

SOLIDARITY: A LOCAL, PARTIAL AND REFLECTIVE EMOTION

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Abstract. Solidarity is analysed in contradistinction from two adjacent concepts – justice and sympathy. It is argued that unlike the other two, it is essentially local (rather than universal), partial (rather than impartial) and reflective (an emotion mediated by belief and ideology, interest and common cause). Although not to be confused with justice, solidarity is presented as underlying any contract-based system of justice, since it defines the contours of the group within which the contract is taking place. Finally, due to the fact that health is a typically universal value and being a primary good it is something which should be distributed justly, solidarity seems not to have any central role in bioethics.

Keywords: solidarity, justice, sympathy, bioethics, ter Meulen.

The validity of conceptual analysis in philosophy and specifically in the ethical sphere can never be proved in the strict sense. It is rather to be judged on the basis of some combination of fidelity to the common use of the concept and the contribution to the theoretical understanding of the phenomena to which it is related. Therefore such analysis consists partly of the meaning of a term in ordinary discourse and partly of a theoretical construct with well-defined constraints on its philosophical usage. Solidarity is typically such a concept. It has recently re-emerged in political theory, in particular as a reaction to the critique of the individualistic nature of liberal discourse and the impersonal nature of social relationships in a political society based on justice. In everyday use it is appealed to as an antidote to the sense of alienation of the citizen in the modern nation state and the anonymity of the individual in the capitalist system.

The purpose of this paper is to draw the contours of the concept of solidarity in more precise terms than common discourse allows. This might prove helpful in judging whether and to what extent the idea of solidarity is relevant to bioethics. The critical analysis will be undertaken through the comparison of the concept of solidarity to that of sympathy (and benevolence), on the one hand, and to that of justice, on the other. This analysis will lead to conclusions which are partly in

agreement with those drawn by Ruud ter Meulen and partly critical of his account.¹ It will take a different view of the relationship between justice and sympathy, on the one hand, and solidarity, on the other, and point to the limitations of the attempt to ground the provision of health services and medical care on the idea of solidarity. The investigation will follow three distinctions: local vs. universal, partial vs. impartial, and passion vs. reflective emotion. It will then point to the relevance of solidarity to the particular kind of justice, the contract-based one, and to its irrelevance in the sphere of bioethics or the provision of health.

Local

Strictly speaking, solidarity can never be universal. By definition it applies to the attitude we feel towards some restricted group of people. The group may be local in the geographical sense but may equally cross national boundaries. But even in the latter case it is necessarily shown to people of a certain kind or to people involved in a certain sort of activity. Unlike respect for persons or the recognition of human rights, it cannot be all inclusive. Thus, patriotism or political commitment to one's state implies solidarity with the citizens of that particular country; but so does the international struggle of workers against their bourgeois exploiters or the feminist effort to liberate women of male oppression.² Indeed, the scope of the group in which solidarity is felt is never universal and cannot consist of all human beings. Yet it can neither be too particular, involving only people whom we personally know (family relations are not precisely based on solidarity but rather on love and intimacy). Solidarity characterizes an attitude towards other individuals who are mostly strangers yet have in common some particular traits, goals, group interests, collective fate.

One way to demonstrate this lies in the fact that although we universally identify ourselves *as* human beings, we do not identify *with* human beings as such. Respecting human beings or recognizing their rights is conditioned only by identifying them as human beings – not by identifying with them. Treating people as ends rather than as means (only) is not a display of solidarity but an acknowledgement of their human status. Solidarity implies some kind of *loyalty*. We can be loyal only to a particular person or to a particular group with which we identify; but loyalty to the whole of humanity does not make sense.

¹ Meulen [2015].

² In that respect I believe that the Hegelian concept of *Sittlichkeit* (mentioned in ter Meulen's analysis) does not cover the same scope as solidarity, which may often extend to people and groups outside one's civil society.

