of the chapter, I introduce my social ontology of ethics. That examines the mode of existence of ethics as a social activity for the regulation of conduct. I trace the origins of this activity to human nature, the intentional powers of the mind, and the evolution of human society and institutions. Ethics is not unique in this normative practice. Rather it is part of a distinctive human-dependent social reality whose objects, activities, and functions cannot be reduced to physical or biological properties.

In Chapter 2, I use this ontology to outline the psychology and epistemology of the practice of ethics – how it proceeds by way of holistic conceptual schemes and interpretations. In Chapter 3, I state the implications for ethics that flow from the two chapters. The result is a meta-ethical perspective on the nature of ethics as social, human-dependent, and interpretive.

Naturalist Ontology

What is ethics?

Ethics is the study and practice of what constitutes the best regulation of human conduct, individually and socially. Humans apply their notions of ethics by acting according to principles, norms, and aims. Ethics is the activity of constructing, critiquing, and enforcing norms, principles, and aims to guide individual and social conduct. The phrase "the best regulation" indicates a zone of critical and ever-evolving thought about the notions and norms of ethics. Existing norms may be inadequate, or even unethical.

Ethics takes all of life as its subject matter. Almost any form of conduct can fall under its critical gaze. Ethics applies to the conduct of individuals, groups, institutions, professions, and countries. Ethics asks how we, as persons and as a society (or species), ought to live. What are the primary goods that we should seek so people enjoy flourishing lives? How should we live together, so that our pursuit of those goods is just, dutiful, and respectful of others? How do we develop people of moral character who do what is right and serve the common good? The good, the right, and the virtuous: these are the three great, intertwined themes of ethics. Ethics, therefore, has three concerns: Appropriate ethical beliefs, correct application, and the disposition to act ethically. Ethics is about the most serious normative aspects of our existence: the most important goods in life, our basic rights and duties, our roles and how we carry out our responsibilities, and the pursuit of virtue. Ethics demands that we live in goodness and in right relation with each other. Ethics may require us to forgo personal benefits, to carry out duties, or to endure persecution.

Ethics is both individualistic and social. It is individualistic because individuals are asked to make certain norms and values part of their character. It is social because ethics is not about every person formulating their own rules of behavior. Correct conduct is honoring rules of fair social interaction – rules that apply to humans in general or to all members of a group. We experience ethics internally as the tug of conscience. We experience ethics externally as the demands placed upon us by codes of ethics, backed by social sanction. Psychologically, one learns ethics as a set of responses shaped by social enculturation and the ethical "climate" of society. My ethical capacities are nurtured and exercised within groups. Also, ethics requires that I adopt a social perspective that looks to the common good and transcends selfish individualism. Ethically speaking, "How ought I to live?" cannot be asked in isolation from the question, "How ought we to live?"

Ethics is practical. Ethics is an activity, a process, and a dynamic practice. It is something we do. We do ethics when we weigh values to make a decision. We do ethics when we modify practices in light of new technology. It may be convenient, but also potentially misleading, to talk about ethics as an object, the way we talk about our automobiles. Society and ethics is an evolving set of social interactions and processes,

not a "thing." Ethics is always situated in, yet transcendent of, a context. Reflection on ethics is carried out by fallible humans embedded in historical eras and in distinct cultures. Situated inquirers also scrutinize their beliefs. All societies, no matter how rigid or traditional, face the future. They cannot avoid struggling with new problems and new ethical questions. Both the cultures and their denizens are ever evolving, ever confronting new challenges. Ethics is not a static set of rules. Ethics is a natural and inescapable human activity. It is the attempt by individuals and societies to respond to quandaries created by changing conditions, unexpected issues, and new ways of thinking and acting.

Ethics at its best is reflective engagement with the urgent problems of the day, in light of where we have been and where we hope to be tomorrow. The questions are created by new technology and media, the progress of science, cultural and social trends, and the redefining of the planet's geo-political and environmental climate. In today's world there is no shortage of urgent normative questions. We live in a global world shaped by dramatic changes in technology and media, a world of vast inequalities in wealth and power, a world threatened by conflict and emerging technologies for war. Ethics is reflective engagement with questions that range from what developed nations ought to do to reduce global poverty to how media technology should be used to protect human rights. Engagement involves the reinterpretation of norms, the invention of principles, and the development of new and responsible practices.

Reflective engagement can occur in any area of society. For example, developments in genetic knowledge call for new ethical thinking in the sciences of life. Is it morally permissible to use genetic knowledge to "design" babies, or to force citizens to be tested for genes linked to debilitating diseases? In recent times, our concern about the impact of human activity on nature and on non-human forms of life has prompted the development of environmental ethics and the ethics of animal welfare.

Ethics starts from the lived experience of ethical doubt and plurality of values, and then seeks integration and theoretical understanding. Ethical theorizing can be divided into two types, meta-ethics (or philosophical ethics) and applied ethics (see Ward 2011, 7–51). Meta-ethics asks three big questions about the nature of ethics: What are we

saying when we make an ethical claim? How do we know that what we say is justified? Why does ethics exist in the first place? There are plenty of ethical theories, from descriptivism and intuitionism to realism and relativism. Applied ethics, on the other hand, asks not what we mean by ethical concepts like good or right but what *is* good or right, and how to do what is good or right in certain situations. Examples of approaches to applied ethics are consequential theories of the good, deontological theories of the right, and theories of virtue.

In applied ethics, moral norms are often codified. Principles of ethics, such as "Help others in need" and "Live a life of non-violence and peace" are brought together to form moral systems, such as utilitarian ethics and Buddhist ethics. The Bible's Ten Commandments is one such code. In addition, there are codes of increasing specificity for doctors, lawyers, and journalists. As a set of principles, "ethics" can refer to something singular or multiple. We can understand "ethics" as the proper name for a single ethical system. One may believe that there is only one set of correct principles and that is what ethics is. Or, we can think of "ethics" as a general term that refers to many ethical systems. "Ethics" as a general term resembles "language," which refers to many language systems. I prefer to use "ethics" in this plural sense, reserving "ethic" for a single set of principles.

