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The "Stranger" Across Our Borders

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In this issue

In his article *The "Stranger" Across Our Borders*, John Quilter argues that a distinction which is perfectly apt in a domestic setting - that between friend and stranger - has been imported into the political setting where it deforms our thinking about our relations with other nations.

Gerald Gleeson reviews and recommends a new discussion of the problem of cooperation, praising in particular a courteous debate on the subject between Bishop Anthony Fisher and Professor Cathleen Kaveny.

In a speech to the troops departing to Al Muthanna Province in Iraq, Mr. Howard was keen to emphasise, among other things, that Australian troops were being sent there not as occupiers, nor as enemies but as friends of the people of Iraq and as helpers.¹

Prima facie, this is surprising. Let me explain. During the weeks leading up to the invasion of Iraq two and half years ago and for a long time after that, a friend of mine had produced and distributed widely badges saying "I have family in Iraq". The point, of course, was to remind people that one does not go into a war lightly, especially for reasons that, even before the invasion, seemed dubious. War kills people, people who are just like you and me and who are, in some recognisable sense, our brothers and sisters, even though there is no pretence that we share parents or the like. The friend was mindful that his use of the term "family" was like this, and that it evinced conceptions of our shared humanity with even distant strangers. People would see him wearing the badge and they would ask him, looking curious, "Really? Do you have relatives over there?" For them, an affirmative answer to this question strengthened the case against the war, at least while they were in his company. They would be sympathetic with his anxiety. However,

when he pointed out that the whole country was related to him, many would just get impatient, roll their eyes and take this as a 'politically correct' point about the war - as if *that* point was not relevant.²

Ordinary talk of family and friends induces distinctions among them and strangers, acquaintances, colleagues, and so on. And, clearly, the likelihood is that almost all the Australian soldiers in Iraq will not have made many Iraqi friends at all during their tour of duty in Iraq. To do so would, indeed, be quite unprofessional and, as I understand it, usually excluded by the operational orders under which the soldiers perform. In this way, it would be somewhat like a teacher's befriending a student while teaching her.

The notion of "friend" was extended in that speech. There might be a certain shared bonhomie between the soldiers and some Iraqis they have been sent to serve by protecting the Japanese engineers from insurgents. But this does not make them *friends* in an ordinary sense. Extensions of notions such as friendship beyond our immediate circle of intimacy and familiarity within our cultural setting, to strangers in distant foreign lands and to something as anonymous as the "people of Iraq", is not an ordinary usage. It clearly has a moral dimension evincing our shared humanity. The point is that to Australian soldiers, being decent human beings, Iraqi people are visible as the kind of people who have friends or whom one could befriend under the right circumstances. But again, the thought here is not that one could pop off with an ordinary shi'ite Iraqi down the pub to watch the cricket. Truthfully, talk of friendship here is a gesture. If it is a real *gesture* at all, it gestures towards the hard work that would have to be done to work out *how* to be a friend with a person of such a different cultural background from our own and with whom one shares no history. This requires a lot of intercultural negotiation and considerable effort to achieve understanding across a significant cultural divide. The reality that

anything worth calling a friendship requires this kind of personal expensive effort puts the lie to any temptation there might be in the idea that one can be a friend, in this rich sense, to someone just by recognising that one shares a common humanity with that person. The recognition that one shares a common humanity with others is a different kind of thought even if one can formulate in such terms. To think otherwise, that is, to think that one can be a friend to an Iraqi without such work, is to display the kind of condescending presumption of familiarity displayed by many men who call women whom they do not know "luv".

If Mr Howard's words express his grasp of the intercultural work required by the real gesture the words can imply, this would sit ill with other aspects of the view of international relations typical of the now dominant conservative conception of our global predicament.