Sympathy, which is sometimes conflated by ter Meulen with solidarity, may of course be also personal or directed to people within a defined group, but in the philosophical tradition, as well as in the Catholic doctrine, it is expected to hold for any individual in the world in certain circumstances. In cases of need or suffering it is definitely not restricted to groups, that it so say, its scope is universal. The same applies to justice: it may cover relations between members of a particular group, typically – as we shall see – in contract theories which traditionally serve as the basis of the principles of justice governing citizens of a sovereign state; but it may also hold on the global level as well as on the level of small groups engaged in sports games or facing a problem of the distribution of some good. Thus, solidarity should be distinguished from both justice and sympathy in terms of the scope of the people to whom the attitude or emotion is expected to be shown. This restricted notion of solidarity does not leave room for ter Meulen’s concept of “humanitarian solidarity”, which is based ‘on identification with the values of humanity and responsibility for the other.’³ Solidarity consists of the identification with people – not with values, and entails common struggle to achieve a goal rather than a duty of individual care. Furthermore, responsibility, like solidarity, is created in particular relationships which give rise to one person being specifically accountable for another person. No individual can be taken as *responsible* for any other individual in the world, even if that person is suffering or in need.

Partial

The scope of an attitude is obviously dependent on its *content*. The substance of the sense of solidarity consists of a particular class consciousness, gender identity, professional pride, shared communal beliefs – all belonging to what makes us what we are as particular individuals rather than just as “human beings” in the abstract. The English word “partial” demonstrates that connection: it means both being part of (rather than the whole) and being discriminate, leaning to a particular point of view or interest (rather than being impartial). The fact that we feel solidarity only with a certain well-defined group of people stems from the fact that we have (and legitimately so) non-universal preferences and goals, interests and identifications. These can be expressed only by creating groups or communities in which these goals are shared. We are accordingly allowed to be discrimi-

³ Meulen [2015] p. 5. The conflation of solidarity with empathy leads some bioethicists to assign a central role to solidarity in bioethical discussions. See, for example, Lev [2011]. Lev argues that solidarity is a major argument in the debate on genetic enhancement. I prefer to treat the controversial practice as a matter of justice and equality which should guide the state in general in all issues of distributive justice.

nate or partial in some basic matters and inculcate non-universal attitudes (such as solidarity) with special groups of people.

Furthermore, these special attitudes are often the source of our identity and define us in terms which make us different from others. Solidarity, accordingly, consists of an “us-them” contrast. It is not necessarily a hostile relation, as is the case in “Workers of the world, Unite!” or in Carl Schmitt’s political theory, but may be an attempt to define the identity of a group, as is the case in national self-determination or in feminist movements that articulate what keeps “us” together as a group within “solid” boundaries. Contrary to ter Meulen’s suggestion, solidarity is always exclusive in some way, on some level. Solidarity is created when there is a common *cause* and this cause is never universal but always in some competition, or at least contrast, with other causes. Universal values and interests do not constitute a “cause” in the standard sense. One may speak of the cause of ending starvation in the world (although not being hungry is a universal, rather than “local”, interest), but that implies that other people have other, competing causes, like preventing population growth or promoting democratic structure in developing countries. This explains why solidarity is an essentially *political* attitude, often involving rivalry with or a fight against other groups, rather than a moral stance which is universalizable. It is political in the sense that distinguishes it from abstract altruism (which may be directed to anyone in the world) as well as from purely instrumental or egoistic schemes of cooperation (like car insurance or medical insurance), to which ter Meulen refers as “interest solidarity”. I doubt whether such an instrumental engagement can be considered as solidarity in the strict sense.

Whereas solidarity is expressed towards people sharing the same positive values or interests as we do, sympathy is usually shown to people who suffer from negative conditions of pain and suffering from which we are spared. Solidarity is a “horizontal” and symmetrical relationship between equals; sympathy is “vertical”, i.e. shown to people who are inferior in their position or condition. We feel solidarity, rather than sympathy, with fellow academics; but we feel sympathy, rather than solidarity, with the victims of an earthquake in a faraway country. Unlike solidarity, which presupposes some common enterprise or undertaking, sympathy requires only the realization of the need or pain of other people. Sympathy is in that sense indiscriminate and independent of the beliefs and identity of its object. Pain, suffering, and humiliation are universal conditions of human beings, understood and loathed by everybody. As Hume and Rousseau have already noted, sympathy is manifested also in the animal world (which cannot be said, as we shall further see in the next section, of solidarity).