If ethics is a dynamic activity, ethics is not a set of rules to be followed blindly or defended dogmatically. In many cases, there will be legitimate debate as to whether and how rules should apply. Even principles we hold dear may have to be reinterpreted in light of new developments. For example, how should we apply the principle of respect for life to the issue of how long to keep a dying person alive through new technology? Moreover, the boundaries of ethics shift. In our time, ethics has come to include such issues as animal welfare, protecting the environment, and the rights of gay couples. Ethics is not just the disposition to adhere to rules but also the disposition to critique and improve our rules. The difference between living one's ethics and following mores is that the former rejects the sheer acceptance of rules and conventions. Ethics requires that we follow rules that we have examined critically.

Taken as a whole, ethics is the never-completed human project of inventing, applying, and critiquing the principles that guide interaction, define social roles, and justify institutional structures. Ethical deliberation

is *critical normative reason in social practice* – the construction of fair ethical frameworks for society.

Naturalism

A meta-ethics needs an ontology. Ontology is the study of what exists and how it exists. Is everything material? Do things exist external to my mind, and how do they exist? What types of things exist, e.g., do abstract entities like numbers exist? How does one part of reality, e.g., our thoughts, relate to other parts of reality, such as sub-atomic particles? Is the mind the brain?

Applied to ethics, ontology asks about the mode of existence of the ethical sphere of society – the activity of conduct regulation described above. How did the ethical domain arise in the evolution of society? Do values and norms actually exist in the world apart from our minds? What must exist in the world for an ethical judgment to be true or correct? How do our ethical conceptions fit with a scientific conception of the world?

A full ontology of ethics needs to explain three things – practice, language, and reference – and their place in our overall worldview.

Level of practice: First we locate ethics as normative conduct regulation, and assess, ontologically, this aspect of our social reality. How is this ethical sphere related to other normative domains, to society, and to the natural world?

Level of language and assertion: Given this view of practice, we assess the ontology of ethical language in terms of judgments, assertions, and claims. Is ethical language descriptive, potentially fact-stating, and true? Or, is it non-descriptive, and therefore a language that prescribes, not describes, what should be done, and is potentially correct or reasonable?

Level of reference: Do ethical terms and statements refer to objectively existing things in the world, e.g., moral facts? What must exist to account for ethical language?

Preferably, the direction of inquiry proceeds from (a) to (b) to (c). If we begin with level (c) and inquire into specific ethical terms, such as "right" or "duty," we fail to see how these terms work together, and we fail to place the use of such terms against the background of ethical practice in society. It is this social functioning that gives sense to the use

of individual ethical terms. An advantage of starting with (a) is that ethics as social provides us with a public and objective phenomenon to study – public conduct and public norms.

The question now is: What ontology best fits ethics as a social process? I believe the best ontology is naturalistic and evolutionary in approach.[1]

To construct an ontology of ethics we must presume, as background, some view about the world. Naturalism requires the ontology of ethics to be based on our leading and most plausible natural theories about the world – theories about nature, life, and society. The ontologies of such theories, e.g., what physics says exists in the world, should support and mesh with a naturalistic ontology of ethics. What are the leading and most plausible theories about the world?

They are a cluster of *large* understandings that define a naturalistic, scientific view of the world. I am not thinking about specific theories, such as the latest theory about the creation of stars. I am thinking about the overall view of the world as it arises from non-metaphysical, naturalistic inquiry. What are these understandings? First, that nature is physical. It is composed of non-purposeful, non-conscious forces and sub-atomic particles. In some manner, the universe evolved physically from a Big Bang (or some other originating moment) and, in time, the process created our planet, as one among many in an expanding universe. Second, that life and all biological species on Earth evolved through some form of Darwinian selective process, without the intervention of some transcendent deity or prior design. Third, that society arose from the evolution of the human species, a species that is biologically similar to other species, especially primates. Yet evolution also gave humans distinctive capacities such as consciousness, intentionality, rationality, and language, plus the ability to use such capacities to create distinct societies.

The natural and biological sciences (including neuroscience) provide the facts for a theory of the evolution of society and ethics. Like Russian dolls, the ontologies of these theories – natural science, biology, human society, and ethics – should fit inside each other.

Moreover, naturalistic explanations of ethics should be (a) historical, (b) contemporary, and (c) futuristic. By historical, I mean an account of how humans constructed society and then ethics as a normative

domain. By contemporary, I mean that it explains how ethics is practiced today, and how it relates to other normative domains. By futuristic, I mean that the account must be able to explain how ethics changes and is always future-orientated.

While these theory requirements are broad, they do constrain the construction of ethical ontology. One restraint is the rejection of an ontological dualism of mind and body, as found in Descartes. It also rejects the use of spiritual or metaphysical entities to construct explanations. We should avoid postulating different realities – mental, physical, social, and normative. As Searle insists (2010, 3–4), we need to explain how we move, live, talk, think, and ethically evaluate all in *one* world, a world that includes quarks and cocktail parties. Also, a naturalistic ontology has to find the "sources of normativity" – the compelling nature of duties and norms – in some naturalistic feature of human beings and society. It precludes, for instance, a religious theory of the authority of norms, as commandments from a deity.

The great question

The ontology of society and ethics is wrestling with profound questions about the place of humans in a natural world.

Since the emergence of modern times, and now in post-modern times, a deep question has haunted us, as a species. How is it possible for consciousness, social purposes, and normative ethics to exist in a physical universe that has no mental and normative properties – a universe explained by physics and chemistry? Searle (2010, ix) put the fundamental questions this way:

> How can we give an account of ourselves, with our peculiar human traits – as mindful, rational, speech-act performing, free-will having, social, political human beings – in a world that we know independently consists of mindless, meaningless, physical particles? How can we account for our social and mental existence in a realm of brute physical facts?[2]

Psalm 8 of the Bible wonders: What is man that thou art mindful of him?[3] Today, we ask a different question: What are humans that they are mindful of themselves in a mindless world? I concur with Searle

(2010, 3–4) that this question is the "fundamental question in contemporary philosophy," even if many philosophers fail to address it directly.

Some people believe that, in a post-modern world, it is implausible to find the source of normativity in God, who may not exist, or in nature, since nature lacks norms or purpose. As Larmore (2008, 223–224) has noted, this view has encouraged theories of ethics that see the source of norms, values, and purposes in the operations of the human mind. Norms are human creations and, as such, are inherently subjective phenomena; they are not literally part of an independently existing physical world.

