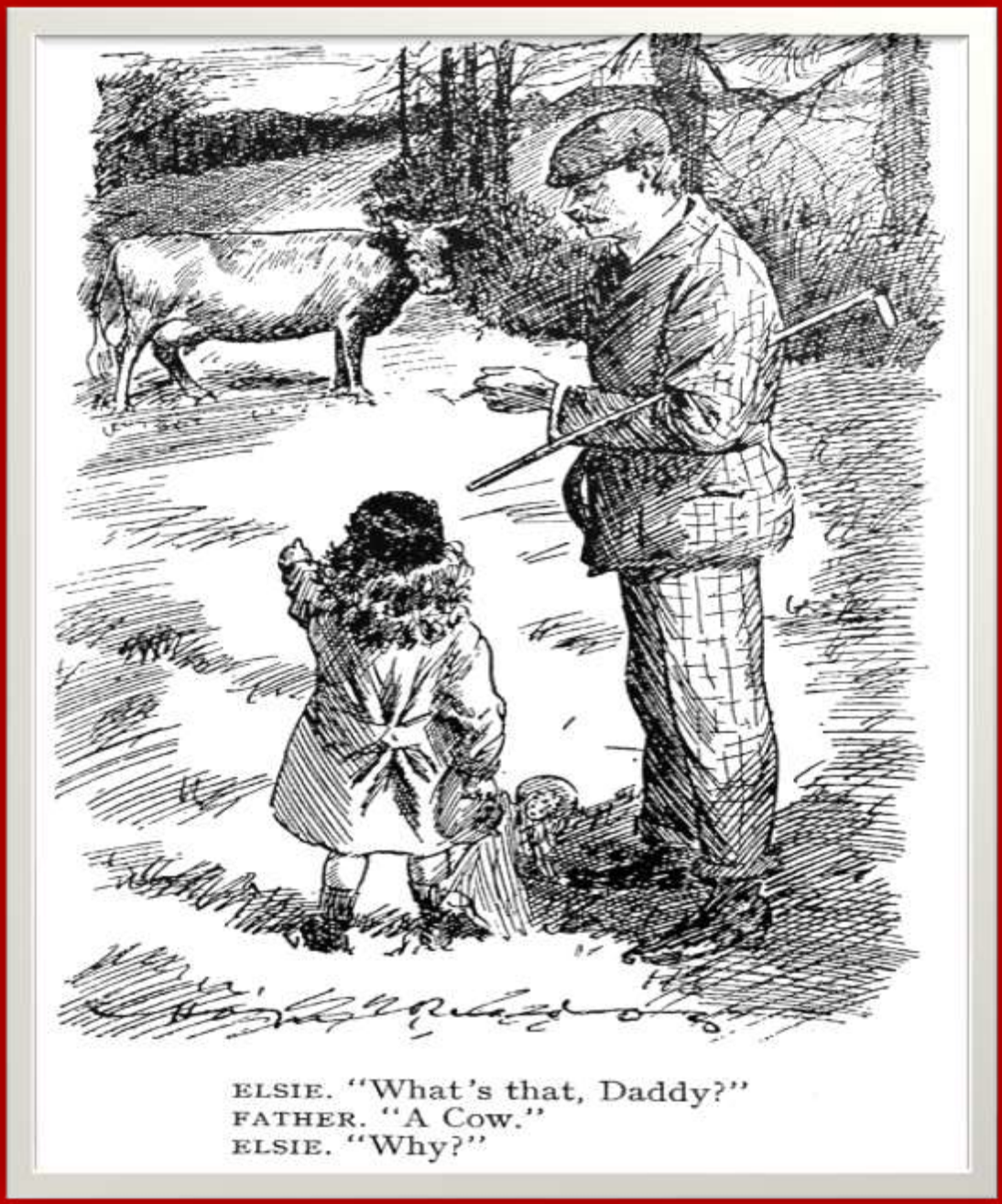
Philosophical Ramblings:

Regarding Elusive Questions and Enigmatic Dilemmas



Shekhar Singh

The cartoon on the cover is from *The New "Punch" Library,* volume 5, *Mr. Punch's Children's Hour,* p 76. Published by The Educational Book Company Ltd.., London. 1930s (volumes not dated).

The New "Punch" Library, in 20 volumes, edited by J.A. Hammerton, has been described by its publishers as "presenting the cream of national humour contributed to "Punch" by our leading comic draughtsmen and humorous writers from the year 1900 to the present day."

Legend has it that in the late 1930s, the cartoon depicted on the cover of this volume featured in a question paper for a BA philosophy exam at Oxford (or was it Cambridge?) University, with the the cryptic exhortation to "Comment".

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Regarding Elusive Questions and Enigmatic Dilemmas

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Some of the papers presented to the Philosophical Society
St. Stephen's College, Delhi

1971-1988

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Pre- ramble[1]

Forty years ago, almost to the day, Bose Sahib (the late Sudhir K. Bose, formerly Lecturer in Philosophy and Lecturer Emeritus, St. Stephen's College, Delhi) released a collection of "some papers presented to the Philosophical Society, St. Stephen's College, Delhi", as he described them. Published in May 1981, the volume was titled *Random Incursions in Philosophy*[2].

As he was getting his papers ready for publication, I remember asking him whether he intended to re-read and edit them before he published them. He thought about it briefly and then said "No, for I want them to be presented the way they were presented to the philosophical society. The papers might not have much philosophical merit, but they illustrate the method and proceedings of the college philosophical society, which are in themselves unique and worth sharing." He then smiled, and added: "Besides, if I start reading and editing them now, they would never be ready for publication".

I have a similar justification for producing this collection of papers - and even greater justification for doubting their philosophical merit.

Shekhar Singh
May 2021

[1] Often narratives are prefaced by a 'preamble', which is defined by the Oxford English Dictionary (OED) as "A preliminary or preparatory statement; an introduction.". On the other hand, OED defines 'rambling' as "(of writing or speech) lengthy and confused or inconsequential". But an exhaustive search did not reveal the definition, or even the existence, of the word 'pre-ramble'. Clearly there is a label needed for a "brief, precise, and focussed introduction" to a "lengthy and confused" narrative. Therefore, in keeping with the historical propensity of philosophers (and aspiring philosophers), 'pre-ramble' is instituted as a new word – not much point in being an aspiring philosopher, if one does not leave behind at leasr one new word to define, analyse, and robustly confuse.

[2] Copy accessible on this website from http://shekharsinghcollections.com/content/Philosophy/Others/1981-S.K.-Bose-Random-Incursions-in-Philosophy-1981.pdf

St. Stephen's College Philosophical Society

My association with the college philosophical society, or "philosoc", as it is popularly known, started in 1970, when I joined the department of philosophy as a student of MA previous. Some months later I was also appointed the secretary of the society and, for the next two years or so, ensured that hot tea and samosas were served on time at every meeting, and that when papers got written, they were typed, cyclostyled, and distributed. My association with philosoc continued till the late 1980s.

Time and experience has taught me that philosoc was (and perhaps still is) a unique institution, which contributed more to my education and philosophical training than all the lectures and seminars I attended then, or since.

A detailed account of philosoc would require a book by itself[3] (which might well be worth writing by someone who had a longer association), but in brief some of its most memorable features, as I came to appreciate them, are described below.

During the 1970s and 1980s (perhaps even before and after), there was an annual dinner (inevitably referred to as the annual *symposium*) hosted by Dr. and Mrs. Gupta, at their house in the College. It was attended by most of the regular attendees of philosoc, and some special invitees. One of the regular special invitees that I remember with great fondness was Dr. Ansari who was on the faculty of the department of philosophy, Delhi College (now Dr. Zakir Hussain College). He also taught symbolic logic to MA students at the university. Legend had it that after studying at Harvard he had returned to India to be a tutor, for many years, to one of the richest business families in Delhi.

These dinners were accompanied by the service of liquor (as one would expect in a symposium), and Ansari Sahib always brought his own whiskey, a half bottle of Johnnie Walker, which he never shared with anyone else. Rumour had it that over the years he had taxed his liver, which could no longer digest anything but the finest scotch. Incidentally, his were among the few lectures at the university that were worth attending, even though they were always in the afternoon. And again rumour had it that his drinking habits and the resultant hangover never allowed him to get up early enough to take classes before noon.

[3] For more details, see http://www.ststephens.edu/the-philosophical-society/

Of course, the serving of liquor had its own challenges, and I remember holding on tightly to students and former students, while they paid their inevitable homage into the drain outside Dr. Gupta's house!

There was an (unwritten) tradition to treat all participants in philosoc as equals. No one was given special treatment because they were important or distinguished. The usual gathering during the years I was a regular participant comprised 15 to 25 persons, with some regulars from college, like Dr. and Mrs. Gupta, Bose Sahib, Ramu Gandhi, Mrinal Miri, and Ashok Bamzai. Old students also often attended.

There were also many regular and irregular participants from among the faculty of various Delhi University colleges and departments, and occasionally visitors from other universities in India and abroad. Prof. Dharmender Kumar of the Delhi University Philosophy Department, Prof. Jeet (JPS) Oberoi, Professor of Sociology, University of Delhi, and Prof. Amartya Sen, Delhi School of Economics, who was even then a high flyer, often attended the meetings. Amartya Sen even presented a paper (*Hume's Law and Hare's Rule,* if I remember correctly), but no one was ever given special treatment or *bhav*.

Many years later, writing an obituary for Doc G, Roopinder Singh, a former student and secretary of philosoc, described it similarly:

> "Every Friday we would meet at Dr Gupta's house for Philosophy Society (Philo Soc) meetings. They dated back to his illustrious teacher Dr S K Bose, who would sometimes drop in as would Ramu Gandhi (read **Remembering Ramu** and **Philosopher's soul**), Jeet Oberoi, Shekhar Singh, and others, teachers, former students, people interested in the subject, knowing that there would be food for thought; chai and samosas (as well as gulab jamuns, which Madhu has reminded me) from Rohtas (read ***Nimbu Pani***), every week, at exactly the same time. Students like Nitya, Raghu, Aditya, Radhey, Pankaj, Madhu, Thomas, Ranu, Ritu, Amitabh, Bharat… we would all be there." Source:
>
> http://www.roopinder.com/rationalist-with-a-humanist-core/

Perhaps a more difficult aspect of manifesting equality was to also treat, as equals, fresh entrants who had little or no knowledge of philosophy and did not understand most of what was being said. I remember it was only after about six months of attending philosoc that I started to understand enough of the proceedings to get up the courage to intervene in the discussions.

But my early suggestion to Dr. Gupta, who was then the head of the department, that perhaps we should have a system by which some effort was made to put things simply for fresh students like me, was summarily rejected. It was only when I began to understand the proceedings on my own that I began to appreciate the value of being 'left to fend for oneself'.

Another powerful lesson I learnt was to distinguish between a 'discussion', which is what happened at philosoc (and where we together endeavoured to get to the truth), and a 'debate'. At philosoc we did not debate (we did not try to establish our own point of view over that of others, irrespective of merit).

One side effect of this was that we became instinctively shy of interrupting anyone, as essentially the assumption was that perhaps they will lead us to the truth, rather than (as happens in a debate) that ours was a better idea, or that we could argue it more effectively and thereby prove that they were wrong.

A comical side effect of this was an instinctive tendency among all the regulars to immediately stop talking if someone did interrupt them. Even now people remark at how many of us 'philosoc types' immediately fall silent if someone interrupts us, even if it is mid-sentence[4].

Philosoc prided itself on the brevity of the written submissions: thereby the uncommonly short papers as a rule (see, for example, my paper: *An Aspect of Spontaneity,* page 78 in this collection). There was also a tradition to take all submissions seriously, and many brief discussion notes attracted brief, or not so brief, written responses, *ad infinitum* (see, for example, Bose Sahib's comments on my paper *Some Preliminary Thoughts on the Nature of a Logical Fallacy* in this collection, pages 29 to 37).