This conservative conception of international relations thins out its conception of human nature, and the relationships possible across national and cultural divides, to a point that is ineffectual and empty for the purposes of the ethical negotiations that constructive international relations require nowadays. I shall not argue all of this here.³ I will concentrate on elaborating an aspect of this conservative conception that relies on what is known as "the Domestic Analogy". Further, I will focus on the role that the notion of "stranger" plays in this conservative conception, how it is related to the conceptual space within which our more ordinary concepts of stranger, friend and familiar operate, and how these resonances inform the conception of certain problems on the international scene. Of course, the conceptual space within which the notions of stranger, familiar and friend operate, and the contrasts they depend on, is more complex than I can elaborate here. My argument here is that the view suggested in Mr. Howard's remarks about the Australian troops in Iraq is an incoherent doctrine of our international relations.

The Domestic Analogy and the Target

The Domestic Analogy in the ethics of international relations is a strategy for deriving illumination on questions of international relations, from allegedly firmer ethical judgements on questions about affairs within the nation. Famously, many (the so-called Realists about international relations) see the situation of international relations in the light of a more or less Hobbesian conception of the formation of the domestic state. Just as individuals are naturally mutual strangers and rivals for scarce resources, so too, naturally, are nation states in the international arena. Just as, in the absence of a domestic state, individuals have no serious moral constraints on them in pursuing their self-interest, protecting themselves from others' attacks, and gaining relative advantage over others, so too in the international order, nations are similarly at liberty. On such a conception, ethics is irrelevant in international relations. If we help others, if we have reasons to extend aid or support to strangers, it is because it will redound to our advantage over them or others or otherwise further the "national interest". Strategy governs our relations with other nations, not standards of probity, justice or decency or the like.

Strangers and Others in International Relations

The particular term "stranger" is not all that widely used in explicit political discourse. More typically, we speak of individuals pursuing their own lives, living together in households, and working with colleagues etc. We imagine that their interactions are matters of voluntary agreement governed ethically by standards of justice and other virtues, filtered through a given culture's ways of doing such things as family life, work, play and so on. However, in much political discourse over the last several years, there has been widely used a notion or notions that is or are in the same territory, whose functions seems to be

to elicit similar reactions, especially in an electoral political context, as denominating another as a "stranger" does in its more ordinary circumstances. If, for instance, we were to come home in the evening after work to find someone walking in and out of our home with apparent nonchalance, realizing he was a stranger would be a cause for alarm. Are our spouse and children safe? Has anything gone missing? How did he gain access to the house, to our private space? Our immediate, and sensible, response is anxiety, mistrust, defensiveness and indignation at the cheek of someone so intrusive. Rightly, in our house, we will decide who comes in, when and under what conditions.

This ordinary notion of a stranger, then, stands in a contrast with a familiar, an intimate or a loved one, and its impact is felt, among other places, in such circumstances as nonchalantly moving in one's own space. What I am suggesting here is that the politically motivated notion that leads to such thoughts as found in Mr. Howard's clarion call of the 2001 election that I have echoed in the preceding paragraph, might be seen as a kind of generalisation of this notion: within our daily experience, as strangers contrast with our familiars and intimates, for political purposes, political strangers are those who stand in a contrast with our political familiars and intimates - in particular, with fellow citizens and permanent residents in good standing with out nation: those who share with us the "national interest". Political strangers, then, will be those whose interests are not shared with us in the national interest. Their values will not incorporate the needs of what is in our national interest much as one family's values do not incorporate the interests of another family's.

But this is obviously imprecise, for it is clearly the case that in any society what is best for the nation and what is best for some of its citizens or resident aliens do not necessarily line up. So, something deeper is meant by this idea. The sense of "national interest" here means something to do with what one can share with another in the way of being of the

same nation despite the fact that one's own interest is harmed and hers is furthered, by, for instance, some governmental policy. This presumably has something to do with identifying with a nation and its people, even as one might, for instance, when living in a country perhaps as a spouse of one of its citizens though not oneself a citizen. This kind of having settled into a land and its people is familiar enough. At least this, and perhaps something deeper in the case of a citizen, is the kind of thing one has in mind here. Anyone who lacks this is, for the purposes of such a political notion, a stranger. With such strangers one does not share a sense of belonging to an "us" as a political and social entity of the same general kind. Strangers form a "them" whose relation to our house, our nation and its resources, opportunities, wealth, peace, and so on, is strictly controlled by an ethical structure directly comparable to that which governs the relation of strangers to our house, its private space etc., as sketched in the earlier example.