Enabling Conditions

Given a naturalistic approach, what are the enabling conditions for the existence of ethics? The main conditions are: (1) existence of humans with an impulse to pursue what ought to be; (2) existence of human minds with collective intentionality; (3) existence of a distinctive social reality that combines social and institutional properties that do not reduce to physical properties, and are created through recognition and agreement; (4) existence of formal social systems for coordinating types of conduct, through the recognition of roles, powers, and functions; (5) existence, as part of (4), of normative domains created to articulate and monitor the honoring of certain types of norms, such as the domains of law and ethics.

Let's examine each of these conditions in turn.

Existential sources

The source of all ethics is neither critical philosophical reason nor social traditions. It is the human condition; the conditions of our existence.

The human condition is the intersection of human nature, the state of the world, and the social context in which we live. Human nature contributes the fundamental capacities that are essential (and common) to life and within the range of all humans.[4] It includes the basic physical, biological, and mental features of the human species, including essential needs. Human nature is distinctive in never being a settled fact. Humans

have a yet-to-be-completed nature that is always seeking development both organically, mentally, and ethically. The distinctive forms of human consciousness, language and society, create normative impulses about what ought to be, impulses which are foreign to other species. That is one reason we can talk about a human condition, apart from the "given" condition of tigers or ants.

The motivation for doing ethics arises from the peculiarities of our existence as conscious, social, language-wielding creatures. Ethics is an inescapable expression of being human. No amount of skepticism about the objectivity of ethical rules, or cynicism about morality, will eradicate the ethical impulse.

What is that impulse?[5]

I begin with an assertion that sounds paradoxical: We are factual creatures but we don't live in a world of facts. To be a factual creature is to exist as a material, biological entity. We exist. We eat, digest, desire, feel, think, talk, move about, cooperate with others, and sleep. Your existence is a fact; you are an item in the physical world. You can be a datum in statistical surveys of the population; your body can be studied scientifically like any other physical object. As a matter of fact, we have a body that is the result of centuries of evolution of nature and species. As a matter of fact, we occupy a certain location in a certain culture.

This is the factual substratum for all we do.

However, humans are more than facts. Usually, people think that "more" refers to human consciousness and the life of the mind. That is part of what "more" means, but there are other considerations. Principally, we live in a *hybrid world* of facts and values, a social world where fact and value are intertwined. Only later do we separate fact and value, and wonder about their relationship; only later do we call values "subjective."

How is this possible? It has to do with the nature of our consciousness and our agency.

We are aware of the world's existence and how things usually go, but we are also aware of how things might go, or go better. The human world is shot through with strivings and yearnings that go beyond what is; with criticisms, disappointments, and dissatisfactions with what is; with goals and reform of what is; with utopian dreams beyond what might ever be.

Also, we are practical agents who must act, individually and in groups. We have interests to pursue. For every fact and earthly condition we encounter, we feel compelled to change it, to transform what exists, to create artifacts and technology, to develop non-natural environments. To act means we choose ends and means. This prompts us to judge, compare, assess, affirm, and evaluate what is. We propose how what is could be better. The essential category of the human condition is not thought but action. Action is a doing that incorporates a sense of who one is and how things stand with oneself and the world. Humans are called into action and into valued ways of living by a self-reflective agency. We ask "What am I doing?" which is intimately linked to the "anthropological" question which Augustine was apparently one of the first to ask explicitly. He asks, "Who am I?" and distinguishes it from "What am I?"[6]

Therefore, we wonder, at least at times, what to make of this existence, if anything. We wonder what sort of person we should be, what desires we should have, what type of character and virtues we should develop. From a factual life in a factual world, humans envisage the normative counterfactual – what might be, what ought to be for myself and others. All of these activities are future-orientated because we are a species for whom, as Heidegger said (1962, 1, 68) our existence is a "possibility" and time is the "horizon" for any understanding of being.

Harry Frankfurt provides a description of how ethics grew from this development of a consciousness that could assess current conditions and desires. Evolution created a space between reaction and action by developing in humans the ability to think, to interpret, to intend, to reason, to engage in symbolic thinking, and to evaluate our emotions and desires. These capacities allowed humans to take themselves seriously by not responding unreflectively to desires and by not simply following existing norms. Evolution has given our species the ability to question and restrain the onslaught of restless desires and to sort out conflicts among values. Ethics is possible because we can reflect on desires and values and seek to integrate them into a good life, dominated by a conception of who we should be. With regard to living, Frankfurt (2006, 45) says, we want to "get it right." How is it possible for us to take ourselves seriously? It is "our peculiar knack of separating from the immediate content and flow of our consciousness and introducing

a sort of division within our minds." In addition to the level of immediate content, we have an "inward-directed monitoring oversight" which enables us to focus on ourselves. This self-objectification allows us to form higher-order responses to our experiencing. We may like the person we are, or want to change it. We come to value things; care about things.

Ethics is a way of saying what we should make of ourselves, and how we should live. Ethics is needed because there is always a gap between what is and what we think ought to be.

Metaphysical fools

Human life would be difficult enough if our ethical task was to develop a consistent set of goals and values for ourselves, as individuals. If this were so, we could imagine society as consisting of individuals on separate normative trajectories. They would be individuals free to pursue their values in splendid isolation. But life is more complex than that, and so is our encounter with what might be. Our personal values and goals conflict. As complex creatures, humans are torn between their different desires and attachments. We occupy many roles and incur many duties. Inevitably, conflict arises as I try to follow a coherent plan of life. How do my duties as a parent line up with my career ambitions? How do I balance my desire to help the poor with a desire to retire to my garret to paint my masterpiece? To make matters worse, we feel the inadequacy of our current beliefs, such as when our norms lead to troubling consequences. For instance, we question the value of patriotism when it leads to extreme nationalism. Also, the impulse to be better conflicts with our desire for sex, power, and domination, among our many passions. Moreover, the schemes for evaluating actions and values are plural. We balance moral, aesthetic, and legal views.

The same conflict is writ large on the level of society – in our relationships with family, friends, colleagues, and citizens. Not only does my trajectory come into tension with your trajectory but also a host of moral systems contend for the status of "most consistent and reasonable" view of how society should greet the future. We disagree about the rules of conduct and the ends they pursue.