In contrast to the brevity of written interventions, the discussions were free flowing and often endless. Each philosoc meeting had an agenda – usually a discussion note, or the reading of a pre-selected text from the point where it was left off last time, but after that there was no formal structure. Discussions would often deviate almost immediately from the starting point, and never return. There was no moderator and we never felt the need for one.

Meetings started at 3 pm on working Fridays, during the many years that I attended[5], but there was no designated ending time. People wandered off

[4] Of course many friends and spouses endlessly exploit this inclination!

[5] Often former students and former participants of philosoc would join the meeting because they happen to be in Delhi, or in India, and remembered that philosoc met on Fridays from 3 pm!

as and when they felt like, and often two or more participants continued their discussions well into the night, even after leaving the meeting venue[6].

My long, subsequent, experience in academia demonstrated to me that ordinarily it was almost impossible to have a meaningful discussion without "sticking to the agenda" and imposing discipline through a strong moderator. Yet, I do not remember a single wasted meeting of philosoc, and often wondered at how such a progressive culture of discussion evolved, was maintained, and passed on to new comers: allowing people to follow their own thoughts, and yet take everyone else along, to somehow pursue what interested them, and yet actively participate in what interested everyone else.

[6] Most of the years that I attended the philosoc (1970 to 1988 – off and on), it met at Dr. Gupta's house in the college campus. For two years (1972-1973), while I was teaching at St. Stephen's and residing in college, as resident tutor, it met in my ground-floor rooms in Allnut South.

Papers

1

Are all Identical Propositions Analytic

1. Identical propositions seem to be so for at least two different reasons:

(a) because their two terms are, by definition, such that they refer to the same thing,

(b) both the terms happen to, as a matter of fact, refer to the same thing.

2. Examples of 1(a) are propositions likes "Man is a rational animal" or "A brother is a male sibling" where Man and Brother are so defined. Such identical propositions seem obviously to be analytic.

3. Example of 1(b) is the proposition "Man is a talking animal" where the quality of being a talking animal is not a part of the definition of man and, further, where not only man is found to be talking animal. Such identical propositions appear to be non-analytic or contingent

4. In such a case, it is locally possible that subsequent observation shows either men who are not talking animal or things that are talking animals but are not men. If this happens, the proposition" Man is a talking animal" would cease to be contingent, become analytic though remain a contingent one.

5. On the other hand, if man was redefined to include the characteristic of being a talking animal in its definition, the proposition "Men is a talking animal" will cease to be an identical proposition; though remain an identical one.

6. There might be different ways of arriving at the definition of a thing but, nevertheless, a proposition expressing a definition is necessarily an analytic proposition. Infact, such a proposition is a paradigm of the analytic proposition.

7. It seems irrelevant whether a definition is arrived at through analysis or through empirical observation (if empirical observation without analysis can at all give a definition), in so far as it is a definition, its denial would be self contradictory.

8. What can one say of an unsatisfactory definition? One can perhaps say that it is too wide, or too narrow, for ones purpose. One could also say, of its formulation, that it is ambiguous and needs to be clarified. Perhaps one could also hold that one mistakenly used a particular name to characterise a certain type of thing while what one wanted to do was to use that name to characterise same other type of thing.

(e.g. one mistakenly used the name "man" to characterise " rational animals"). But can one say of a definition that it is false or that it is even logically possible that it could be false?

9. As such, it seems that, whereas identical propositions which are not propositions of definition need not be analytic, all identical propositions which are also definitions are necessarily analytic.

2

Deceptive Propositions

This paper is mainly an attempt at understanding the problem formulated by Dr.Gupta in his paper False or neither true nor false. The problem, as I understand it, seems to be of the following nature:

Can we ascribe any truth value to the propositions 'A is in pain', if there is no A? Two answers, 'Yes' and 'No', seem to be offered, the former by Dr. R. K. Gupta (and Russel[7]) and the latter by Ashok Bamzai (and strawson).

My main concern, however, is not to determine which of the two answers are correct, but to show what the acceptance of either of the two answers entaills.

At first consideration two possibilities arise.

1. Either we accept the correspondence theory of truth (ctt),
2. Or we reject the ctt.

Let us consider each possibility separately.

A

I

1.

1.1 According to the ctt a proposition is true if it corresponds to all that is asserted therein and false if it fails to correspond to all that is asserted therein. (both Russel and Strawson seem to accept the ctt).

1.2 The proposition 'A' is in pain'[8] is understood in the following two ways:

1.2.1 Russel understands the proposition as asserting:

1.2.1.1 There is A.

1.2.1.2 There is not more than one A.

[7]Bertrand Russel, *Mr. Strawson on referring* in *Contemporary Readings in Logical Theory,* edited by Copi, Irving M. and James A. Gould, New York, Macmillan [1967].

[8] I have substituted, for the purpose of this paper, the proposition 'A is in pain' for all examples of similar propositions in Russel's and Strawson's positions.

1.2.1.3 There is nothing which is not A and not in Pain

(This formulation, pg. 109 seems to be an accurate and simple formulation of Russel's position)

In this case it is obvious that if there is no A, the first assertion (1.2.1.1) is false, and then, according to ctt, the proposition 'A is in pain' is also false. Even Strawson, I feel, would concede that this is a valid deduction (pg.109). however he would disagree with Russel's analysis of A is in pain.

1.2.2 Strawson understands the propositions 'A is in pain' as <u>implying</u> (in a special sense):

1.2.2.1 There is A

and <u>asserting:</u>

1.2.2.2 A is in pain (pg 116[9]).

Strawon then attempts to prove that as the existence of A is not an assertion, it's falsity cannot entitle the proposition 'A is in pain' to be called false.

2. The following two things need to be said here:

2.1 I am not, at the moment, particularly concerned with finding out which of the two analysis above is correct. Both, as far I am concerned, lead to the same conclusion. I am, however, inclined to think that Strawson's formulation is nearer to being correct than Russels.

2.2 Secondly, even if we accept Strawson's formulation (1.2.2) to be correct, I don't think the conclusion he comes to is justified. It seems to me that:

2.2.1 According to the ctt the proposition 'A is in pain' would be false if it failed to correspond with all that it asserted.

2.2.2 If there is no A, it is obvious that the state of A being in pain does not obtain.

[9] P.F. Strawson, *On Referring* in *Contemporary Readings in Logical Theory,* edited by Copi, Irving M. James A. Gould, New York, Macmillan [1967].

2.2.3 That is to say, the proposition '*A* is in pain' fails to correspond with all that it asserted.

2.2.4 In that case it is false.

2.2.5 The ctt does not specify valid or invalid reasons for the state of affairs asserted in the proposition not obtaining. Whatever the reasons might be (even the falsity of the implications) the proposition is false if it fails to correspond to all that it has asserted. I think a misunderstanding of the ctt is the primary cause of Strawson's fallacious conclusion.

3. For lack of a better term, I will call all false propositions which have one or more false implications, deceptive propositions. While it is logically possible for a non-deceptive propositions to be true, it is <u>logically impossible</u> for a deceptive proposition to be true. Of deceptive prepositions[10] we can truly say that they are necessarily false. But to say that deceptive propositions are necessarily false is obviously not to say that they are not susceptible to truth evaluation. Necessarily false propositions are as susceptible to truth evaluation as necessarily true propositions.

4. The two expressions 'meaningless to ask whatever true or false' and 'not susceptible to truth evaluation' being used to mean the same thing could lead to confusion. Though it is false to assert that deceptive propositions are not susceptible to truth evaluation, it might be correct to say, if meaningless is understood as unnecessary, that it is meaningless to ask whether necessarily false (deceptive) propositions are true or false. It would be meaningless in the same sense as it wouls be meaningless to ask whether the proposition '*A* is *A*' is true.

5. Strawson's illustrations about how, when confronted with the assertion 'The King of France is bald' we tend not to say it is false etc. fails to impress for the following reasons:

   5.1 His hypothesis is very doubtful. Majority of the people I confronted with similar assertions termed them as falsities.

[10] There can be necessarily false propositions that are not deceptive (eg. types of self contradictions) and *vica versa*.

5.2 Even if people do have a tendency of not ascribing truth value to such assertions, it proves nothing till Strawson can show us that they are doing the correct thing.

II

1.

1.1 The ctt (as it stands) is rejected and a modified version (hereafter referred to as mctt) is accepted. This modification seems to be advocated by Ashok Bamzai in his paper Neither true nor false. This modification is also implicit in Strawson's theory, though he never seems to realise it.

1.2 According to the mctt:

1.2.1 A proposition is true if it corresponds to all that is asserted there in and if what it implies is true.

1.2.2 A proposition is false if it fails to correspond to all that is asserted therein and if what it implies is true.

1.2.3 A proposition is neither true nor false if what it implies is false.

1.3 The proposition 'A is in pain' (hereafter referred to as p) implies that 'there is A' and asserts that A is in pain (1.1.2.2). If there is no A then, according to the mctt the proposition p cannot be ascribed any truth value.

2. If the proposition p implies that there is A, it also implies:

2.1 That there is pain (there is at least one incidence of pain).

2.2 That A is capable of feeling pain.

3. According to the mctt the proposition p would be neither true nor false if either 2.1 or 2.2 was false. This leads to the following difficult situations:

3.1 The preposition p could not be false when there was A and A was not in pain unless it was true that there was at least one incidence of pain.

3.2 We would never be able to assert the falsity of p (though there was A and A was not in pain) unless we could establish tha A was capable of feeling pain.

As further examples of this peculiarity consider the proposition 'A is swimming' (when A cant swim) and 'A is pregnant' (where A is a male). If we are using these propositions in the uniquely referring sense, none of them can be ascribed any truth value.

B

I

1. I have been frequently using in this paper the sentence 'There is A' and 'There is no A'. What exactly do I mean when I assert that there is A or there is no A?

1.1 My assertion There is A is true only if A satisfies the minimum conditions prescribed for a species of its genus to exist.

1.1.1 The conditions satisfied by A, when it is inanimate, in order to be ascribed existence would be distinct from:

1.1.2 The conditions satisfies by A if it was animate.

1.2 When I assert the proposition 'There is no A' I could be saying at least two different things:

1.2.1 I could be asserting that there is not and <u>never was</u> A. For example when I say ' There is no John Smith when there never has been any one with the name John Smith when there never has been any one with the name John Smith.

1.2.2 I could, on the other hand, be asserting that there was, but no longer is A.

2. What I find objectionable about Russel's analysis (A proposition of the form 'A is in Pain' <u>asserts</u> there is A) is that if we accept it no propositions of the form 'A is dead' or 'A is in heaven' could be true. But surely it would be correct to say of A, if it belonged to the class of A's, that were but no longer are (1.2.2), that A was in heaven or that A was dead.

II

1. In conclusion, I would like to say that though much can be still said on the topic and many questions are still unasked or unanswered, I think at least the major difficulties expressed in Ashok Bamzai's paper and Dr. Gupta's paper have been provided solutions, whether they be acceptable or not.

10.2.72

3

On the Nature of Self-Contradictoriness

1. R.K Gupta seems to offer, in his paper 'Analytic and Synthetic propositions' and on behalf of Kant, an alternate definition of analytic (and synthetic) propositions, namely that an analytic proposition 'is one the denial of which would be self-contradictory' (and a synthetic proposition is one the denial of which would not be self-contradictory).
2. RKG seems to further claim that such a definition is not open to the two charges often made about the definition , also Kant's, that an analytic proposition is one 'in which the subject contains the predicate' (and a synthetic proposition is one in which this is not so). The first charge is that such a definition is, at best, applicable to propositions of the subject predicate form only. The second charge is that the use of the notion of containment is metaphorical in character.
3. However, the sense in which Kant (and RKG) use 'self-contradictory' is neither made explicit, nor does it seem to be clear as it stands.
4. A proposition is usually considered to be self-contradictory if it can be true under no circumstances.
5. Of the subject-predicate type of propositions one can be more specific and say that any such proposition is self-contradictory if its subject contains the negation of a part or whole of its predicate, or vice versa. predicate, or *vice versa*. However, such a definition is open to both the charges made against Kant's definition, as detaied earlier.
6. Can one be more specific about the self-contradictoriness of propositions which are not of the subject-predicate variety? If not, then the general definition that a proposition is self-contradictory if it can be true under no circumstances, seems to raise at least one problem.
7. Take the proposition 'nothing exists'. There seems at least one sense in which this proposition can be understood such that, in accordance with the general definition of self-contradictoriness, it is self-contradictory. In this sense this proposition could not be true under any circumstances. For this proposition to be true or false, at least the proposition must exist, and if it exists then it is not true that nothing exists'.