From this point of view, migration, the treatment of asylum seekers, the rules governing work visas, non-citizens' access to our universities, our obligations to foreigners in our maritime space, foreign aid and the problems of poverty in the world, and much else, are all refracted through a lens conditioned by this political distinction between strangers and those with whom we share the "national interest" or common good.

How might these distinctions be related? I introduced the political notion of a stranger as a "generalisation" of the more familiar notion. The notions of the political realm constitute a framework for the concepts that find application in ordinary daily life. Social-political life is a central input into the resources for the formation of cultural forms for family and individual lives. Individuals and their families are rendered possible in human ways of existence in forms made available by our broader shared life together in a common culture and in our world. The forms of social-political life are a central formative source for modern forms of our common culture.

What does making the point about the general sources of our concepts imply when conjoined with the idea that the stranger-familiar distinction in politics is a generalisation of the stranger-familiar distinction in ordinary life? The general thought is that we who share the national interest form a people, understood as a cultural reservoir of conceptual, ethical and other competencies and capacities, and others in other nations form other such cultures and peoples. The fundamental unit of cultural familiarity, of recognition as one of "us", is the nation. Across national boundaries, the starting point for relations is that of stranger to stranger. Absenting an international culture and political framework, as it were, from the global point of view, peoples of distinct nations stand to each other, member to member, primarily as strangers. This notion is a generalisation of the ordinary sense in that we start our circle of familiarity with our intimates, then extend to our broader family, thence to friendships, thence to, say colleagues, and others who are familiars but not intimates, to ever decreasing levels of familiarity up to the point where we reach a limit in the notion of fellow citizens. Beyond that, finding common grounds on which to include others among non-strangers is rather tough going.

Of course, we can share with those of other nations a specific kind of familiarity (call it "political intimacy", or "political friendship") composed of shared political values, traditions of thought and practice, and at least to some extent, some history. Such, I venture, is a central strand of Mr. Howard's conception of our relation with the United States. But, from such a point of view, the idea that something deep could unite us on this earth as a common humanity without sharing such bonds of shared specific values, common historical traditions of thought and practice etc, across national boundaries, is unrealistic.⁴ Much as a stranger in the ordinary sense is, metaphorically, a foreign country, so a political stranger, or a stranger in this extended sense, is literally a foreign country, *modulo* qualifications for various kinds of shared heritage history and so on.

What emerges from such a conception of the relations among nations? What follows for the nature of international relations? The guiding analogy is that of the household. In the case of the household apparently invaded without notice by the stranger, *prima facie*, we are quite within our rights to object that our privacy, our prerogatives over this space and so on, have been violated. We will decide who comes into our home, when and under what conditions.

The implication is that political strangers are, like our household invader, non-intimates and non-familiars. They are subject to the same kinds of constraints, proprieties and structures of moral deference, as other strangers are by comparison with our familiars and intimates, in respect of what is our own space and to what else is ours. As far as strangers are concerned, the moral situation is such that it is we who will decide who will enter our shores, when and under what conditions. Strangers are not our familiars, not our intimates. The onus is upon them to seek permission for admission. They may not take advantage of us, our better nature and fail to observe the ethical structures of what separates peoples, analogous to what separates individuals and their families as persons and as the "fundamental units of society". In particular, they are to observe the conditions we put on gaining admission. They must not, for instance, outstay their welcome or indefinitely rely on handouts to survive.