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Torn by conflict, we feel a lack in our existence, a losing of control, an insufficient degree of unity in life. What to make of our factual existence is never a simple question. Consequently, the impulse to rise above factual existence is weakened by the fragmentation of our judging and valuing. The fragmentation cannot be ignored because it affects practical judgments about what to do.

What is, is never enough.

Life rarely fulfills all of our desires or wishes; and it is rare when we feel completely at rest with ourselves ethically, admiring oneself as a fully virtuous person. We know that "what is, is never enough" is true, existentially, even if we have given up on hopes to improve ourselves or the world. We know it is true even if we have become cynics of life, or just tired of life's pain, unfairness, drudgery, and death. One response to fragmentation is integration. We attempt to integrate this unruly crew of demanding values, even if integration only amounts to ruling out some values and finding a partial ranking of remaining values.

However, at this point we need to ask tough questions: Are we assuming that all people *want* to pursue high values and goals? That all seek integration? What if some humans say "nay" to the pursuit of perfection or even simple improvement, ethically? This question points to a primordial fact about moral psychology: humans must choose between affirming or denying the value of life and its ethical development.[7] Humans, subconsciously or consciously, affirm or deny that they care about making something out of their factual existence. Do we affirm life, in all of its dimensions, or do we say "nay" to it? Humans express a verdict on this choice through their actions, even if they never explicitly think about the choice in this manner.

Denial can take many forms. Instead of affirming life, we could remain neutral to the passing show. We live as others live. Severely depressed or lacking resources, one may simply go along with life day to day. We try to exist as a matter of fact, avoiding entanglement with strivings and ideals which disturb one's calmness.

One may seek distraction from reminders of what one ought to be by burying oneself in office work or by living a life of transitory pleasures, as well described by Kierkegaard (1959). Some people silence the normative voices inside with drugs. The need for silencing only points to the power of normative impulses that come with being conscious,

rational, and social. Consciousness can be a burden, as it eats away at our cunning and our places of refuge.

Although the need to affirm life lies below the surface of our daily lives, it can come to the fore when people suffer a traumatic experience, such as the death of a spouse. The event robs them of the ability to care deeply about their life, their future. Yet, even if we have become lost souls, lacking a home and a meaning, there usually remains a small speck in us that longs for meaning, for something better than what is.

Some modern philosophers have urged humans to continue to seek meaning in a world where God may not exist. Albert Camus, in *The Myth of Sisyphus*, says that in a world where God may not exist, we are "condemned" to death. We feel the tension between the human need for meaning and "the unreasonable silence of the world." Nonetheless, we must seek meaning, passionately, in an "absurd" world where humans are aliens. We aim to live and to create, in the very midst of the desert (2000, xxi). Camus wants affirmation without metaphysical guarantees.

Others portray this affirmation more positively as a matter of becoming more human. This view owes much to Plato's idea that humans exist as a "becoming" somewhere between being full real and being unreal. Jean Vanier's book, *Becoming Human*, describes a process of becoming, a liberation of the human heart from the "tentacles of chaos and loneliness" resulting in an openness to others and a discovery of our "common humanity" (1998, 6–7).

Humans are metaphysical fools. They keep hoping, against evidence and the odds, that the world can, and should, become better.

Collective intentionality

The human impulse to live in a hybrid world usually occurs in society. But ethics does not exist in all types of society, e.g., a society of ants. The second enabling condition is that humans have a mind of a special kind. It is obvious that ethics cannot exist without minds. Mentality is necessary because ethics is about the conscious choice of actions guided by beliefs. But not just any kind of mind will do. Ethics needs a mind that is self-conscious and has intentionality – the ability to direct its attention to the world through beliefs, desires, and perceptions.

Moreover, ethics (and society) needs minds that are capable of "collective intentionality" (Searle, 2010, 42). Collective intentionality is the ability for minds to share attitudes and goals, and to agree that people and things have certain social roles and functions.[8] Collective intentionality makes possible intentional, collaborative action – the type of actions that define society.

Examples of conduct based on collective intentionality include rowing a boat together, pushing a car to a gas station, or playing trumpet in a jazz band. What is crucial is a sense of collectivity, a sense of doing something together. You and I play on the same hockey team. I am the goaltender, and you play on defense. As a player from another team approaches *our* goal, you intend to challenge the player to force him to settle for a weak shot on goal; I intend to move out to the limits of my crease to reduce the angle and prepare to stop the shot. We engage in a collective intentionality for the purpose of preventing a goal and, ultimately, winning the game.

Ontologically, collective behavior must emerge from the individual minds of people. There are no free-floating "intentions to associate" apart from what intentions exist in individual minds. Yet we also need more than each human's mind having its own intentionality. We need each mind to be capable of sharing a collective intentionality that exists in other minds. We need to be capable of acting according to shared aims, desires, and beliefs. Later we will see that this collective intentionality also makes possible something crucial to ethics – a collective recognition of certain roles and functions.

Distinctive social reality

Collective intentionality makes possible a distinctive social reality among humans. This social reality provides the structures needed for ethics to emerge as a domain of norm-governed conduct.

But what is society? For my purposes, I need only a simple conception of society. Sociologists can provide more elaborate conceptions.

Society is a group of individuals who interact and come into relation to achieve common needs and goals. They share resources and create political, educational, and legal systems to meet goals and to govern the interactions of members. This coexistence makes possible goods

and services that would not exist if everyone was an isolated individual. Bees work together to maintain a hive. Families of elephants take care of each other.

Robinson Crusoe on his island is *not* a social world. Nor are random and temporary collections of people in the same space, even if each is pursuing a similar end. Airplane travelers and casino gamblers are not societies even if each person in the group shares the goal of getting to one's destination or hitting the jackpot. They lack the right internal relations among themselves. The members of society enter into relations that are collective and cooperative. They share common goals, whose achievement requires their cooperation. This cooperation for mutual benefit *creates* a social reality, as opposed to a physical reality or a biological reality.