8. But if we accept that the proposition 'nothing exists' is self-contradictory, then we must, by Kant's definition, accept the proposition 'something exists', of which the proposition 'nothing exists' is a negation, as an analytic proposition. But this seems impossible to do.
9. It seems necessary, then, to give a more specific definition of self-contradictoriness. However, whether one definition would be adequate for all the different types of propositions is something that has to be investigated.

4

RKG on Analytic and Synthetic Propositions

A.

1. RKG, in his paper 'Some Short and Exploratory Notes Concerning Analytic and Synthetic Propositions' seems to contend that there can be general propositions which are identical propositions without being analytic proposition.

2. He seems to arrive at this conclusion in the following way:

   (a) there is a class of propositions which can be known as the class of general propositions embodying real definitions.

   (b) such propositions mention some characteristic or characteristics which are both common and peculiar to a class of objects.

   (c) These propositions are identical propositions in the sense that the terms in them are interchangeable with one another.

   (d) these propositions are non-analytic in the sense that their denial would not be self-contradictory.

   (e) consequently, there can be non-analytic and identical general propositions.

3. It seems to me that (b) and (d) are mutually incompatible. In other words, it seems to me that in a proposition of the form 'A is XY ', if XY are characteristics which are both common and peculiar to A, the denial of this proposition would be self-contradictory.

4. It also seems to me that, by definition, a proposition of the form 'A is XY' is analytic (its denial is self-contradictory), if 'XY 'are logically necessary conditions for anything to be A.

5. Consequently, it appears to me that RKG, in order to sustain his contention, as stated in 1, has to establish that from the fact that X is a characteristic common and peculiar to A, it does not follow logically that X is a necessary condition for A. I say RKG has to establish this, for it does not seem *prima facie* to be so. In fact, *prima facie*, the converse seems to be true.

B.

1. RKG seems to suggest that, logically, the proposition 'a man is a rational animal' is different from 'a brother is a male sibling', in as much as the former is non-analytic while the latter is analytic. The denial of the former is not self-contradictory, while the denial of the latter is.

2. This, again, does not seem at all obvious to me.

   (a) For one, the logical relationship that 'maleness' and 'siblingness' have to 'brother' seems to me identical to the logical relationship that 'rationality' and 'animality' have to 'man'.

   (b) Secondly, supposing to someone the former appeared non-analytic and the latter analytic, what objective criterion do we have for settling the dispute.

5

RKG on Synthetic and Analytic Propositions: Some Further Considerations

In this paper I primarily attempt to state some of the worries regarding analytic and synthetic propositions that I have, subsequent to the discussion of RKG's paper 'some short and exploratory notes concerning analytic and synthetic propositions'.

A.

1. RKG seems to hold that when he says 'xy' are characteristics common and peculiar to A, he means that they happen to be common and peculiar to A in the sense that they would continue to be regarded common and peculiar to A even if some A were not xy and some non-A were xy.
2. If, for arguments sake, we allow RKG this usage of 'common and peculiar', from such a usage at least one implication seems to follow. It seems to follow that a proposition that embodies characteristics which are common and peculiar in RKG's sense, would not be an identical proposition. In other words, the proposition A is xy cannot be an identical propositions if xy are characteristics common and peculiar to A only in RKG's sense.
3. By RKG's own definition, an identical proposition is one whose terms are interchangeable, one with the other. Strictly speaking, only terms having identical denotation are interchangeable. However, in the case of RKG's proposition, A and xy do not have identical denotations, as some A are not xy (some of the things denoted by A are not denoted by xy) and some non-A are xy (some of the thing denoted by xy are not denoted by A).
4. Supposing, for arguments sake, we allow RKG to call propositions identical in senses other than the one stated in 3 above, it would then appear to me that RKG's assertion that all identical propositions need not be analytic, is trivial. I do not, however, believe that RKG would care to abandon the definition of an identical proposition as stated in 3 above.

B.

1. RKG seems to further assert that his usage of common and peculiar characteristics is not at all unusual and that, in fact, whenever one talks of common and peculiar characteristics in an empirical context, one always means those characteristics that happen to be common and peculiar in the sense stated in A1.
2. However, I believe that in empirical contexts, as in all contexts, when characteristics are called common and peculiar, they are expected to be strictly so, in the sense that if A is xy and xy are common and peculiar to A, then every A is xy and no non-A are xy. For example, mammals are attributed the common and peculiar characteristic of being animals who suckle their young. When it discovered that whales also suckled their young, the whales were promptly classified as mammals, inspite of their otherwise overwhelming affinity to fish. In the same case, if fish, conversely, had been asserted to have the characteristics of being animals with fins which live in water, as common and peculiar characteristics, the discovery of the correct classification of whales, for example, led to the admission that what had been considered to be common and peculiar characteristics of fish, were actually not so.
3. As such, one always has the choice of either disallowing a sub species, which does not embody what are considered the common and peculiar characteristics of a class, from being called a member of that class, or of acknowledging that one was mistaken in thinking that certain characteristics were common and peculiar to that class.
4. One always has the freedom to question the basis on which certain characteristics have been called common and peculiar. One can even go so far as to say that perhaps it is impossible to discover the common and peculiar characteristics of anything whatsoever, but one cannot both concede, for example, that xy

are characteristics common and peculiar to A, and also that there are A which are not xy and non-A which are xy.

C.

1. RKG seems to maintain that whereas 'A brother is a male sibling' is a verbal definition, 'A man is a rational animal' is a real definition. The reason given in support of this distinction seems to be that while the truth of the latter can be questioned, the truth of the former cannot.
2. This, however, does not seems obvious to me. I can well imagine a devout Christian heatedly rejecting the definition 'A brother is a male sibling' and maintaining that all men are brothers. It does not help to point out that he using the term brother in a different sense, for one could say the same thing of a person who disputed the definition 'A man is a rational animal', and insisted that man was a laughing being, for example.
3. Perhaps the only type of verbal definitions possible are those which are verbally explicative. Unlike a reiterative proposition like 'A triangle is a triangle', a verbally explicative proposition would be like 'A three angled figure is a figure with three angles'. It would be a proposition which would just restate the first term in accordance with the rules of grammar.

6

The Nature of a Negative Proposition

1. I talk, in this paper, about negative propositions without concerning myself with if, in the same breath, I should or should not talk of negative statements or, indeed, of negative sentences.
2. To call a negative proposition a proposition that negates or falsifies any one or more propositions is obviously giving it too wide a definition. Every proposition falsifies or negates al least one other proposition.
3. Perhaps a negative proposition is one where the predicate is denied of the subject.. (Also, where a class or an individual is denied inclusion or membership of a class).
4. The problem seems to be: what constitutes the denial of a predicate. In the English language, as in some of the other languages, there are all sorts of devices available for negating a predicate. "Not", "non", "un-" and "im-" are some of them. Besides, why should propositions containing such devices be considered negative propositions. The mere presence of such devices is not enough, if more than a linguistic distinction, viz. A logical distinction, is saught to be drawn between a negative and an affirmative proposition.
5. If the mere enumeration of linguistic devices for negating predication is not sufficient to explain the nature of a negative proposition, perhaps one could say that a negative proposition is one where something is denied of the a subject without anything being ascribed to it. As such, the proposition "X-is a circle" is not a negative proposition for tough it, by implication, of x that x is a square, it also affirms something of "x is not a circle" is a negative proposition as it denies something of x without at the same time affirming anything else of x.
6. This distinction seems to work fine till we come to those propositions where the subject and the preditcate are such that if the predicate is denied then, by implication,another specific

predicate is being ascribed. In other words, the subject predicate are such that there are only two predicates possible for that subject and that it must be curved. Here, then, when one says that "Line x is not straight", one is not only deying something of line x but also, by implication, ascribing something to it. Are these, then, negative propositions

7. There appear, now, at least three possibilities:

    (a) Either we revert back to the linguistic description of a negative proposition and say that all propositions which subject are negative propositions.

    (b) We could also specify that any proposition where the predicate is denied of the subject without anything being explicitly predicated of the subject, is a negative propositions.

    (c) It could also be maintained that only those propositions are negative propositions where not only the predicate is denied of the subject but nothing else is predicsted of the subject, explicitly or implicitly. As such, propositions like "x is immoral", where immoral has a specific meaning like evil, would not be considered negative propositions. However, propositions likes "x is not circular" would be negative propositions.

I use the terms "straight" and "curved" as being contradictories in respect to a line. One could, of course, talk of bent and crooked lines.

7

Some Preliminary Thoughts on the Nature of a Logical Fallacy

1. When I am accused of committing a logical fallacy, am I being accused of thinking in violation of the laws of thought, or just of having expressed something that I could not possibly have thought?
2. Suppose I say x is identical to y, where x and y are different entities, what have I done? Presuming that I am serious and not lying, have I actually succeeded in thinking in violation of the law of identity, or is it just that I have said something other than what I wanted to say?
3. Perhaps I did not correctly understand what is meant by "is identical to" and thought it meant "is similar to". Alternatively, perhaps I mistook x to denote something other than what it does, something that is also denoted by y. In either case, the logical fallacy is a result of my incorrect use of the language: a use in which words did not correctly express what I wanted to say. Could one maintain that I knew the correct meaning of "is identical to" and of x and y, and still thought that x is identical to y. Is such a state of mind possible?
4. A proposition of the form "x has the characteristic y" would be self contradictory if x logically implied not y. Here again, a person who seriously maintains such a proposition, presuming he knows the meaning of "has the characteristic", is either misusing 'x' understanding it to denote something that does not imply not y, or misusing 'y', mistaking it to denote the sort of thing whose negation is not implied by x. His not recognising that x implies not y is , to my mind, the same as his mistaking x to denote something other than what is does. For he using 'x' to denote either that sort of x which does not imply not y or, if there is no such x, then he is using 'x' to denote something different from what it does, something non existent. Can one really <u>know</u> that x implies not y and yet maintain that y is a characteristic of x?
5. There appear to be at least two reasons for believing that 'logical fallacies' are actually fallacies concerning the use of language.

    5.1. How does one resolve a logical contradiction? Surely demonstrating, implicitly , or explicitly, that a law of thought has been violated, is sufficient. One is not called upon to argue why law of thought should not be violated. The debate, if any, is really about <u>whether</u> the laws have, or have not, been violated. And what has been demonstrated is that we claimed to have had certain processes of reasoning which we could not possibly have had.

5.2. Admittedly, this theses that we cannot but think in accordance with the laws of thought is an empirical one. What is, however, of importance is whether the thesis is correct, albeit contingently so.

Surely any claim to the contrary must be supported by instances of illogical thought. However, efforts to think in violation of the laws of logic seem invariably to be unsuccessful. Can one ever think of something which does not have a relation of identity to itself, or which can both be and not be something, or which can neither be nor not be something?[11]

If one can't then whenever one uses a proposition to exoress something which suggests that one has done just this, one must be mistaken either in understanding exactly what one has thought, or in expressing one's thought.