Strangers as Targets of Aid and Poverty Alleviation

How does this way of thinking apply to aid to foreign nations or to immigration policy? Doubtless, one should give generously to help strangers like those who suffered the Boxing Day Tsunami or the earthquakes in Pakistan and Indonesia. However, though there may be reasons to extend help to strangers such as these, this way of thinking insists that it will be on our terms and under our sufferance. The situation differs from someone seeking to enter our house because she has suffered a

calamity beyond her control. It is more like Sydney-siders donating to help the victims of the Canberra bushfires: the aid is to help them cope and re-establish where they live rather than where we live. On the other hand, like the household interloper who has suffered some calamity beyond her control, such claim upon us and our resources as the stranger-victims of such natural disasters have is, strictly, a secondary claim behind those of our families, that is, our fellow citizens and the like, with whom we share the national interest or common good. It is more of the order of charity than justice. A claim in charity, indeed, an obligation we have in charity, but not one plausibly understood under the virtue of justice.

There are two further riders here. First, the significant issue will not be how to help in the short term. One should help here. The significant issue is how to deal with "the problem" the strangers and their plight represent. Much as a desperate stranger might stay with us until she can find her feet and organise her way into some self-sufficiency, in the case of the Tsunami, for instance, we should put the early warning system in place in the Indian Ocean and limit our contributions to re-establishing self-sufficiency in the victim nations. More generally, we should put in place those structural and institutional arrangements that will obviate, as far as possible, the recurrence of the problem and enable them to enjoy a life like ours as refracted, of course, through their own traditions, living lives in relevant respects like ours. They may eat differently, wear different clothes, and pray to a different god, but otherwise, what they value, want and need is relevantly like what we value, want and need: individual effort and hard work, families, and the chance to be free and make the most of one's material circumstances. Secondly, helping others in undeserved need, since not a matter of justice but of charity, might be mutually beneficial: much as one might reasonably expect a stranger guest, down on her luck, to do something for you in your house to show gratitude.⁵

This approach structures the responses to strangers in foreign lands such as Africa, Iraq, or any land whither we seek to "spread democratic institutions", and liberate them from "bad governance" or "economic underdevelopment". On this view, just as Mr. Howard puts it for the domestic case, "the best social welfare system the human race has devised is the family", so the alleviation of poverty is primarily best achieved by those poor nations themselves, certainly with some help, but essentially from their own "family", their internal national arrangements and by participation in the international market economy on their own two feet. We should get them into the main game: our way of governing ourselves, and our way of making a living. The problems they face are human problems and our solutions have proven the best way to solve them for human nature in our case. Just as we seek to get out disabled and single mother fellow citizens into the capitalist labour market, so we wish to induct disabled economies, failing nation states suffering poor governance and pre-modern economies into the kinds of reform that will usher them into democratic and capitalist ways like our own. The solution to long-term poverty is not recurring aid from the rich nations, though some is necessary (as a safety net is necessary within a rich nation), but the opening up of all domestic markets to the kind of international free trade that we enjoy at home and that enables us to be so rich. Liberalisation of international markets, dismantling trade barriers to give the poor nations access to the market of those blocks: that way they will get rich like we are, as of course they want to.

This line of thought assumes that human dignity is essentially a function of self-determining autonomy and proud self-assertiveness, particularly in activities that are socially or economically productive. This extends to a notion of national dignity, or perhaps better, national pride as an analogue of this notion of human dignity.⁶ The moral ideal is the self-assertive individual in society acting self-reliantly to make a life for himself and his family out of the competitive circumstances of a capitalist economy,