Societies also display an internal complexity, whereby people and activities are organized into social structures. The structures include simple, informal, and often local social activities such as cocktail parties, football games, academic conferences, playing bingo at the Legion, dancing at the Ritz, and forming a movie club in your condo association. All of these activities have rules and etiquette for appropriate conduct.

An important social structure is formal and society-wide institutions and practices based on explicit and rigid norms, laws, and authorized processes. Institutions and public offices are established and recognized by the state or government, e.g., the education system, the tax system, the office of the public prosecutor. Societies of any complexity orchestrate, coordinate, and regulate the conduct of their members by establishing these mediating systems for fair and legal collaboration, from legislatures and the courts to the institutions of marriage, private property, and the limited liability corporation. Also, the institutions and practices may be private, e.g., news media and the profession of medicine.

These institutions shape social interactions; they normatively define correct conduct and require appropriate and necessary procedures. They recognize and authorize what counts as a valid transaction, such as applying for a passport. These institutions are constructed around hierarchies of officials overseeing multi-stage processes. Officials are assigned certain roles and powers that are justified by the functions served by the institution, as endorsed by citizens.

In many cases, social activities and institutional structures go together to make possible what appear to be simple social events. Take, for example, Searle's description (1995, 3) of the "invisible" ontology of a routine social event – ordering food at a cafe in Paris. The waiter comes and I utter a fragment of a French sentence. I say, "Un demi, Munich, s'il vous plait." The waiter brings the beer and I drink it. I leave money on the table and leave.

Note that the activity depends on the prior recognition of social roles, such as "waiter" and "customer." Each role has a certain social status and function, and having that role implies certain rights, permissions, obligations. The roles also define appropriate conduct. I, as a customer, have a right to be served but I also have an obligation to pay for the service. Who is a legitimate customer is a matter of social recognition and regulation. For example, the waiter chases away street people who want to sit in his cafe without buying anything. Moreover, the "simple" serving of beer is made possible by institutions, such as ownership of a business, in this case ownership of a cafe. Ownership implies the existence of the institution of private property in France. The production of the beer I selected is regulated by quality laws and, by law, all cafes must list all of their beers. I only have to pay the listed price. The money I left on the table presumes the institution of money – the recognition of certain things as counting as French money, and a monetary system of financial transactions, not a system of barter. Finally, I am able to sit and order beer only because, in the first place, I am a citizen of Canada with a valid passport and have entered France legally.

A similar analysis could be provided for countless "simple" social activities, from attending a rock concert to participating in graduation ceremonies at a university.

From an ontological (and ethical) perspective, the interesting questions are *how* do such social roles, functions, and institutions come to exist, and what is the source of their normativity? How can such social properties as "x is a waiter" and "this paper counts as money for beer" come into existence to form social reality?

The answer is collective intentionality. We collectively recognize that people and objects can occupy certain roles to perform various functions. We collectively agree, implicitly or explicitly, that certain things can have certain social properties, e.g., something counts as

money given the observance of certain rules governed by social struc-tures. Humans literally create social reality and impose meanings, functions, and norms on things. We create social reality by agreement, recognition, and imposition, rather than by discovering pre-existing social properties and structures in nature. Collective intentionality is the key to the invention of social reality and its normative dimension.

Searle (2010, 7) calls this human capacity to create social properties the assignment of "status functions" to people, processes, and things. It is "the distinctive feature of human social reality." We assign status functions to certain people or things, e.g., *x* is Prime Minister of Canada. The form of attribution is always: "X counts as Y in context C," as in "John counts as a police officer in Canada," or "saying 'I do' counts as agreeing to be married in the context of a duly authorized agent," or "placing a marked ballot into a box counts as voting in an election." The assignment of status carries with it functions and norms, rights and responsibilities. The assignment of status functions goes beyond the familiar attribution of functions to objects based on their physical features, e.g., this is a screwdriver, or this log would be a good place to sit during our beach party. When we impose status functions we impose functions on objects that the objects cannot perform solely in virtue of their physical structure.

Let's consider a few more examples of social invention. We create the institution of policing when we collectively recognize that some people have the status of police officer for the purpose of carrying out certain social functions such as keeping the peace. The assignment of the status function of police officer has three normative components: (a) it provides a means for evaluating how anyone is fulfilling the role or function; (b) its gives powers to the role. Police officers have the power to determine how people ought to act in situations, according to the norms of law; (c) it implies that the role exists because it serves some recognized and valued public function, such as maintaining security.

Why are status functions important for society and ethics? We have already indicated the answer. Status functions carry with them rights, duties, obligations, permissions, authorizations, and entitlements. They act as a sort of normative glue that keeps our society together. Status functions give us reasons for acting that are independent of our inclina-tions and desires. If I recognize objects as your private property – that

is, I recognize the institution of private property – then I am under an obligation not to steal them. I can steal from you and still recognize your right not to have your possessions stolen.

The attribution of a status function is part of a web of status functions and institutions. Ontologically, it is an elaborate creation and reiteration of human intentionality and agreement. Any one status function will rub up against other status functions. The police officer interacts with judges, prosecutors, court officials, and citizens.

Examples of status functions could be multiplied at will. Consider symbolic acts and recognitions. Imagine a tribe that recognizes a simple line of stones as marking the border of another tribe, even though there is nothing physical about the stones that amounts to a wall or barrier.[9] The stones have the social property of being a border because of mutual agreement. Or, consider the formal opening of a new session of the Canadian Parliament. It features the role (and status) of a Sergeant-in-Arms who knocks on the door of the Commons to ask permission to allow members of the Senate into the Commons to hear the Speaker of the Commons read the Speech from the Throne. The pomp and circumstance of the occasion, and the roles and functions played by the Sergeant, the Speaker, and the politicians, is a creation of the human mind in a social setting.

How humans are capable of such abstract (non-physical) attributions of role and function is a long story to be told by evolutionary and social psychology, by studies in symbolic thought and mental representation, and by other disciplines. What is important for an ontology of ethics is that the capacity *exists* and leads to norm-governed social conduct. Humans create another level of existence in the world – a social reality with its own ways of being, which are irreducible to the properties or laws of the natural sciences. From a purely physical evolution come the evolution of minds and then the evolution of society as a distinct layer of reality.