6. At least theoretically it seems possible to have a language where the terms used to denote anything would include an affirmation of call that logically follows from it, and deny all that is contradictory. For example, the relationships that is at present denoted by the term 'brother' could be re-designed and called: brother, male, human, sibling, not female, etc. If language was so explicit then perhaps, al least theoretically, even an understanding of the meaning of a few terms would make it possible for a person to make statements which did not involve logical fallacies. However, neither is language, as we know it, such, nor would it really be practicable to have it such, for the affirmations and denials involved in the description of each object would be too many to allow for a common usage.
7. To determine whether our laws of logic, as we understand them, are descriptive or normative seems to me of very great importance. If the laws are normative, as is often maintained, a seemingly unanswerable question that can be asked is: what justifies these norms?
8. However, if they are descriptive, as I seem to be arguing, various other problems arise.

   Exercises in logic, and in areas like pure mathematics, then become really efforts either at either trying to use the existing languages

[11] Here one must distinguish between thoughts about propositions and thoughts about things other than propositions. For example, it is quite possible for me to think to myself that a circle is not a circle. But can I think of an object whose relationship to itself I could honestly express by saying that 'that object is not that object', in its literal sense? Could I, also, even see such an object in the external world?

correctly, or at developing a better language which enables us to more accurately express our thinking.

9. Also, one could then argue that as the laws of logic only describe human thought, perhaps logic is not the best form for understanding reality. For what makes one believe that human thinking has been designed to comprehend other reality.

Reproduced in the following pages is a copy of my letter to Bose Sahib, forwarding a copy pf this paper, and his comments on the paper, scribbled on the margins of the paper and the letter, a few months before he passed away. Transcript of his comments are also provided, for ease of reading.

INDIAN INSTITUTE OF PUBLIC ADMINISTRATION
INDRAPRASTHA ESTATE, RING ROAD
NEW DELHI-110002

TELE [GRAMS : 'ADMNIST'
PHONES : 273961
(10 LINES)

7.9.82

My dear Bose Sahib,

You might have earlier read a small note that I had written for the Philo. Soc. on the nature of a logical fallacy. I think it was discussed sometime in 1980.

Though valuable, the discussion did not help me to see my way through my confusion. As the problem still bothers me and as I seem to consider it somewhat fundamental, I have turned out a slightly longer version of the earlier note, mainly for circulation among friends, so that one could discuss

it privately. I am enclosing a copy and if you at all feel upto glancing through it I would be very happy. Perhaps, if you have the time, we could discuss it on one of my visits to you.

(1) It is necessary to distinguish between (a) thinking, a process occurring in an individual mind, A + B - C - ; (b) thought- what one or more individual minds think; (c) what an individual mind is thinking about, x - y.

(3) Two individual minds A & B, thinking about x & y, (very differently from one another, may have the same thought: the thought 'this wall is white' but A thinking it is the colour of my car or the table cloth + B thinking it is magnificently different from the colour of that dog.

Love

Shekhar

L

SOME PRELIMINARY THOUGHTS ON THE NATURE OF A LOGICAL FALLACY

- Shekhar Singh

1. When I am accused of commiting a logical fallacy, am I being accused of thinking in violation of the laws of thought, or just of having expressed something that I could not possibly have thought?

2. Suppose I say ...x is identical to Y, where x and y are different entities, what have I done? Presuming that I am serious and not lying, have I actually succeeded in thinking in violation of the law of identity, or is it just that I have said something other than what I wanted to say?

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5. There appear to be at least two reasons for believing that 'logical fallacies' are actually fallacies concerning the use of language.

5.1. How does one resolve a logical contradiction? Surely demonstrating, implicitly or explicitly, that a law of thought has been violated, is sufficient. One is not called upon to argue why laws of thought should not be violated. The debate, if any, is really about whether the laws have, or have not, been violated.

-3/-

And what has been demonstrated is that we claimed to have had certain processes of reasoning which we could not possibly have had.

5.2. Admittedly, this thesis that we cannot but think in accordance with the laws of thought is an empirical one. What is, however, of importance is whether the thesis is correct, albeit contingently so.

Surely any claim to the contrary must be supported by instances of illogical thought. However, efforts to think in violation of the laws of logic seem invariably to be unsuccessful. Can one ever think of something which does not have a relation of identity to itself, or which can both be and not be something, or which can neither be nor not be something?*

If one can't, then whenever one uses a proposition to express something which suggests that one has done just this, one must be mistaken either in understanding exactly what one has thought, or in expressing one's thought.

-4/-

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* Here one must distinguish between thoughts about propositions and thoughts about things other than propositions. For example, it is quite possible for me to think to myself that a circle is not a circle? But can I think of an object whose relationship to itself I could honestly express by saying that 'that object is not that object', in its literal sense? Could I, also, even see such an object in the external world?

6. At least theoretically it seems possible to have a language where the terms used to denote anything would include an affirmation of all that logically follows from it, and deny all that is contradictory. For example the relationship that is at present denoted by the term 'brother' could be re-designated and called : brother, male, human, sibling, not female, etc. If language was so explicit then perhaps, at least theoretically, even an understanding of the meaning of a few terms would make it possible for a person to make statements which did not involve logical fallacies. However, neither is language, as we know it, such, nor would it really be practicable to have it such, for the affirmations and denials involved in the description of each object would be too many to allow for a common usage.

7. To determine whether our laws of logic, as we understand them, are descriptive or normative seems to me of very great importance. If the laws are normative, as is often maintained, a seemingly unanswerable question that can be asked is : what justifies these norms?

8. However, if they are descriptive, as I seem to be arguing, various other problems arise.

Exercises in logic, and in areas like pure mathematics, then become really efforts either at trying to use the existing languages correctly, or at developing a better language which enables us to more accurately express our thinking.

9. Also, one could then argue that as the laws of logic only describe human thought, perhaps logic is not the best form for understanding reality. For what makes one believe that human thinking has been designed to comprehend outer reality.

xxx

Transcript of letter from Shekhar Singh to Sudhir K. Bose

7.9.82

My dear Bose Sahib,

You might earlier have read a small note that I had witten for the Philo Soc on the nature of a logical fallacy. I think it was discussed sometime in 1980. Though valuable, the discussion did not help me to see my way through my confusion. As the problem still bothers me and as I seem to consider it somewhat fundamental, I have turned out a slightly longer version of the earlier note, mainly for circulation among friends, so that one could discuss it privately. I am enclosing a copy and if you at all feel upto glancing through it I would be very happy. Perhaps if you have the time, we could discuss it on one of my visits to you.

Love,

Shekhar

Transcript of Bose Sahib's comments on the margin of the paper and on the body of the letter.

1. Para 1[12]. "laws of thought"[13]: ***3/5/7-? Peano ?***[14]
2. Para 1. "Have thought?": ***Think***
3. Para 2 "X is identical to y": **X and Y are identical**
4. Para 2: ***X and Y are <u>qualitatively</u> alike but numerically different. Identical as opposed to similar[15], which are not only numerically, but also quantitatively different from one another.***
5. Para 3: "is <u>similar</u> to": ***"partially identical?"***
6. Para 3: "denoted": ***connoted.***
7. Para 3: ***[X Ξ Y] – (i) X is <u>not</u> Y (ii) but denotes what Y denotes.***

[12] 'Para 1' here refers to the paragraph number 1 of my paper.

[13] "text in double inverted commas refers to the specific text in my paper (in the para indicated) that Bose Sahib was reacting to..

[14] Text in ***bold italics*** are Bose Sahib's comments/

[15] This word was indecipherable in Bose Sahib's comments – there fore it is being assumed that he wrote "similar".

8. Para 3: ***Denotation is determined by connotation. It is a <u>logical fallacy</u> then to say, eg., 'Cuba is a member of the 3rd world' or 'India is a non-aligned country'; we are taking X <u>denotatively</u> but y <u>connotatively</u>.***

9. Para 3 (last sentence): ***Not only possible but a bloody fact! Xd Ξ to Yc.***

10. Para 4: ***A straight line is multisided, a curve is composed of an infinite number of minute straight lines.***

11. Para 5.1: ***A law of thought is not an <u>axiom</u> but an ultimate <u>assumption</u>.***

    Hence, eg., <u>differences</u> in the propositions of Euclidean and non-Euclideonyummy geometries without any of the propositions involving any self contradictions.

12. Para 5.1 "Process of reasoning": ***These are events in individual minds and could well be different in each while they contained the same thought – what we are thinking.***

> ***(2)[16] It is necessary to distinguish between (a) <u>thinking</u> - a process occurring in an individual mind, A ÷ B – C –; (b) thought - what an individual mind thinks; (C) what an individual mind is thinking about, x– y.***
>
> ***(3) Two individual minds, A and B, thinking about x and y very differently from one another, may have the <u>same</u> thought: the thought 'this wall is white' – but A thinking it is the colour of my car or the tablecloth and B thinking it is maximally different from or contrary to the colour of that dog.***

13. Para 5.2 (2nd sub para) "unsuccessful": ***"I was not <u>myself</u", "What fool invented geometry?" – Jack Rudra. Mills "proof of utilitarianism".***

14. Para 6: ***The fatherhood of God ?? that all men – and women – are <u>brothers</u>.***

> ***A and B hotly disputed matter, but at the same time calling each other "Bhai" (W.F.I).***

[16] 12(2) and 12(3) were scribbled on the second page of the letter from Shekhar Sigh to Bose Sahib – 7th September 1982, page 29 above.

15. Para 7: "descriptive or normative": ***Neither. They are fundamental assumptions only.***

16. Para 9: Must distinguish between (a) form and (b) matter of thought – between (a) validity and (b) truth of thought. Thus one could have valid thought which is false in every way. Example (1) Lions are herbivorous/cows are lions/therefore cows are herbivorous. (2) All squares are circles/ all triangles are squares/ therefore all triangles are circles.

'twins' – X and Y not only numerically different but also qualitatively different from one another at least physically.

'Identical twins' – X and Y numerically different but qualitatively identical at least physically.

8

Some Questions Concerning Punishment

1. What is Punishment?

   Multiple definitions coud be offered. For example punishment is (a) an infliction of pain, where (b) the pain is inflicted by a human agency, (c) where this infliction is justified, and (d) where the punisher knows that it is justified.

   Accordingly, punishment in the political field would be: infliction of pain by a legal authority, where this infliction is in accordance with the laws, and thus justified by them, and is the outcome of a legal procedure.

   As I understand pain: A person would be in pain when he would prefer, at least in principle, after considering the pros and cons, not to be in that state.

   Whenever we call a non-human thing a punisher, we are nthropomorphizing this thing. Whenever we talk of punishing anything insensible, (like a cricket ball), we are being metaphorical, and ascribing to this thing the sensible capacity of feeling pain. Even when we talk of god "punishing", we are, I think, being metaphorical.

2. What is the purpose of punishment?

   The following theories could be put forward:

   (a) The purpose of punishment is to retribute an 'offence'
   (b) The purpose of punishment is to reform the 'offender'
   (c) The purpose of punishment is to prevent 'crime'.
   (d) The purpose of punishment is to satisfy an urge.
   (e) Punishment has no purpose. We punish because it is good to punish.

   No one theory, I think, satisfactorily explains the purpose of punishment in the political field. I am inclined to believe that the purpose is primarily preventive. That is to say, the primary purpose of punishment in the political field, I think, is prevention of crime. However, this purpose is often achived by either reforming the criminal, or dissuading him by the threat of retribution (or by doing both). These three theories, by their very nature, are such that two of them, (a) and (b), prescribe the means for prevention.

3. What constitutes punishment in the non-political field?

   Most people seems to believe in the principle of 'tit for tat' or 'an eye for an eye'. Very often infliction of pain is justified on the basis of this belief. However, in such cases punishment becomes indistinguishable from revenge. One could, it seems to me, punish in the non-political field by replacing social laws by moral or religious laws. But if punishment is to be distinguished from revenge, then one could not punish extra-legally.