Justice, even more than sympathy, is expected to be impartial (even in cases where its scope is not universal).⁴ Feeling solidarity with one group rather than another does not call for a moral justification; but applying justice in a discriminatory way requires explanation. Sympathy, even when morally expected, may come in degrees. Justice should be done in one fixed way. Solidarity in that respect lies somewhere between justice and sympathy, since – as we shall now see – it is not purely emotional on the one hand yet not universalizable or fully principled on the other.

Reflective

Solidarity is a kind of emotion. We *feel* solidarity with some of our fellow human beings. But it is what we may call a “reflective emotion”, that is to say, typically mediated by thought and belief. It has a strong ideological component. Hence, family relationships that are based on emotions of love and individual care, or friendship relations that arise out of particular interest in an individual do not give rise to the emotional attitude of solidarity. Love and friendship are *personal*; solidarity is *impersonal*. Most people with whom I feel solidarity are anonymous, unknown members of a particular class or group of people with whom I identify as sharing a certain agenda. My emotional relation to them is derived from a world view, a political belief or a commitment to achieve some social goal or value. This is why solidarity is not created “spontaneously”, in contrast to some emotions like sympathy. It can also disappear once one’s beliefs and commitments change.

Sympathy and care, on the other hand, are most typically manifested in the family setting and indeed may be extended to wider groups of people. They can even apply to anonymous human beings towards whom we feel compassion. But this compassion is still personal in the sense that we imagine the objects of our sympathy as individuals who call for our help. It is not based on abstract social ideas which unite us as a particular group. Accordingly, in contrast to ter Meulen, I find the concept of brotherhood potentially misleading as underlying the idea of solidarity. It is a concept imported from family relations that are typically personal and hence not indicative of the principled impersonal concepts of justice as well as

⁴ Ter Meulen is right in arguing that *decency* (in Avishai Margalit’s sense) is a necessary complement to just principles, primarily in the way they are applied. But decency does not and should not rely on solidarity since it should, like justice, be universally and indiscriminately demonstrated in any procedure of just distribution of rights and goods (including, of course, health services). Not humiliating people by applying justice in a decent way is a strict duty which cannot be conditioned by the existence of relations of solidarity.

solidarity. Despite its rhetorical force, Schiller's hope that "all human beings become brothers" is not a philosophically helpful idea⁽¹⁾, and the same applies to the use of the metaphor of the family in describing relations of all human beings with each other ("the family of man"). Solidarity can serve either the promotion of a cause, or be an expression of group identity, but in neither case is it based on personal or familial relationship.

John Rawls falls into that trap in conflating justice with the ideas of fraternity, social solidarity and family relations. Solidarity rather than family or fraternal relations, underlies contract-based justice. It does not "correspond" to the difference principle, but serves as the condition for the kind of cooperative enterprise of the contract itself which gives rise to the difference principle. After all, Rawls himself insists that the difference principle is chosen under the veil of ignorance and on purely rational grounds involving no prior emotional ties. As I will show in the next section, solidarity belongs to the reason or motivation to "sign the contract" with some *particular* people with whom one has such ties rather than to the content of the contract itself.⁵

The ideological content of the emotion of solidarity also attests to its typically *political* nature. Solidarity characterizes a struggle for exercising the group's rights, protecting its interests, searching for recognition. Men may identify or sympathize with men, but women may also feel solidarity with women because beyond pure identification, they have a common cause of advancing their social status in society. The same applies to developing countries or to African Americans, who in contrast to developed countries or white Americans are united in the cause of social self-assertion. This often introduces a dimension of justice into the reflective emotion of solidarity. People of oppressed groups do not feel mere sympathy towards each other due to their common suffering from the same condition; they are rather bonded in a cooperative enterprise of the promotion of a just cause. Solidarity is, accordingly, a typically *active* emotion.