Normative domains

Every society must regulate the conduct of its members. Good behavior, reciprocity, altruism, and non-criminal conduct cannot be assumed of every citizen. The only question is how much regulation is necessary, what the norms are, and who exercises the powers of regulation.

We can think of society as having a normative sphere – the sum total of areas where behavior falls under norms, rules, and standards. Many values and norms are not ethical, such as the value of a good beer or norms for greeting someone in the street. There are norms of fashion, aesthetics, architecture, and law. Norm enforcement is diffuse and overlapping. One and the same person may receive ethical advice from their pastor, teacher, parents, and peers.

Most social systems and institutions, such as schools, have rules and other normative components because the systems exist to guide conduct and to validate, officially, that certain activities have been appropriately carried out. They determine whether people deserve a social status, e.g., are a graduate from college or have passed a driver's license test.

However, in addition to institutions that enforce norms of conduct, there are also institutions whose primary focus is monitoring whether people are following certain types of norms. These institutions oversee "normative domains." Etiquette is one normative domain, enforced by social conventions and social pressure. Ethics and law are two other notable domains. Etiquette consists of a plethora of rules for what is appropriate and inappropriate conduct in social settings, from playing host to visiting dignitaries and inviting someone to your marriage to observing certain niceties of eating when at a common table. Etiquette usually does not deal with rules as serious as law and ethics. Yet it has a function. It coordinates actions, letting people know what to do. Many violations of etiquette, such as using the wrong glass for wine at a formal dinner, are neither illegal nor unethical. However, extreme violations of etiquette, such as boorishness to a foreign visitor, can violate the ethical principle of respect for others.

The domains of law and ethics deal with the most important areas of conduct, i.e., actions that have serious implications for individuals and groups. The contents of ethics and law overlap. Murder is illegal and unethical. However, it not easy to clearly differentiate the domains. We can think of law as stipulating the bare minimum of what is required in a situation, backed by the state's coercive powers. For instance, the dentist must obtain, legally, your informed consent. Therefore, people talk of ethics as going beyond what the law requires. For example, it may be legally "safe" to publish an inaccurate, sensational portrait of a

politician. Libel action is not a significant threat. But we can go "beyond law" and ask if the publication would be an ethical act. Sometimes ethics is contrasted with, or put in opposition to, law. For instance, people say that laws can be unethical, such as the apartheid laws that once existed in South Africa.

Structurally, the norm governance of law is more concrete, formal, and harshly punitive since it is an expression of the state's coercive power over citizens. Law's normative domain consists of written laws and courts with the power to restrain, imprison, or fine. The domain of ethics is less structured.[10] It is taught in schools, preached from pulpits, advanced by professional associations, monitored within institutions by ethics committees, and informally enforced among citizens by the practices of praising and shaming.

In other works (Ward 2010, 2011), I have argued that there is no hard line between ethics and law, yet ethics has distinguishing features. In terms of content, its subject is, as noted above, foundational rights, duties, good, and virtues, which we reason about from an impartial perspective that is fair to all interested parties. Ethical reasoning goes beyond the selfish and prudential forms of reasoning. It considers the overall good. Also, I contend that ethical principles and notions are the most basic principles of society's normative sphere. Even the law, including constitutions, is grounded normatively in some ethical vision of the good society.

These criteria fail to establish a hard line between ethics and other normative domains. The distinctions are matters of degree, such as ethics being more fundamental than law. We should not expect hard and fast boundaries. Etiquette, prudence, law, and ethics all deal with regulating behavior. All speak of what ought to be done, in contrast to what is done. Consequently, there is overlap in language and among the rules. Human society only gradually distinguished these normative domains. Originally, to violate the commands of a tribal chief was socially repugnant, an ethical breach, and against the gods – all at the same time. Law only became a distinct area when societies built legal systems with their own rules, practices, and institutions.

The ontological basis for these normative domains is the same as the basis for the social structures previously examined. The norms of ethics and law are human inventions based on collective intentionality, status

function, and the social mechanism of agreement and recognition. These normative domains are part of a distinctive human social reality.

In summary, the enabling conditions for the existence of ethics are: the existence of an ethical impulse, collective intentionality, a distinct social reality based on status functions and agreement, formal social systems with normative components, and normative domains. Once all of this is in place, ethics as social phenomenon, and as we know it, exists.

But *what* sort of existence? We need to identify the ontological presumptions of the enabling conditions.

Ontological Features

Here, as a summary, are the central features of my ontology of ethics.

Ontological naturalism

Ethics is a natural and necessary human activity that governs conduct according to a society's notions of the good, the right, and the virtuous. It is an activity that constantly evolves. The manner of existence of ethics is the same as, and is no more mysterious than, the existence of humans, their minds, and their social activity. Ethics is a natural part of a natural world, even though its evolution may be distinctive and surprising. Ethics does not require a religious, spiritual, or metaphysical explanation.

Creation and invention

Ethics is a human creation. It is a response to normative problems and questions. Intentionality and collective intentionality play a large part in our ability to recognize and propose aims, values, and norms for the regulation of conduct.

Properties by agreement

The intentional nature of our minds and the collective nature of society allow humans to create social and ethical properties, as a distinct layer of reality, rather than discover social and ethical

properties existing independently in nature, apart from minds. Social contract theory (Ward 2005, 23–24) has long imagined how humans may have constructed a government so as to escape a state of nature, where no social order exists. However, here, we are not imagining the creation of government. We are imaging the creation of ethics. We apply the notions of recognition and agreement, previously political notions for setting up a state, to the ontology of society and ethics.

Non-reducible properties

Human society is a distinct layer of reality because types of social and ethical properties are not reducible to types of physical, chemical, or biological properties. The language of physics, chemistry, and biology cannot adequately capture the features of simple social events, such as buying beer in a Parisian cafe. There is no adequate physico-chemical description for the property of being a restaurant, a waiter, a sentence in French, money, or a screwdriver, even though all instances of restaurants, waiters, sentences in French, money, and screwdrivers are physical phenomena. In addition, social and ethical functions, like all functions, are properties that can be realized in indefinitely many physical ways. Mousetraps have many physical forms and realizations, as do social functions such as "was elected to office" and ethical functions such as "promotes human flourishing."