sometimes needing others' help if things beyond his control make independence impossible, but once back on his feet, exerting himself to make his own, and his family's, way in society; and, having succeeded, having no reserve about displaying confidently, self-assuredly, that success, that assertiveness. This idea, and greater economic success, is best realised in a culture of democratic freedoms exercised responsibly in a system of representative government; and a capital free-market economy, appropriately regulated with a presumption for as little regulation as possible.⁷ The international arena, by analogy, should be one where nations are self-assertively and self-reliantly competing in a capitalist market economy with each other, carving their own, that is their people's, way in the world without apology for who they are. Things happen beyond each one's control, such as natural disasters and disadvantaging historical legacies, occasioning need for other nations' aid. But since it is a social system that combines democratic representative government with the market economy that promotes the culture that enables societies to flourish well enough to be independent and competitive, poor nations and industrialising nations need to reform in directions of democratic governance and capitalist economic arrangements. Then they will be able to occupy their place as self-reliant, self-assertive nations in the international arena. That international arena itself is one best organised on capitalist free market principles. Such an international culture will impose the disciplines, and the responsiveness to what others in the market want, that will bring the best out in those nations.

This is a conservative version of the Domestic Analogy in international relations with some of its implications for dealing with needy strangers internationally. Its principal features are (i) that it conceives the relation between nations by analogy with the stranger-intimate distinction within nations; (ii) it conceives of what is essential for economic and political purposes in all human nature as what it understands to be the solution for the domestic case; and (iv) its

conception of the nature of relations among nations is structured by considerations that inform the kinds of relations that are possible on the spectrum between intimates and complete strangers in more ordinary circumstances. In particular, it shifts obligations for those international strangers who are disabled, disadvantaged, suffering calamity, enfeebled by history or powerless in the international market onto themselves in the first instance. They have the responsibility to pursue their way in the international arena on their own two feet, to compete in the international free market. This means they are obliged to change to the institutional arrangements that make this possible: representative democracy and capitalist economics. For these are the institutions that have thus empowered the nations of the West to stand on their own two feet.

Let us now return to Mr. Howard's comments about Australia's friendly soldiers in Iraq. What happens to the recognition of our common humanity with the ordinary Shi'ite Iraqi? On the conception I have been explicating, the ordinary citizen of Iraq will be a political stranger. We lack sufficient grounds of shared culture, history and so on of the sort that Mr. Howard often is at pains to stress we have with the United States. This, I submit, leads us into an invidious trilemma: for either (a) we now are caught in the self-contradiction that the ordinary Shi'ite Iraqi citizen is now both a political friend and political stranger; or (b) we are exposed for being seduced by the thought that I called condescending at the start (that is, that the recognition of our common humanity with the Iraqis suffices for us to be their friends in a more ordinary, and substantial sense); or (c) friendship consists in the sharing of values like "hard work", "freedom", "family" and so on, understood in the thinnest possible way, impausibly abstracting from all cultural content. Whichever way, it costs nothing to us to get to enjoy this "friendship" for we gain it without doing the intercultural work necessary for befriending an Iraqi. On the other hand, this conservative conception otherwise seems lost for words to give expression to the necessary sense of our

common humanity with the Iraqis, the Athenese or anyone else who does not speak English, have a Judeo-Christian cultural heritage and the like. Such a deficiency of resources and such a confusion of ideas, I submit, are serious weaknesses for this conservative view of the world. On any accounting they make this conservative conception incoherent. Once remedied, I would urge, we will be led away from such a conception of international relations.

Footnotes

1 <http://www.pm.gov.au/news/speeches/speech1630.html>

2 Now is a good place to indicate my comprehensive debt in this paper to my wife, the Rev. Theresa Angert-Quilter.

3 Some of the argument, though applied to the Utilitarian approach to international relations, is made my "Why do They Hate us Thick and Thin?" in *Theoretical Medicine and Bioethics* (2005) 26: 241-260.

4 Compare Alexander Downer's speech at the Asian leaders' meeting in Beijing on 23 April 2000 where he clearly set out his perception of Australia's cultural separateness from the Asian region. He distinguished "practical regionalism" from "cultural regionalism". The former consists of mutually agreed economic or security goals in which Australia could play a useful part; the latter, "built on common ties of history, of mutual cultural identity" and of "emotional links", from which Australia stood apart. See Tony Kevin (2004) p.301 in Manne R (2004) *The Howard Years*, Melbourne: Black Ink.