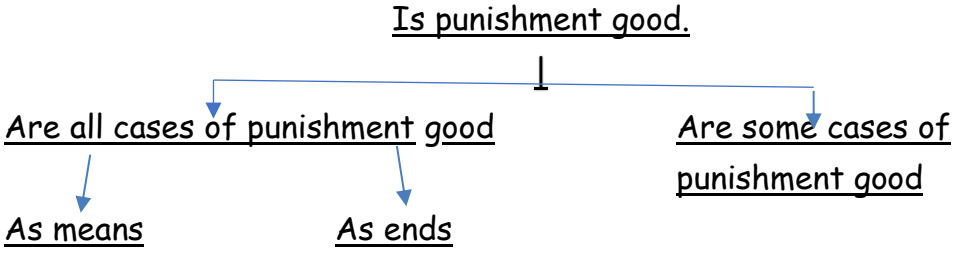
   There is another sense in which we talk of punishment. For example, we talk of one boxer punishing another. The justification here, I think, is got from the laws of nature, which allow a man to be beaten by a stronger man. The punished boxer, because he is worker, deserves, in some sense, the pain inflicted on him. Punishment, in this sense, seems to be very different from revenge.

4. Is self-punishment possible?

   It follows, I think, from the definition of pain, that we cannot punish ourselves. It is impossible for a man to willingly inflict pain on himself, if my definition of pain is correct. It follows, therefore, that no man can (willingly) punish himself. If some one is "punishing themselves" to redeem oneself or "to pay for" a sin committed, it can be argued that the self inflicted "punishment" is intended to actually lessen the guilt, or lessen the pain.

5. Is punishment justifiable?

   As it is, this question is meaningless. If my definition of punishment is to be accepted, the question reads: 'is justifiable infliction of pain justifiable'?. But what could be asked is:



It follows, I think, from my definition of punishment, that all cases of punishment must be good at least as a means, given, of course, that crime is a bad thing, and its prevention good.

6. Can any definition of punishment be justified?

   If one wants to give a non-causal definition of punishment, what does one appeal to. Surely common usage is not a valid ground. Does one possess a punitive intuition?

9

Crime as Deviant Behaviour

I

1. Section 300 of the Indian Penal Code, in part, seems to consider deprivation of the power of self control by grave and sudden provocation to be an extenuating factor in cases of culpable homicide.
2. Provocation is grave, according to case law, if it is such that a reasonable man, belonging to the same class of society as the accused, placed in the situation in which the accused was placed, would be so provoked as to lose his self control. (KM Nanavati v. State of Maharashtra, ATR 1962)[17]
3. Case law seems to determine the gravity of the provocation in terms of the ability of the provocation to cause a loss of self control.

II

4. It seems unfair to punish a person for an act such that any person qua person, however one defines person, would find it impossible, given the same circumstances, to act differently.
5. Similarity, it seems unfair to punish a person for an act such that for that person, in the given circumstences, it would have been impossible to act otherwise.
6. In other words, in both cases it would seems unfair to punish the person for in both cases he or she could not exercise free choice and, as such not be held responsible for his or her actions. In the former case the person, as a member of the human race, was not free and, in the latter case, as an individual was not free.
7. The IPC and concerned case laws, in accepting the principle of grave and sudden provocation, seems to accept that a human is not always a free agent.

[17] Cf. "What a reasonable man will do in certain circumstances depends upon…the cultural, social and emotional background of the society to which an accused belonges." Ibid SC 605

8. Similarly, in accepting social class to be a significant factor in determining the gravity of the provocation they seem to show concern for a person as a conditioned being rather that for human qua human.

9. Case law, however, refuses to consider conditioning factors specific to the individual and, as such, the peculiar individual characteristics relevant to the case. "The law cannot permit ill-temper and other abnormalities to become assets for the purpose of committing murder, for if it did, a bad tempered man will be entitled to a lighter verdict of manslaughter where a good tempered one would be convicted for murder." (Muhmood v. State, AIR 1961)

III

10. This portion of the IPC, and the concerned case laws, as I understand both, seem to have at least the following problems.

11. Apropos 'grave provocation', if they can enquire about a 'reasonable person, belonging to the same class of society…' ought not they also to enquire about 'a reasonable person, belonging to the same individual environment…'? What makes social class a conditioning factor when individual circumstances are not so?

12. Or, to put it differently, if a person conditioned by social class can be considerd reasonable, why can't a person conditioned by specific individual circumstances be consider reasonable?[18]

13. Individuals who have transcended their class conditioning, perhaps positively, would get provoked at acts of cruelty that might leave all other reasonable persons, belonging to the same social class, unmoved. Ought they to be punished for this?

14. Besides, though the IPC talks of deprivation of the power of self-control, and not of partial loss, or of impairment, this loss is considerd only to be an extenuation and not an exoneration.

15. Perhaps we should keep in mind that the IPC was drafted in the eighteen sixties and has remained, mainly, unchanged in its essence.

[18] Cf. "A person who should… deprive some highborn Rajput of his caste; who should rudely thrust his head into the palanquin of a woman of rank, would probably move those whom he insulted to more violent anger than if he had caused them some severe, bodily harm." (Indian Law Commission (IV) report)

10

Human Rights and the Indian Penal System: Some Aspects[19]

I

In this paper I propose to consider some of the sections and procedures of our criminal law, and their implementation, partly as case law, in order to argue that they do not seem to be in accordance with what should, to my mind, be regarded as fundamental human rights. I talk of the penal system, rather than the penal code, for it is the system, as it exists, that I wish to examine, not the law as made explicit.

II

The term human rights means to me those rights which are due to a human being *qua* human being. What these rights are is, and has been, the subject of great controversy, however equality is generally understood to be one of those rights which, at least as a minimum, is a human right.

To determine what precisely is meant by equality is, however, not so simple. The debate regarding this has also gone on for years. Foe example, should equality be understood in a specific time context, or should historical factors be taken into consideration when the concept of equality is being understood. As an instance, are the reservations for scheduled castes and tribes a violation of the human right of equality, or would their absence be such a violation? In terms of the penal system, this worry can be translated into: is it not a violation of human rights to punish a man for an act such that any man, who had the same circumstances, would necessarily act similarly?

Another, relatively undisputed, human right is the right to survive, both physically and mentally. Admittedly, what constitutes survival, and under what conditions, if any, can this right be withdrawn, is a subject of ongoing debates.

Albeit it is difficult to deny that a system which does not allow every individual who is willing and able to work a minimum survival income, or a minimum level of personal security and social justice, is a system which violates basic human rights.

[19] This paper is an expanded version of an earlier discussion note, 'crime as deviant behaviour', presented to the philosophical society of St. Stephen's collage, Delhi. I am indebted to the members of the philosophical society for clarifications regarding many of my worries.

III

Keeping in mind the first type of human right mentioned above, namely equality, I wish to raises some questions regarding section 300 of the Indian panel code. These questions, through raised specifically about section 300, are equally pertinent to various other sections of the IPC.

1. Section 300 of the Indian penal code, in part, seems to consider deprivation of the power of self-control by grave and sudden provocation to be an extenuating factor in cases of culpable homicide.
2. Provocation is grave, according to case law, if it is such that 'a reasonable man, belonging to the same class of society as the accused, placed in the situation in which the accused was placed, would be so provoked as to loose his control'. (K.M. Nanavat V. State of Maharashtra, SC, AIR 1962.
3. Case law seems to determine the gravity of the provocation in terms of the ability of the provocation to cause a loss of self-control.
4. It seems unfair to punish a man for an act such that any man *qua* man, however one defines man, would find it impossible, given similar circumstances, to act differently.
5. Similarly, it seems unfair to punish a man for an act such that for him, in the given circumstances, it would have been impossible to act otherwise.
6. In other words, in both cases it would seem unfair to punish the man, for in both cases he could not exercise free choice and, as such, could not be held responsible for his actions. In the former case he, as a member of the human race, was not free and, in the latter case, he as an individual was not free.
7. The IPC and concerned case laws, in accepting the principle of grave and sudden provocation, seem to accept that man is not always a free agent.
8. Similarly, in accepting social class to be a significant factor in determining the gravity of the provocation, they seem to show concern for man as a conditioned being, rather than for man *qua* man.
9. Case law, however, refuses to consider conditioning factors specific to the individual and, as such, the peculiar individual characteristics

relevant to the case. "the law cannot permit ill-temper and other abnormalities to become assets for the purpose of committing murder, for if it did, a bad tempered man will be entitled to a lighter verdict of manslaughter where a good tempered one would be convicted for murder". (Mahmood V. State, AIR 1961).

10. This portion of the IPC, and the concerned case laws, as I understand both, seem to have at least the following problems.

11. Apropos 'grave provocation', if they can enquire about a 'reasonable man, belonging to the same class of society, ought not they also to enquire about a 'reasonable man, belonging to the same individual environment? What makes social class a conditioning factor when individual circumstances are not so?

12. Or, to put it differently, if a man conditioned by his social class can be considered reasonable, why can't a man conditioned by his specific individual circumstances be considered reasonable?[20]

13. An individual who has transcended his class conditioning, perhaps positively, would get provoked at acts of cruelty that might leave all other 'reasonable men, belonging to the same social class' unmoved. Ought he to be punished for this?

14. Besides, though the IPC talks of 'deprivation of the power of self-control', and not of partial loss or of impairment, this loss is considered only to be an extenuation and not an exoneration.

At least three points seem to underly the above set of arguments:

a) First, that the establishment of liability is crucial to the determining of an act as a criminal act, in so far as it is punishable.

> I am aware that currently there is a lot of thinking along the lines that the question of liability is irrelevant, and that an individual who commits a 'criminal' act should be punished without going into the question of whether the individual is really liable for his actions or not. In fact even the plea of insanity is under

[20] Cf. "what a reasonable man will do in certain circumstances depends upon the cultural, social and emotional background of the society to which an accused belongs". Ibid SC 605

attack, and many people seem to feel that it is just an alibi for shielding criminals.

To proponents of such a view I would like to ask whether they would be willing to hang a man who was forcibly or without his knowledge, fed a drug which made him lose all control over himself and resulted in his killing someone. The onus of establishing that such a case is unique, or essentially different in terms of loss of free will from the sorts of cases where insanity, or other forms of conditioning, are pleaded, is theirs.

b) Second, that factors in your individual and social environment are relevant in shaping your personality.

This hardly appears, in this day and age, a point worth disputing. A general acceptance of this principle is obvious in all walks of life, and not only now but from the time of Plato, and even earlier. The billions of rupees spent on culture, and on general education, and in exposing people to high ideals and attempting to create for them an environment conducive for a healthy development of the mind (and body) bears testimony to this principle. Censorship of films and books, banning of certain types of public display, are all seemingly aimed at this social objective.

At a family level, great care is taken to ensure that children have the right sorts of friends and companions, and are not exposed to 'corrupting influences'.

The discoveries of the psychoanalytical school of psychology further clarify and strengthen these traditional beliefs. However, when it comes to evaluating the influences of such factors in determining criminal liability, there seems to be an odd hesitancy, almost a new-found scepticism.

c) Third, that there is, to a greater or lesser measure, determinism, or a lack of free will, in most or all human actions.

This, of course, is a much debated proposition. But at least a part of the problem we have with affirming or denying it seems to me to be due to the fact that it is not quite clear what is meant by a free action, or that under what conditions, if any, does a free will operate.

Distinctions have been made between internal determinism and external determinism: the former being a state where certain psychological factors determine the behaviour of an individual, and the latter being the sort of determinism which is a result of external circumstances.

Efforts have also been made to understand the question of determinism in terms of causality, and it has been argued that even though all actions might be determined in the sense of having a cause, there are overwhelming causes and non-overwhelming causes. Whereas the former totally suspend free-will, the latter are subject to the functioning of the free will and as such make the actor liable for his actions.

What, however, is missing in all these, and many more such, is the operational criterion by which one can, at least with reasonable certainty, distinguish a free, and thereby liable, action from a determined one. In so far as no such criterion is available, and until such time as one such emerges, perhaps our whole approach to crime and criminality has to be rethought.