Being a judge, a waiter, or a piece of money is not due to the fact that judges, waiters, or pieces of money have some common physical or chemical feature. Someone counts as a legitimate customer, a waiter, a judge, a head of state, or certain things count as money, payment of a bill, and signaling that a goal has been scored, *only because* humans decide that it is so.

Ethical properties such as "is a duty" or "is good" are social properties similar to "is opening Parliament," "is money," and "is correctly driving." They are not reducible to physical properties. There is no adequate physico-chemical property that captures the feature "is a good police office" or "is a duty to perform."

Observer-relative features

Social and moral features are not intrinsic features. They are observer-relative features (Searle 1995, 9). Intrinsic features exist in nature independently of any minds, attitudes, opinions, or agreements. The (traditional) realist thinks we discover that objects have ethical properties the way we discover that natural objects have certain intrinsic, objectively existing, properties based directly on their physical natures, e.g., mass, shape, and material composition. As realists, we don't think that physical facts, such as the fact that hydrogen atoms have one electron, are imposed by humans. We don't think the physical mass of an object is determined by agreement. Natural objects have intrinsic, not observer-relative, properties. The facts about hydrogen and mass are "brute facts" (Searle 1995, 34–35). They are the facts upon which social and ethical facts are built.

Observer-relative features are features that exist because they are features for an observer, and their existence depends on human minds, attitudes, and agreements. Functions, such as being a screwdriver, or protecting the security of a community, are observer-relative properties since they only exist as functions *for* some human interest or purpose. This $20 bill in my wallet could not count as money if there was no institution for money and financial transactions. My sketch of the beach near my home could not count as a symbolic representation of the beach unless human consciousness existed, along with human practices for symbolic representation. Take away the human element and it is just a physical object, a brute fact. Similarly, things we find ethically valuable – aims, goals, functions, guiding principles – are only valuable for some human or human group. Ethics is not about using our theoretical reason to describe mind-independent objects, properties, or facts. It is about the use of our practical reason to make wise choices concerning which observer-relative values promote our social and ethical goals – goals which are also observer-relative.

Humans, in ascribing social and ethical properties, transcend the "realist" format for ascribing properties to objects.

Acts of valuing

In my view, all values are ontologically dependent on human acts of valuing. Values do not exist independently of human acts of valuing. There is no external and independently existing order of ethical values in nature. Values are experienced by humans, in and through purpose-driven activity. Values come into existence through acts of valuing and affirmation. Values, including ethical values, are an expression and recognition of valued objects, experiences, and projects. A world without human sentience would be a world without value.

Encounter, value, propose

We articulate and support certain values through a threefold process. We seek to make something of ourselves and our society. We encounter certain things, social roles, goals, and ways of acting to be of value to us and our normative counter-factual impulses. Some of these things will be naturally occurring things such as the goodness of food, or certain biological desires. Or, we will find value in aspects of human nature, such as our capacity to think and imagine. Other values will be social properties such as responsible media reporting, or judges acting impartially. Some of these valued things will be experienced as so basic and fundamental that we will call it a "basic value," such as the avoidance of violence and pain. We then propose these values to others, seeking collective recognition for the governance of conduct.

The fact that the thing being valued exists in nature or human nature does not mean that ethical properties are values existing in nature, independently of mind. Properties of things do not become ethical properties until they are recognized and affirmed by humans for some purpose.

"Ethics as proposal" holds even for bedrock moral intuitions, such as the value of human dignity, or for universals such as truth-telling. A universal value is not universal because it is an objective, independently existing value in nature. It is a universal because some person or group proposes it as a universal for their moral scheme. They claim the value is so fundamental that it should be accepted by everyone as a

principle for governing conduct. To say that x is a universal normative principle is a covert way of saying it should be a universal. It is to say that x is justified or normatively worthy of being affirmed as a universal principle in the conceptual scheme of group y, according to our best normative arguments.

Ontologically subjective facts

Is ethics objective or subjective? The question is too simple. We need to distinguish between two senses (Searle 1995, 7–9) of the objective-subjective distinction – the epistemic and the ontological.[11] The epistemic distinction has to do with the objectivity (or subjectivity) of types of claims and statements – how such statements are known to be true. Statements are epistemically subjective if their truth cannot be settled objectively by facts because their truth depends on human attitudes, emotions, or viewpoints, e.g., x is the most beautiful picture in the world. Statements are objective if they can be determined to be true or false by the facts of the world. They are true or false independently of anyone's attitudes or feelings. Corresponding to objectively true judgments are objective facts. The ontological sense applies the objective-subjective distinction to entities, and their modes of existence. Pains and colors are subjective because their existence depends on them being felt or seen by sentient creatures. Mountains and planets are ontologically objective because they exist independent of any observer or mental state.

The two senses of the distinction cover a range of statements. For example, we can make an epistemically subjective claim about an ontologically objective entity, e.g., Mount Everest is more beautiful than Mount Whitney." Or, we can make an epistemically objective claim about an ontologically subjective entity, e.g., "I now have a pain in my lower back." The claim reports an epistemically objective fact because it is made true by the existence of an actual fact that is not dependent on the opinions of observers. But pain itself has a subjective mode of existence.

Turning to ethics and society, observer-relative features do not add new material objects to the world but they add what Searle (1995, 10)

calls "epistemically objective features" to reality where the features exist relative to observers and users. We can state facts about these objects such as the fact that *x* is a screwdriver. It isn't just my opinion that *x* is a screwdriver; it is an "objectively ascertainable fact" (Searle 1995, 10). So ethics is ontologically subjective in origin but that does not mean that it is arbitrary or exists only in my mind.

We can talk about facts and objective claims *within* the ontologically subjective domain of ethics once the phenomena have been come into existence through human intentionality. The fact that an object has observer-relative features does not make it impossible to talk factually and objectively about such features. In the same way, we can talk about facts regarding passports and hockey once such ontologically subjective entities have come into existence through human agency.

Human-based realism

My ontology of value entails that my ethical naturalism is not a robust, traditional realism that regards the referents of ethical terms to be intrinsic properties of the universe. But I am not an anti-realist in the sense that I see ethical language as only a subjective expression of emotion or lacking any "cognitive meaning." I am a stolid traditional realist in general. I believe there exists a world that is independent of any human mind, and that truth is a matter of getting our beliefs to reflect how things exist in that world. But I embrace what might be called a "human-based realism" in the area of ethics. Here, we deal with objects and properties that exist because of humans, yet are as real as anything else in our social world. My realism in ethics wears a human face.