5 Singer P & Gregg T (2004) *How Ethical is Australia?* Australian Council for International Development.

6 See Mr. Howard's words on the matter of mutual obligations: "It is a concept that expresses the essential balance we must achieve, the compassion of looking after people who need help but the reasonable expectation of a society built on individual achievement that having given people a fair go, they will return the compliment by themselves having a go. And that is really the philosophical basis of our ideal. And our strong belief in personal responsibility of course leads to, or in fact flows from, our deep commitment to the obligation we have to look to each other... but having been helped they should then get on with their lives and not expect the rest of the community to keep on assisting them." John Howard, MP, "Transcript of the Prime Minister, the Hon John Howard MP, Address at the Launch of the Publication 'The Conservative', Parliament House, Canberra", <http://www.pm.gov.au/news/speeches/speech1554.html>.

7 See Mr. Howard's speech to the UN in September 2005 concerning aid for poverty alleviation: "But we should not merely be focusing on the quantum of such aid, important though it is. What is just as important, if not more so, is the effectiveness of aid. Genuine and sustained poverty alleviation will only occur in an environment of good governance, private sector growth and respect for private property ownership. With aid comes a reciprocal responsibility on recipient governments to tackle corruption, strengthen governance and promote institutional reform." John Howard MP, "Transcripts of the Prime Minister The Hon John Howard MP, Address to the United Nations, New York", 16 Sept. 2005, <http://pm.gov.au/news/speeches/speech1568.html>.

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Cooperation without Complicity

by Gerald Gleeson

Many readers of *Bioethics Outlook* will be familiar with the ethical debates about "cooperation" between Catholic healthcare providers and providers who do not share the ethical convictions of the Catholic tradition, e.g. in relation to abortion and experimentation on human embryos. Lest these debates be regarded as peculiar Catholic hang-ups, it is useful to reflect on other examples of cooperation that clearly trouble many people today.

First, there is the case of cooperation between the Australian Federal Police and the Indonesian police in relation drug trafficking. Was it right for the AFP to provide information that led to the arrest of Australian citizens who may now face the death penalty? Secondly, there are troubling questions more generally about relationships between Australia and Indonesia, e.g. about the extent to which the Australian proposal to process asylum-seekers "off shore" is designed to accommodate Indonesian rule in Papua. Thirdly, the so-called "war on terror" has prompted novel questions about cooperation and complicity, e.g. about the role of European governments in relation to the "extraordinary rendition" of kidnapped persons deemed to be a threat to United States' security. Yet another example arose for the Australian Air Force flying alongside the US Air Force in the Middle East, when the US crew were following different "rules of engagement" from those followed by Australian crews: US rules permitting an attack were more "liberal" than the Australian rules, allowing the bombing of "targets" that would not be acceptable for Australian planes. But if Australian planes were (merely!) refuelling the US planes, would this have constituted unethical cooperation with the wrongdoing of others?

As these cases show, cooperation with others often raises ethical dilemmas, and not just for Catholic. The dilemma typically turns on how to pursue the benefits of cooperation without compromising one's integrity. The most common ethical approach in our culture - Utilitarianism - has few resources for addressing this dilemma, precisely because Utilitarianism (like all "consequentialist" theories) does not attribute any special value to personal integrity. For utilitarianism, the impact of an action on the moral character and well being of its agent is, at most, just one "consequence" among to be considered. The Catholic moral tradition, by contrast, offers a systematic ethical framework for addressing this issue, and provides long standing advice about how to pursue the legitimate goods to be achieved by cooperation without compromising one's moral integrity.