Solidarity-based justice

Based on the analysis offered above, I wish to argue that some forms of justice are necessarily based on solidarity. I follow ter Meulen's proposition about the primacy of solidarity to justice, but restrict this primacy to a particular context – that of contract theory. Most contract theories from Hobbes to Rawls are "local", i.e. attempt to justify either the authority of the sovereign or the principles of justice for a given society. But none of these theories addresses the question how this

⁵ Rawls [1971] p. 105.

society is “given” and what is the justification for taking it as given. This disregard may be explained as arising out of the purely justificatory goal of the thought experiment of an ideal contract, namely persuading citizens why their (actual) ruler is legitimately exercising his power. However, current debates about global justice raise the question about the legitimacy of national political borders between societies as well as the need to extend the application of distributive justice to international relations. Nation states may face the challenge of secession as well as demands to share some of their wealth with other nations. Their historical “givenness” does not protect them from external claims (by those who are forcibly included in the thought experiment of a virtual contract or excluded from it). Still, many philosophers, such as Rawls himself, insist on distinguishing between the “domestic” and the “global” and point to the limitations and even dangers of cosmopolitanism. They see the social contract as applying necessarily to nations or peoples rather than to the whole world.

My position is that the priority of the domestic is based on the idea of solidarity. We do not only have to decide with whom to share the cake (which is the question of distributive justice) but also with whom we want to bake it. The latter question points to special group relation, which is wider than the family or the tribe but narrower than the whole of humanity. Contract is a typically cooperative engagement which is based on a particular history of a group of people, sharing common territory, language, culture and fate.⁶ Although, as we saw, relations of solidarity can hold across national borders (communism, feminism, Christian faith), they necessarily underlie any system of domestic justice and political power relations – at least within the framework of contract theory. So although justice can and should be done to people regardless of any particular emotional attitude towards them, contract-based political justice presupposes some kind of solidarity. In the modern multi-ethnic and multicultural nation state this sense of solidarity might prove to be tenuous and unstable, yet once a nation or state loses the glue keeping it as a “solid” entity (distinct from others), it loses both the grounds for its territorial and political borders and the justification for not sharing its resources impartially with all individuals in the world.

It seems then that the *scope* of contract-based theories of justice cannot be based either on justice or on sympathy (or benevolence, as proposed by ter Meulen). There is nothing “just” in the way the borders of societies, states or nations are drawn; nor is it a matter of justice that different countries decide their own principles of distributing goods in different ways according to their traditions

⁶ I have developed this idea in Heyd [2007], particularly p. 118–122.

and democratic choices.⁷ And, similarly, the scope of justice is not determined by sympathy or good will because that does not apply necessarily to all fellow citizens in one's society, on the one hand, and may be a motivating emotion with regard to suffering people in faraway societies, on the other. Again, unlike justice, solidarity is a non-universalizable, group-centred partial emotion; and unlike sympathy, it is an ideological, "reflective" emotion, which is not concerned with the suffering of another fellow human being but with some common struggle, group interest or sense of identity.

It should accordingly be noted that there is no conceptual or necessary connection between solidarity and communitarian theories of justice as is implied in ter Meulen's article. Solidarity is compatible with liberalism and is a fully legitimate relationship within the framework of a liberal state. Identifying with people of a certain gender, race, social class or profession - inside and outside the liberal state - does not undermine the traditional liberal theory of justifying state sovereignty or the principles of justice. Individualism as the basis for the legitimacy of state authority or social contract does not entail the invalidity or illegitimacy of plural group identifications relating to specific issues or causes.

Solidarity in bioethics?

Following this short analysis, it seems that solidarity is not typically involved in the way we think about the provision of health and health services. Medicine is primarily concerned with the alleviation of suffering and pain, and these negative conditions are the object of sympathy rather than of solidarity. Health is not a common "cause", nor is it an ideology or a component of one's identity. More than almost any other value or goal, it is universal and culture independent. On the other hand, the way health services are distributed - both on the domestic and the global levels - is typically a matter of justice, since health is a kind of primary good which should be provided to individuals on a principled basis with strict priorities. If we define solidarity in contradistinction to sympathy and justice, as we have tried to do, it seems that solidarity does not have any special role in bioethics.⁸

⁷ Thus, social cohesion may be in itself both a necessary human condition (on the descriptive level) and a valuable one (on the normative level), as ter Meulen correctly notes (following Charles Taylor); but the way actual human beings are grouped together to form cohesive groups is a historically given fact rather than the outcome of a normative principle (e.g. of justice). See Prainsack and Buyx [2012].