IV

Questions of liability apart, for a penal system to be within the bounds of human rights requires that it be responsive and in keeping with socio-economic realities. In a society where a large number of people are starving, and primarily because a small number of people are in a position to exploit them, and the government or the society is not willing or able to intervene effectively on behalf of the oppressed, if ensuring the basic human right of survival is considered illegal and criminal, 'the law', to say the least, 'is an ass'.

But if it was only an ass, perhaps thing could be somewhat easily changed, however it also appears to be an ass which is born to, and nurtured and protected by those very people, small in number, who have brought about and helped maintain this very unsatisfactory state of affairs. Perhaps the cognizability, under the law, of theft, however small, and the non-cognizability of hurt, unless grievous, is an instance of this[21].

Without going into the very many well known examples of this, I just want to raise the question: is our penal system really a humane system, or does it, in design and implementation, support a small class of vested interests?

[21] The Indian law makes any theft a cognizable offence, where the police can directly intervene. However, causing non-greivous hurt or injury is non-cognizable, where the police cannot intervene unless directed by a court of law. It is sometimes suggested that this provision was a result of rich landlords wanting to deter "common" people from stealing a mango or a banana from their orchards and plantations, but nevertheless allowing the landlords to beat up their serfs and the "common" public, without attracting police action!

11

Capital Punishment:
A Segregationist and Reformist Point of View

1. I define a criminal act, in-so-far as it as an act that could be justifiably punishable, as an act (of omission or commission) such that if a person p performed such an act then it could not be true to say that any human-being who had a conditioning identical to that of p, and had identical provocation, would necessarily act similarly.
2. In other words, for an act to be a criminal act of the sort that I mean, it must be performed through an exercise of free-will: it should not just be an inevitable consequence of the genetic and environmental conditioning of an individual.
3. Without commenting on the question "can we ever act freely"? it is sufficient for my purpose here to maintain that whether we can or not freely, we certainly do not seem to have any even minimally satisfactory way of determining which act is free and which is conditioned.
4. In fact, I don't think we even understand what is meant by a free action, in the sense that where does this freedom come from, what laws if any govern it, and what is it that is liable for such a free act and ought, consequently, to be punished.
5. The relevant provisions concerning such an aspect that exist in our laws (section 300 of the IPC, for example) seem to me even more problematic than the methods used by psychologists, which are in themselves unsatisfactory.
6. It seems clear to me, then, that given our present level of knowledge we really have no way of satisfactorily distinguishing free and criminal act from 'conditioned' non-criminal acts.

II

7. Till our understanding of reality improve adequately, society appears to have no justification whatsoever for imposing punishment on any individual.

8. There is, then, no place for theories of punishment in the framework of law, and only reformation, in so far as it does not involve punishment and attempts to help an individual to adjust to his environment, is justifiable.
9. But society, for collective protection, might not find reformative activities alone adequate, and it might be necessary to also introduce a system of segregation, so that society can be protected from mal-adjusted individuals.
10. This appears to me to be the bedrock to a proper rejection of capital punishment.

12

Quantifying Evidence

1. There is a legal notion of conclusive evidence which, in the strictest sense, would mean that XYZ are together conclusive evidence for A if XYZ constitute A . As such, the conclusive evidence for the thesis that A murdered (or killed) V would be the seeing of A murdering (or killing) V, in so far as we understand "seeing" in the sense that if X sees P, then P.

2. Conclusive evidence, in this sense, does not allow of degrees and, as such, cannot be quantified. Either a piece of evidence is conclusive, or it is not.

3. Suppose the accused (A) is being tried for the killing of the victim (V) and a witness (W) maintains that he has conclusive evidence for the guilt of A, as he saw A killing V, the court, before it could accept W's evidence as conclusive, has to consider at least two types of questions:

   (a) Not doubting the sincerity of W, how can the court be sure that W saw A killing V, W might have dreamt it, or hallucinated, or had illusions. Such questions can be asked not only about the whole of W's testimony but also about specific parts of it like, for example, how could the court be sure that W saw A killing V and not B killing V.

   In so far as such doubts are manifestations of the general philosophical problem of wether one can be ever sure of seeing something as opposed to dreaming it or having hallucinations, they are brushed aside by the courts who, by implication, call them unreasonable doubts: there being a need to establish allegations which are beyond only reasonable doubt.

   However, similar doubts can be raised on different grounds and, in such cases, all efforts are made to dispel these doubts by, for exemple, investingating whether W was sober at the time, whether he has good eyesight and whether the distance between him and A, and the light at the time of the crime, were such that it is reasonable to suppose that W did see what he claims to have.

(b) The court would also be required to question the sincerity of W and investigate whether he has telling the truth. The court would, for example, have to see the motives, if any, that W might have for telling lies , the general character of W and other things which might have a bearing on the question. As before, general philosophical scepticism would not be considerd ed relevant.

4. The doubts raised in (a, and (b) above are such that they could never be conclusively allayed. How, for example, could one conclusively prove that the distance between W and A was such the W could observe A killing V? Apart from the difficulties involved in deciding upon what the maximum distance is over which W could be said to be able to observe A killing V, any witness who testified that he saw W standing so far away from A, or at a certain point in space, at the time of the crime would himself have to face the doubts raised in (a) and (b) above, *Ad infinitum*.

   Of course, if the judge himself saw A killing V then it might be supposed that there is conclusive evidence that A killed V, but the legal system does not allow the through the witness to also be the judge, in any case not without going through the tests necessary to investigate the doubts raised in (a) and (b).

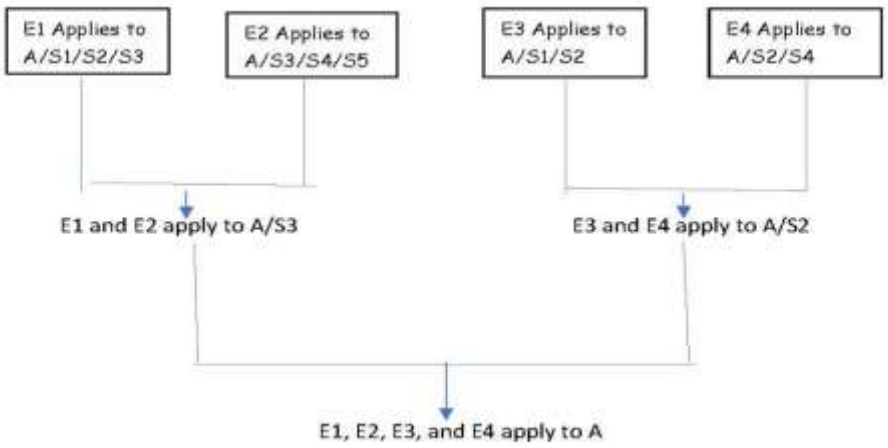
   It would seems then that conclusive evidence, at least in the strict sense, cannot be available to a court. Hence arises the necessity to quantify the evidence that is available.

5. Suppose it is believed that A killed V and, in support of this contention, four pieces of evidence are offered. The first bit of evidence states that A hated V because V had run off with A's girlfriend (EI). This is offered as evidence because it establishes A's motive for killing V. Secondly, it is maintained that A was around the scene of the killing at the time that V was killed (E2). Thirdly, it is contended that A has the physical strength to inflict upon V the sorts of wounds that were discovered on V (E3). Fourthly, it is held that A acted in a suspicious manner subsequent to the killing (E4).

   Now E1, for example, is stated to be a fact, a fact that is to be used as evidence to prove that A killed V. However, before it can be used as

evidence, it itself has to be established as a fact, and evidence has to be produced in favour of it. The prosecution might, for example, produce documents, or witnesses, in support of their contention that A hated V. Because of the problems stated in 3(a) and (b), none of these bits of evidence could be taken as conclusive evidence for the contention that A hated V. As such, the acceptance that A hated V is a fact would, at least partly, depend on the quantity of evidence produced in its favour. Ten letters, every thing else being equal, would be considered better than one, and so ten witnesses better than one. This is one sense in which evidence is quantified, where the greater the amount of supporting evidence, the greater the probability that what it is evidence for is true. Though the duplicity of evidence can never provide conclusive evidence, it just makes it more and more probable, in accordance with the laws of probability, that what is sought to be established is true. Albeit, the lines between that which is rejected and that which is established beyond reasonable doubt, is arbitrary.

6. Supposing, in the above fashion, all the pieces of evidence are established to be, themselves, factual, the task of using this evidence to prove that A killed V still remains. Apart from A there might be many other people, call them suspects (S1, S2 etc), to whom at least some of these pieces of evidence might also apply. For example, A might not be then only person who hated V. As such, the tasks of the prosecution would not only be to show how the evidence in hand points to A killing V but also that it excludes anybody else killing V. The position could be expressed as follows.



This is another sense in which evidence is quantified (not duplicated, as earlier seen, in order to establish that it is probable that A killed V), quantified in order to establish that out of all the people of whom it is probable that they killed V, the greatest quantity of evidence applies to A, making it most probable that A killed V.

7. Needless to say , this is at best a very simplistic picture and very many more factors are involved. However, all one is intending to discuss is how and why evidence is quantified.

13

Can Ends Justify Means

Under what circumstances, if at all, is it morally justified to act in a way such that the action is:
(a) a means to some end,
(b) where the end is good in itself, and
(c) where the means, or the action constituting it, is intrinsically bad.

In considering this problem I am not concerned with the question: 'is the end really good in itself? 'Or 'can the so-called means really bring about the designated end? '. The goodness of the end and the efficacy of the means are presupposed. I also understand the end to be such that the action under consideration is the only means to it and that the end could not come about except through this means.

The problem that I'm concerned with can be, and perhaps has been, posed by asking under what circumstances, if at all, could ends justify the means. If, however, for ends to justify means it is necessary that the intrinsically good end changes, in some way and by virtue of being the end, the character of the intrinsically bad means, making it good in itself, then this is clearly not possible. This is also not a sense in which I raised the problem. It seems obvious that an action which is intrinsically bad is by definition the sort of thing whose effects or end can have no bearing on its intrinsic worth, or on the lack of it.

But, perhaps, there is another way of formulating this problem. Suppose A, the means, is intrinsically bad while B, the end, is intrinsically good. Now, granting that A remains intrinsically bad and B remains intrinsically good, one could wonder whether it can be, under any circumstances, morally justifiable to do A in order to bring about B. Can one be morally justified in wanting the complex whole of A causing B and, indeed, in acting accordingly?

I understand intuitionists like G.E. Moore to be saying that the moral value of a complex whole, like the whole 'A causes B 'cannot be judged on the basis of the value of either A or B separately: the value of the whole need not be in any direct proportion to the value of its parts. In fact, I understand such intuitionists to be maintaining that the value of such a whole has to be re-

intuited. At least for these intuitionists, from the fact that A is bad it would not necessarily follow that the complex whole of A causing B is also bad.

Besides, would not one consider it a moral duty to work towards bringing about the best possible state of affairs or the maximum amount of good. The question, as such, becomes one of deciding whether A, therefore B is a better whole than not-A, therefore not B. Like in the Moorean whole, A and B retain their individual values but the whole has a value of its own. Though A remains something that is intrinsically bad and therefore something that ought not to be done for its own sake, though whole: A, therefore B becomes something that is intrinsically good and, consequently, something that ought to be done for its own sake. The original problem, then, could perhaps be more accurately formulated as: 'can a whole justify its parts?', rather than 'can ends justify the means? '.

Children are punished, very often in the belief that the infliction of this pain or suffering, in itself bad, would help bring about a state of affairs which would be, on the whole, good. A man goes to the dentist and bears the agony of an extraction in order to ensure the absence of future canine pain. All these, and more, can be cited as examples where the bad means and the good end form a whole which is considered better in its presence than in its absence.

My contention, then, in brief, is that it is morally justifiable to act in a way such that though your action is intrinsically bad it is a means to some intrinsically good end, provided that the complex whole of the end and means together is judged to be such that its existence is preferable to its nonexistence.