Nonetheless, even among Catholic theologians, the criteria for justified cooperation are at times controversial. *Cooperation, Complicity and Conscience - Problems in healthcare, science, law and public policy*, containing papers from at a recent conference in Cambridge, sheds new light on these controversies.¹

In the first of four general discussions, Bishop Donal Murray highlights the way human freedom - "our ability to deal with reality" - is always "embodied" and constrained by the actual circumstances in which we find ourselves. We are never free simply to do as and what we want. Yet we are responsible for our choices, and for how they connect with the actions of others. Indeed, as many contributors note, it is precisely through our choices that we intervene to make a difference in the world,

and as a result of what and how we choose our moral characters are formed. For this reason, as Luke Gormally argues (in answer to the question, "Why not dirty your hands?"), even when our cooperation with the wrongdoing of another will make no difference to the final outcome, the effect of our actions on ourselves remains morally significant. Those governments that turned a blind eye to "extraordinary rendition" on their own territory will always be tarnished by their complicity!

The most important debate recorded in this book is that between Bishop Anthony Fisher from Sydney and Professor Cathleen Kaveny from the University of Notre Dame, Indiana. Bishop Fisher begins by outlining the traditional distinction between "formal" and "material" cooperation, and the conditions under which material cooperation may be justified.² Briefly: *formal cooperation* is never justified for by it one shares in the wrongful purposes of another; *material cooperation* that happens to assist another may be justified when it is preferable to not cooperating at all. A moment's reflection on this summary statement will be enough for readers to appreciate why technical debates (1) about whether one's cooperative action is truly "formal", i.e. *intended* to assist the other's wrongdoing, and, even if it is not formal, (2) about whether one's "material" cooperation is in fact justified, have often proved so difficult to resolve - both in principle and in practice.

Bishop Fisher outlines several explanations of formal and material cooperation, and reviews some recently-debated cases including the Sisters of Charity's proposal to conduct a supervised injecting room in Kings Cross and the Church-run pregnancy counselling services in Germany. What is more significant, however, are the new theological perspectives on these questions that are highlighted in the Fisher-Kaveny debate.

Rival Presumptions

First, granted that cooperation with others is sometimes justified and sometimes not justified, we may ask whether we should, in general, hold a presumption for or against cooperation. We need to consider whether we should try to avoid cooperation with the wrongdoing of others as much as possible, or should try to collaborate with others as much as possible in the pursuit of good outcomes (while preserving our moral integrity)? As Kaveny notes, in defending the presumption against cooperation with the wrongdoing of others, Bishop Fisher highlights the dangers rather than the benefits that may flow from cooperation; nonetheless, he acknowledges that some traditional Catholic moralists endorsed a presumption in favour of cooperation. Secondly, we need to identify the theological perspective which informs each of these underlying presumptions. Bishop Fisher is critical of moralists who he believes act like "Catholic Tax Lawyers", who deploy the traditional criteria for legitimate material cooperation in novel ways to justify forms of cooperation that may compromise Catholic witness to Christ's teachings. Bishop Fisher is critical of what he judges to be the minimalist standards of these "ethicist-tax-lawyers" who thereby diminish the prophetic mission of Catholics to witness to the truth.

Bishop Fisher's contribution is original and important. He elevates the discussion of why the question of cooperation matters to a properly theological level. In doing so, he offers three theological perspectives on why there should be a presumption against even material cooperation: first, the goal of human life is holiness, life in Christ, and this should be reflected in a distinctive form of life, uncontaminated by the world; secondly, as an aspect of love of neighbour, we should avoid cooperating with the sin of another, which at the very least gives bad example, or worse amounts to abandoning the possibility of the other's conversion; thirdly, since we are shaped by our choices, even unintentional cooperation with the sin of others will tend to compromise our integrity. In short, Bishop

Fisher argues that Christian morality sees "life as the call to perfection", "the wholehearted commitment to the holy love of God, neighbour and self", and this a *prophetic* undertaking that "will make the agent much more sensitive to issues of cooperation in evil" (p64).