Ethical statements are avowals or affirmations of values that we project onto the world and organize into rational frameworks. Ethical claims are not descriptions of fact but practical proposals about how best to act. Ethical judgment is an action-guiding choice based on reasoning that is reasonable or correct, rather than true or false. Ethical thinking does not seek a true description of an external, moral reality. It seeks reasonable judgments and standards for action.

We can think of ethical rules and principles as fallible hypotheses: principles are fallible, experience-based general "hypotheses" that

form part of our experiments in living well. They evolve through imag-
ination, dialogue, and social change. For example, principles of justice
are hypotheses about how to construct fair systems of justice. The utility
principle, the greatest happiness for the greatest number, is not a fac-
tual truth about society. It is a hypothesis about how to make social
decisions. This process of affirmation and judgment-making is rational.
That is, it is under rational restraint. Principles and frameworks are
open to rational assessment by a holistic set of norms, which we will
examine later in this book. The purpose of ethical affirmation is not
simply to project my values onto objects. The primary purpose of
avowal is to persuade myself and others of what norms should coordi-
nate our conduct.

Conclusion

In summary, here are my answers to the three questions asked of any
ontology.

- *Ontology of practice*: Ethics is a natural human activity that has
  evolved from the natural history of life and the universe. Ethics
  belongs to a special social layer of reality that it is part of the history
  of the universe. An account of ethics does not need non-natural ele-
  ments. Our naturalistic ontologies are congruent.
- *Ontology of language*: Ethical language is not descriptive in the
  realist sense of describing intrinsic properties. Ethical language
  is a language of practical proposals for action that are correct or
  reasonable relative to some normative context and conceptual
  scheme.
- *Reference*: What must exist to account for ethical language are
  humans coming together with collective intentionality, an ethical
  impulse, a capacity to find value, and an ability to propose and
  recognize social and moral properties for governing our lives and
  society. Ethics, as a normative domain, gets its authority from its
  successful coordination and governance of conduct, in light of the
  society's most fundamental goals and functions.

Notes

1. I use the term "naturalism" with some trepidation, given the misunderstandings that surround the term. Naturalism, for me, is not reductionism. It is *not* the attempt to reduce all sciences and knowledge to one class of laws, e.g., the laws of physics. Naturalism is the ontological view that human life is the product of only natural processes and entities, and there is no appeal to non-natural or metaphysical entities. See Ward 2010.
2. Daniel Dennett (2003) attempts to answer the same questions from a naturalistic perspective.
3. I recall, when I was studying at Harvard University, that my wife, Glenda, and I walked up to the building that housed the university's famous philosophy department. I looked up to the frieze on the front of the building and saw the above-mentioned biblical passage carved into the stone. It struck me then that I had been asking that question since I began studying philosophy as a young man. I am still asking versions of that question.
4. For a conception of the human condition, see Arendt (1998), especially the prologue and chapter 1.
5. I call it an impulse not to suggest it is a fleeting, non-rational mental state such as a sudden impulse to eat chocolate ice cream. By "impulse" I mean a fundamental need rooted in our being human. It gives us motivation to reflect and cannot be easily silenced, at the cost of our very humanness. I suggest an analogy: Plato's notion of "eros" or love as a fundamental erotic impulse that ranges from sexual desire to love of wisdom.
6. Cited in Arendt (1998, 10n2).
7. Philosophers will recall that much of Nietzsche's philosophy was an attempt, however misguided, to say "yay" to life. His affirmation was a response to Schopenhauer's pessimistic "nay" to life. I see the decision to affirm as crucial but I do not endorse Nietzsche's interpretation of that affirmation as will to power. Also, I think the decision to affirm does not depend on people reading Nietzsche or Schopenhauer. Ordinary people make such decisions, consciously or unconsciously, in living their lives.
8. For Searle (1995, 24), collective intentionality is a "biologically primitive phenomenon."
9. This is from Searle (1995, 39).

10. I am speaking here of society's general enforcement of what Gert (2004) calls the "common morality" such as principles of avoiding harm, keeping promises, telling the truth, and so on. Ethics enforcement in specific areas of society may be more formal and specific, such as the ethics of scientific research institutions.
11. I independently developed a similar analysis of objectivity in my first book, Ward 2005.

References

Arendt, Hannah. 1998. *The Human Condition*. Chicago: University of Chicago Press.

Camus, Albert. 2000. *The Myth of Sisyphus*. Trans. Justin O'Brien. London: Penguin.

Dennett, Daniel C. 2003. *Freedom Evolves*. New York: Viking.

Frankfurt, Harry G. 2006. *Taking Ourselves Seriously & Getting It Right*. Stanford, CA: Stanford University Press.

Gert, Bernard. 2004. *Common Morality*. Oxford: Oxford University Press.

Heidegger, Martin. 1962. *Being and Time*. Trans. John Macquarrie and Edward Robinson. New York: Harper & Row.

Kierkegaard, Søren. 1959. "Equilibrium between the Aesthetical and the Ethical in the Composition of Personality." In *Either/Or*, Vol. 2, 161–338. Garden City, NY: Anchor Books.

Larmore, Charles. 2008. *The Autonomy of Morality*. Cambridge: Cambridge University Press.

Searle, John. 1995. *The Construction of Social Reality*. New York: The Free Press.

Searle, John. 2010. *Making the Social World: The Structure of Human Civilization*. Oxford: Oxford University Press.

The New Shorter Oxford English Dictionary. 1993. Vol. 2: *N–Z*, edited by Leslie Brown. Oxford: Clarendon Press.

Vanier, Jean. 1998. *Becoming Human*. Toronto: Anansi Press.

Ward, Stephen J. A. 2005. *The Invention of Journalism Ethics: The Path to Objectivity and Beyond*. Montreal: McGill-Queen's University Press.

Ward, Stephen J. A. 2010. *Global Journalism Ethics*. Montreal: McGill-Queen's University Press.

Ward, Stephen J. A. 2011. *Ethics and the Media: An Introduction*. Cambridge: Cambridge University Press.