II

The extermination of five million Jews with the purpose of bringing about a better world, all the torture and killing of animals for the palate or for sport, are examples of actions that are often considered repugnant. Nothing, it is felt, neither the vision of a better world, nor the palate, nor sport, could justify the slaughter of human beings and animals. From this, however, it is sought to be inferred that ends cannot justify means.

To begin with, those who object to such actions on the basis that, in such cases, the state of affairs where neither the means nor the end exists, is

preferable to the canvas, are not really in conflict with my contention. All they are saying is that they intuite the whole, where humans are slaughtered to bring about a better world, to be worse than one where this does not happen, and the world stays as it is.

But what of people who consider the converse to be true? Are they, then, justified in attempting to kill in order to attain the desired end? I would say they are ordinarily not justified in doing so, though not because they are not justified in using the ends to justify the means. it seems to me morally unjustified to impose one's own moral beliefs on others, especially to the detriment of the others. As such, individuals who set out to exterminate five million human beings are, even if they believe that the effect of such a slaughter would bring about a preferable state of affairs, acting immorally because they are imposing thir moral decision to the detriment of these five million people.

But what, then, of parents who impose punishment on their child even though the child might demonstrably and violently oppose any such action? Perhaps one can say that people are only justify in imposing their decisions on others insofar as they are acting within a moral framework where such an imposition is considered justifiable.

In a country, for example, the people accept a set of laws and vote or otherwise give authority to a certain set of individuals. These individuals in authority, then, are justified in imposing some of their decisions on the people. For example, they could impose taxes, within reason, which might cause immediate hardship but result in future and greater good. It is debatable, however, whether in any system the people give unlimited authority to the rulers, and certainly never the authority of life or death. In fact, it could be argued that human beings are not even themselves justified in deciding to give up their own lives. Similarly, it is debatable whether parents have any justification in punishing their children.

It is also argued that means cannot be justified by the end as one can never be sure if the designated ends will follow the supposed means. Moral justifications, to my mind, only take into consideration the intent. Perhaps a person who has indulged in bad means without bringing about the proposed good ends may be blamed for having bad judgement, or for acting

unintelligently. Insofar as the person sincerely believed that the good end would follow the means, no moral blame can be attributed.

In short, the intuitionists do offer an interesting answer to the question 'can ends justify means?', though their answer even if in itself acceptable, still leaves open questions about how to dwttermine what is good and what is not, and how good an end is required to justify how bad a means. But, then, these are old, familiar, questions.

14

Free Will and Determinism

1. The inability to establish the existence of the free will, and further to discover ways of identifying (recognising, knowing) such a will, seem to me to be two of the many scandals in philosophy.
2. In other words, there seem to be no reasonable criteria by which one can determine which human action (or which part of any one human action) is a result of the exercise of a free will (the epistemological worry); and, infact, no good reasons to believe that anything like the free will exists, irrespective of whether it can be known or not (the metaphysical worry).
3. That is not to say that there are any better reasons for believing that there is no free will, infact the debate seems somewhat open. However, the few arguments that are offered in support of determinism seem invariably more powerfull than those offered against.
4. One of the ways in which determinism has been sought to be proved is through what can be called a psycho-biological analysis of the human being. This particular proof seems to gain its legitimany through recent discoveries in genetics, including the discovery of the DNA molecule and its inherent genetic code; and thorugh an extension and application of the psychological discoveries of the psychoanalytical school.
5. Briefly stated, the argument can be understood as follows. That which determines the 'choices' that an individual makes is a function of:

    a) Paternal genetic characteristics (Pg)

    b) Maternal genetic characteristics (Mg)

    c) External Stimulus (S)

    That which determines human 'choices', Let us call it A, is then seen as a function of Pg, Mg and S, which can be stated as A=F (Pg, Mg, S1------n).

    In plain English this seems to mean that whatever 'choice' an individual makes, this choice is determined by (is the result of) his paternal and maternal genetic characteristics, as they have been conditioned by the first stimulus (S1) on wards, till the moment of making the 'choice'.

Further, Pg and Mg can be seen as functions of the biological processes of the body, and S can be seen as a function of the individual's circumstances.

It is, then, argued that there is no place for free will in such an explanation, for each of the three factors enumerated, i.e., Pg, Mg and S, are shown to be functions of things other than a free-will, and they collectively are shown to be totally responsible for the making of all 'choices', leaving no possibility for a free will.

6. The extent to which genetics is responsible for a man's actions, as opposed to his circumstances, is subject itself to debate : the controversy sometimes being labelled as *nature vs nurture.* There are psychologists like H.J. Eysenck (*Crime and Personality*), J. Lange (*Crime as Destiny*) and Ivan Pavlov who seem to give a lot of importance to the genetic conditioning. On the other hand, there are thinkers like Marx and Freud who seem to stress on the environmental aspects.

7. Another way in which the impossibility of the free-will has to be sought to be established is by invoking the seeming universality of the law of causality. It has been argued that if the law of causality is universal, as it is often believed to be, then every event must have a cause. Then, take x as the event of making a choice, now this event must have a cause, and the cause itself is an event which also must have a cause, *ad infinitum*. Therefore, every action seems to be the result of an infinite series of causes lying much further back in time than the life span of any single individual. To say, therefore, that any action is a free action, or an action that is performed out of a free will, seems to be understood as saying that the action is without a cause, and this is considered to be impossible.

8. I do not mean to imply that either of these two arguments in favour of determinism prove beyond all doubts the impossibility of a free-will. Whatever the internal validity of these arguments, one can always question the premises, as indeed one can of any save an hypothetical argument. However, at least some of the premises are such that though their falsification would certainly weaken, perhaps demolish, the arguments in favour of determinism, it would also have other interesting implications.

9. Without establishing the possibility of the free will, and discovering criteria by which one can distinguish between a free and a determined action, it becomes impossible to understand the notion of responsibility or of blame. Apart from the well known predicament that this poses in moral philosophy, there also is the problem of opportioning blame and punishing people, both in interpersonal relationships and in terms of the legal structure. For, if an individuals genetic inheritance and circumstances totally determine his actions, then if we punish him for 'committing a crime' we are actually making him suffer for no fault of his: we are making his suffer for the genetic & the circumstances he happened to have attracted.

   Social concepts like those of social contract or of rational and participative democracy also become meaningless without the establishment of a free-will.

   Finally, the off quoted objective of education to make a man think for himself, also becomes an impossibility.

15

Nature vs Nurture

1. Without entering into the controversy of relative merits, in this note it is proposed to work within certain theoretical hypothesis involving three factors: psychological influences, genetics, and environmental stimuli.
2. It is proposed to work with the hypothesis that both genetics and the environment play a significant role in shaping the personality of an individual: the "receptacle" personality being originally shaped by genetic factors and subsequently receiving environmental stimuli and being conditioned in accordance with the laws of psychology.
3. Environment, for the purpose of this note, is understood in as wide a sense as possible. It not only includes the economic, cultural and social parameters, both at the macro and micro level, but also recognises institutional and individual factors: all these affecting both the conscious and the unconscious mind.
4. It is also assumed that neither genetics nor environment have an intrinsic preponderance. Some individuals succeed in transcending their environment, to varying degrees, and others don't.
5. In other words, environment and genetics are complementary in the sense that the deficiency in one can usually be made up by the other. It is assumed here that it is possible to provide environmental inputs such that the genetic weaknesses in a personality are counteracted by corresponding environmental strengths.

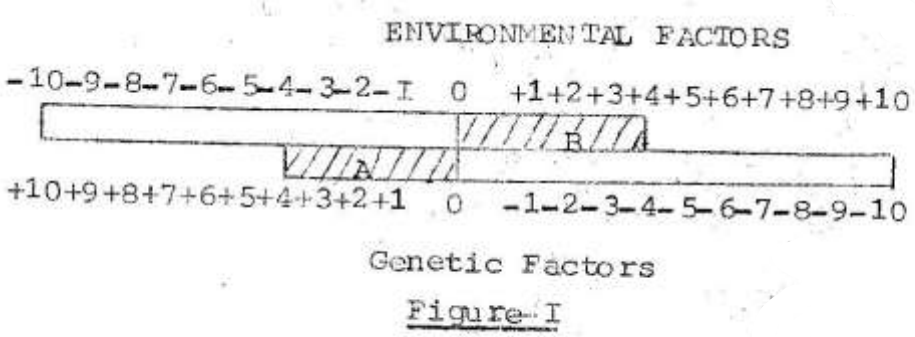


Figure-I

The above figure represents a well adjusted personality, signifying both environmental and genetic factors in purely quantificational terms. A well adjusted personality is defined as one where the sun total of both factors is zero or greater than zero. The zero level in each parameter is defined as the minimum normal level. As such, in the above figure there is an above-minimum quantity for both factors (shaded areas A&B) making a total of +8. This excess becomes a psychological buffer zone capable of withstanding severe provocation. Another well adjusted personality can, in quantificational terms, have a plus score by making up for deficiency of one factor by the strength of the other:

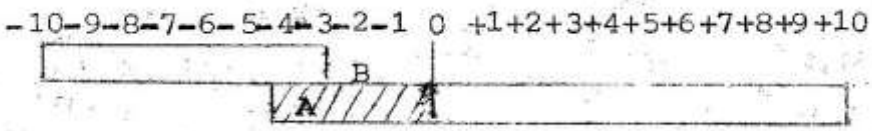


Figure-2

In figure 2 we see that the shortfall of one factor by three points, indicated by 'B', is made up by the strength of the other, indicated by 'A', making a total +1.

6. The role of provocation can also, in this system, be quantified. Provocation can be understood as the temporarlly immediate force, internal or external, that interacts with a personality in a way such that motive for doing a particular thing, or acting in a particular way, is generated. If we classify the intensity of the provocation in terms of force units, then we can say that provocations range from force I to , say, force 20 (F1 to F20).

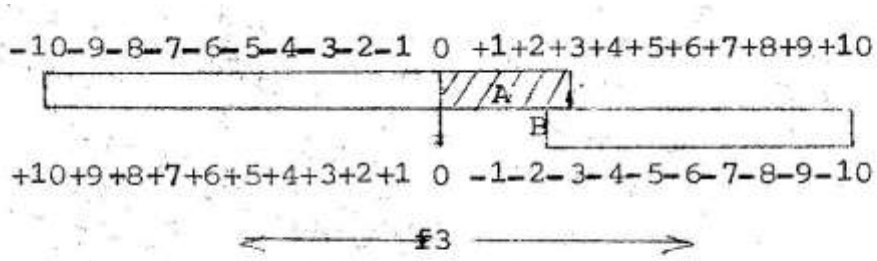


Figure-3

The above figure represents a situation where the provocation to do an act is sufficient for the act to be done. The provocation is of force 3 (F3), and the psychological buffer is only +1(A-B). As such, there is deficiency of 2 and the provocation overwhelms the buffer.

7. So far we have been looking at an extremely simplified pictures of the personality and have not taken into consideration the <u>nature</u> of conditioning, only its <u>quantity</u> and, similarly, have ignored the <u>nature</u> of the provocation, talking only of its <u>force</u>. We can now construct a more complicated model which will taken into consideration both the nature and the quantum/force of the conditioning and of the provocation.