Prophets or Pilgrims

In response to Bishop Fisher, Professor Kaveny proposes an alternative to his stark choice between "tax lawyer" and "prophet". Kaveny argues that the model of the "pilgrim Church", which recalls the spirit of St. Augustine who had to grapple with the ethical questions that arose for Christians serving in the Roman imperial army and likely to be engaged in warfare, is found in the teachings of the Second Vatican Council. "While the Prophetic Witness emphasizes the risks and dangers of cooperating with evil, the Pilgrim on the Way highlights the good that it can accomplish - and more importantly, insists upon seeing this good not merely as a "secular" or "natural" good, but also as a crucial part of the evangelical mission of the Church" (p.75). It is in this Pilgrim spirit that many would encourage the continuation of the Catholic healthcare ministry, as part of - *and at times in cooperation with* - the wider provision of health care in our pluralistic society.

From the Pilgrim perspective, Kaveny criticises both "ethicist-tax-lawyers" for proceeding as if the values of the Kingdom were irrelevant to our lives here and now and "prophetic witnesses" - "the Celestines" - for paying "too little attention to the positive moral obligations entailed by the corporal works of mercy" (p.83). She suggests that many of the recent controversial cases facing the Church can be understood in terms of the tension between Pilgrims on the Way and Prophetic Witnesses. Applied to our own local case, the Kings Cross supervised injecting room, it is easy to distinguish a "prophetic" approach (in which no assistance whatsoever may be given to drug use) from a "pilgrim" approach (in which the dependent drug user

becomes a companion on the way). Of course, the advocates of these competing approaches might wish to re-describe themselves: many who supported the injecting room also saw themselves acting "prophetically", extending Christ's compassion to the marginalised; conversely, many who opposed the injecting room would see themselves as being true "companions" encouraging the conversion of the drug dependent person. I wonder if the tension between these two approaches is as much one of temperament and personality as it is of theological conviction. In any case, as this debate reveals, there is room in the Church for both stances.

Particular Issues

The remaining chapters focus on particular issues. Alexander Pruss examines cooperation in relation to the use of cell lines obtained from aborted fetuses. Considering a range of cases in which peoples' actions presuppose the prior wrongdoing of others, Pruss characterises unjustified profiting from the wrongdoing of others in terms of whether a person's subsequent actions "further the intentions" of the original wrongdoer. The ethical worry we should have about the use of tissue obtained after abortions is that, even though the prospective scientific use may not have contributed to the original decision to seek an abortion, it may come to lend some credibility and endorsement to that decision and to abortion providers. Pruss concludes that each such case of subsequent cooperation must be evaluated on its own merits.

Other contributors examine practical issues of cooperation that arise for those engaged in scientific research, medical education, general practice, and the care of suicidal patients. In relation to law, rather than medicine, Jane Adolphe discusses the role of the Vatican in the drafting and implementation of the UN Convention on the Rights of the Child - a convention that endorses much that the Church endorses, as well as some things the Church does not endorse. Finally, there is a long debate between Colin Harte and John Finnis on the ethics of parliamentarians voting

for laws that restrict, and yet also permit, abortion.

Catholic theologians today, including Bishop Fisher (p.28), often quote Henry Davis' remark that there is no more difficult question in the whole of moral theology than that of cooperation with those whom we believe to be acting wrongly.³ This timely book helps us to understand why this question is so difficult, and yet so important. In a utilitarian, "outcomes" based, culture, we can easily become insensitive to issues of moral integrity that should trouble us. Most of the contributors to this book hold a "prophetic" *presumption against cooperation*. Any reader who is drawn to a "pilgrim" approach will find here stimulating, instructive, challenging argument. The refreshing and courteous debate between Bishop Fisher and Professor Kaveny shows why there should be room for both approaches within the Catholic community.

References

1 *Cooperation, Complicity and Conscience*, Edited by Helen Watt (London: The Linacre Centre, 2005).

2. This topic has been considered in previous editions of *Bioethics Outlook* and is detailed in the *Code of Ethical Standards for Catholic Health and Aged Care Services in Australia* (Part II. Ch.8).

3. The remark was recalled and popularised in recent times by James Keenan SJ, in "Prophylactics, toleration and cooperation: contemporary problems and traditional principles", *International Philosophical Quarterly* 29/2 (1989), 209.

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