⁸ See Butler [2012] p. 359. I agree with Butler's denial of the central role of solidarity in the provision of health services and the distinction between solidarity and justice, although I do not share some of his analysis of the relationship between the two. Although my view is that solidarity is

Furthermore, there are good reasons why bioethical relations should not be based on solidarity. For example, doctors should feel sympathy and care for their individual patients; but they also should treat equally members of their own society and members of other societies (even enemies). Unlike the expected loyalty of providers of educational and welfare services to citizens of their own respective societies, doctors are ethically required to act “sans frontières” – literally and metaphorically. Even sovereign states, which are usually exclusively committed to the interests of their own citizens, are expected to adopt a more cosmopolitan attitude when it comes to a medical crisis in some other part of the globe. Of all the *positive* rights we have, health is probably the closest to enjoying a universal status (like that of the negative rights of life, liberty, property, and dignity).

Accordingly, countries of the Scandinavian block or member states of the European Community might feel solidarity in the advancement of certain economic and cultural projects, but acute health crises, such as epidemics in faraway countries in Africa, make special claims and have priority over some solidarity-based ventures. Responses to these claims are called for as a matter of pure compassion or universal human rights which are independent of the identity of the claimants and their way of life or set of beliefs. Similarly, most people would agree that we ought to provide health services to people who are responsible for their illness or injury (like smokers or mountaineers) despite the fact that we do not feel any solidarity with them.

Finally, and yet as another indication of the limited applicability of the concept of solidarity in bioethics, it may be interesting to note that even within the health sphere itself we do not find expressions of group solidarity of “sick people” as such. There are indeed interest groups and lobbies of handicapped people fighting for better accessibility in public buildings or of patients suffering from particular medical syndromes who struggle for special budgetary attention in the distribution of state-funded services. But these are typically “local”, and the solidarity among members of those groups is based on their common interest or social goals. AIDS patients unite in the cause of raising public consciousness of their plight not because they want to draw public sympathy or compassion but because they want more money to be directed to the research of HIV or because they fight against their discrimination in the workplace. They have a common cause in which they are engaged, which is local and partial. They identify with other, usually anonymous people, who are afflicted by the same illness, not through a direct

a presupposition of a contract-based system of justice, I do also recognize the possibility that contractual relations could in themselves reinforce solidarity.

sense of compassion but rather through the reflective emotion of sharing a common cause for action. Thus, the reason why solidarity does not apply within the group of sick people (requiring medical attention) is that it is not really a group in the identifiable, partial sense that constitutes our identity. It rather consists of *everybody* in the world since we all were, are or will be sick someday.

References

- Butler [2012] – S.A. Butler, “A Dialectic of Cooperation and Competition: Solidarity and Health Care Provision,” *Bioethics* (26) 2012, p. 351–360.
- Heyd [2007] – D. Heyd, “Justice and Solidarity: The Contractarian Case against Global Justice,” *Journal of Social Philosophy* (38) 2007, p. 112–130.
- Lev [2011] – O. Lev, “Will Biomedical Enhancements Undermine Solidarity, Responsibility, Equality and Autonomy?” *Bioethics* (25) 2011, p. 177–184.
- Meulen [2015] – R. ter Meulen, “Solidarity and Justice in Health Care. A Critical Analysis of their Relationship”, *Diametros* (43) 2015, p. 1–20.
- Prainsack and Buyx [2012] – B. Prainsack, A. Buyx, “Solidarity in Contemporary Bioethics”, *Bioethics* (26) 2012, p. 343–350.
- Rawls [1971] – J. Rawls, *A Theory of Justice*, Harvard University Press, Cambridge, MA 1971.