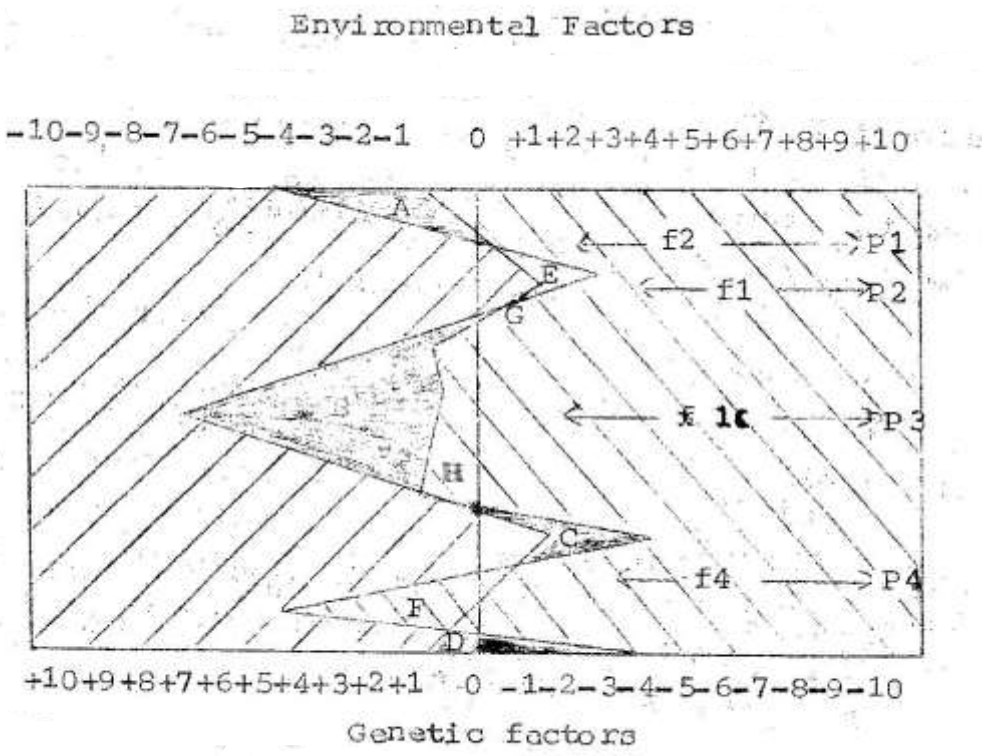


Figure-4

In figure 4 we see a somewhat more accurate depiction of the personality. We not only see the quantum, but also the nature of the different factors. As such, just the fact that the sum total of the two factors is zero or greater than zero is not enough, as we earlier maintained to define a well-adjusted personality. A personality is now defined as well adjusted if each of the weaknesses is met with corresponding strengths or, in other words, if there is no area in the chart where the total value of the factors is less than zero, irrespective of the overall total.

In figure 4, the shaded areas A,B,C&D represent the areas of surplus or the psychological buffers. Area E to F are the areas where the values of the factors are less than zero and, as such, indices of mal adjustment. G &H are areas where though the factor value is not below zero, there is virtually no buffer and, as such, the personality is still vulnerable to the mildest of provocation.

Four provocations are depicted on the chart: p1, p2, p3 and p4. P1, though of force 2, is negated by the buffer, at that point, of +3. P2, though very mild and only of force I, prevails because there is a deficit in the corresponding area of the personality (E). P3, though faced with an enormous buffer of +6, prevails because it is exceptionally powerful, being f10. Similarly, p4, moderate in force also prevails because it overwhelms the buffer[22].

8. Having constructed more complicated charts for the personality, one can use the simpler models to illustrate characteristics of specific personality traits. For instance, figures 5 and 6 below quantify the 'slow to anger' and 'quick to anger' traits of a personality.

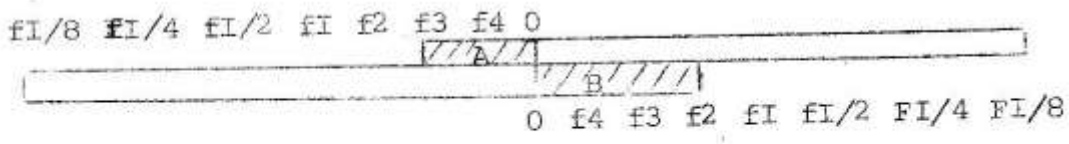


Figure-5

[22] Force F1 is taken to be one unit above what could be considered to be within the range of normal provocation. Deficit in factor value is symptomatic of paranoia and means, in effect, that the personality is capable of reacting without any provocation.

Figure 5 depicts the slow to anger trait. The buffer (A+B) needs a provocation of at least f16 to negate, but after that less and less force is needed for increasing reaction. Similarly, figure 6 below illustrates the opposite trait, where initial reaction is easy but more and more force is needed for maintaining the same level of reaction.

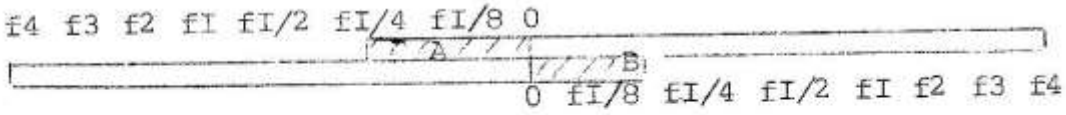


Figure-6

xxx

16

Values and Decisions

I will attempt, in this paper, to describe and discuss one of the ways of understanding why human being choose to act, or not act, in certain ways .

Though my thesis should cover all types of actions, I try and look most closely, in this paper, at actions which can be described as 'moral actions' or 'immoral actions'.

I find it difficult to meaningfully discuss these matters within the constraints of moral philosophy, for I believe that moral philosophy, at the stage it is today, has not succeeded in satisfactorily answering the charge of subjectivism.[23]

Moral systems have repeatedly been shown to be either subjective or relative, and as such with no justification for imposition, or even acceptance, universally. Those systems which have succeeded in escaping this charge have invariably become open to the charge of committing a logical fallacy, by violating the law of identity, sometimes committing what G. E. Moore has called 'a naturalistic fallacy' [24].

In brief, then, we either have moral systems which are based on what seem to be *a priori* assumptions, and thus can be subjective. Alternatively, we have moral systems which identify 'good' with pleasure or some such 'natural' or 'non natural' but distinct quality, and thereby commit a logical fallacy[25].

Of values, moral and otherwise

But how is one, then, to understand the day-to-day interaction and behaviour of human beings who do appear to act out of certain values: very often these values being similar to those of their compatriots all over world.

The explanation that I wish to evoke here has some of its basis in a theory called 'psychological hedonism'. I do not purport to offer psychological hedonism, or the rest of my explanation, as a moral theory. It is, at best, a way of understanding why human beings act the way they do, and in-so-far as it attempts to do nothing else, perhaps it escapes some of the charges

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[23]For a fuller discussion of this problem, see *Towards Purity of Morals*, R.K. Gupta, Pragati Publications, 1981, Chapter 7.

[24]G.E. Moore, *Principia Ethica*, Cambridge University Press.

[25]For a classification of ethical theories, see R.K. Gupta, ibid, p.12 & p.18.

that moral theories are open to. Needless to say, it obviously does not explain, or attempt to explain, moral reality.

Psychological hedonism can be understood to assert that human beings are so made that they cannot but help always seeking their own pleasure, or absence of their own pain. To put it differently, it seems to argue that the necessary condition required for motivating a human being to perform an act (by 'act' I mean a 'volitional act') is his or her anticipation of self-pleasure or absence of pain for the self. People only act if they anticipation for themselves, out of that action, pleasure or absence of pain[26].

On the face of it such a statement might appear exceedingly cynical and tempt one to say that, if it is true, then all human beings are doomed to be necessarily selfish.

However, one way of getting over this preliminary cynicism is to try and examine the possibilities of such a theory. Taking it a step further, one can argue that it allows, without contradiction, the existence of both self-serving individuals as also of those who make great personal sacrifices for the wellbeing of humanity, or for upholding the sanctity of a principle.

Within this theory, one can argue that though basically each one of us is seeking his nor her own individual pleasure <u>in the ultimate analysis</u>, the difference between the sadist and the philanthropist is that the former seems to anticipate, and perhaps get[27], his pleasure from causing pain to others, while the latter seems to anticipate, and hopefully get, his pleasure from giving joy and happiness to others. The theory, therefore, does not break down in presence of the obvious examples of sadists and saints[28].

Based on this understanding, one can begin to build up a system of explaining human behaviour.

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[26]Pleasure and pain can be defined, perhaps tautologously, as follows:
Pleasure is that state of mind that we want the existence and continuation of, and pain is that state of mind that we want the absence of. The term 'pleasure' can be replaced by 'happiness', 'peace of mind', 'well-being' etc.

[27]The world shows us that all those who anticipate pleasure do not necessarily get it. The motive force is in the anticipation. Whether one achieves what one anticipates is determined by various other factors.

[28]There appears to be a general belief that hedonism is necessarily 'bad'. If what I say here is true, then such a belief is fallacious. A recent example of such a belief is 'Morality and Our Elite', Praful Bidwai, Times of India, 21st & 22nd August, 1984.

Understanding human behaviour

Much has been said and written about motivations, and their hierarchies[29]. Some psychologists have even argued that there is a set and predictable hierarchy of motivations (or needs) and that human behaviour can be understood in terms of these hierarchies[30].

I do not intend to enter here into this debate. For my purposes in this paper, it is enough to assert the following propositions:

1. Anticipation of pleasure is the basic motivation of human action, along with anticipation of the absence of pain.
2. It is possible to analyse the motivation of pleasure (and absence of pain) into some further subsidiary sets of motivations.
3. An urge to do that which appears to be the right, correct, good or moral thing is one of the urges which, if satisfied, is anticipated to give pleasure (and if not satisfied, to give pain).
4. These motivations are organised hierarchically.
5. No two human beings necessarily have the same hierarchy of motivations. The importance that individuals give to one urge over another, in terms of the pleasure they anticipate, can differ from person to person, and in this same person from one time to another.

In order to see how this system works, we can assume a set of motivations, as given below, without bothering about whether the list given is complete, and then look at hypothetical cases of human behaviour.

Pleasure, or absence of pain, is anticipated by the satisfaction of at least the following urges[31]:

1. For survival of self and species.
2. For sexual gratification.
3. For procreation.
4. For loving and being love.

[29]For a good survey of this area, see *Motivation: Theory and Research*, C.N. Cofer & M.H. Appleby, Wiley Ltd, 1980.

[30]See, for example, *Motivation &Personality*, A.H. Maslow, New York, Harper, 1954.

[31]Each one of these can be broken down further into various distinct urges, and some of them might even overlap with each other. My purpose, here, is not to build up a perfect theory of motivation, but just to examine one model for understanding human behaviour, whatever might be the actual motivations.

5. For ego gratification.
6. For identifying oneself, and being identified with, and accepted by, a community.
7. For acquisition of material goods and wealth.
8. For doing the moral or right thing.
9. For sensual gratification.
10. For intellectual gratification.
11. For excitement.
12. For beauty.

The first important proposition, then, is that each individual human being tends to have these urges with differing intensity at any given time. For example, Mr. X at time t1 might feel most intensely the urge to do what he understands to be the moral or right thing. His urge for acquisition of material goods, at the sametime, might be less intense and, as a result, if presented with an opportunity where he has to compromise his moral principles in order to acquire wealth, he would most likely reject the opportunity. Another person, Miss Y, might feel the urge for acquiring material goods much more intensely than the urge for doing the moral thing, and would take the opportunity.

Of course, it must be mentioned here that choices very rarely, if ever, come in such simple forms where they are a conflict between only two urges. Usually, life situations provoke many of the urges simultaneously, and the outcome is perhaps dependent on the aggregation of intensities[32].

One way, then, of understanding human behaviour can be in terms of opposing motivations, the final outcome dependent on the relative importance that the opposing motivations have in the psyche of the concerned person.

It is interesting to note here that, even if people act out of such urges, it is not certain that they would get the anticipated pleasure or would not have regrets later about the course of action that they chose. Often this disappointment is due to an inadequate understanding of the situation, where people expect certain things to happen, or not happen, in the external world, and these expectations are belied. In such cases it can be

[32] Frankly, I am not too convinced about the aggregation bit, and this needs further investigation. Perhaps, G.E Moore's notions of an organic whole is relevant here.

said that their action was in keeping with their motivational structure, however their understanding of the external situation was faulty.

In some cases, however, this explanation does not seem to work. Sometimes, despite the concerned person getting all, or sometimes even more, than what he was seeking, the sense of pleasure or happiness that he anticipated eludes him. His 'conscience' may, for example, start pricking him. It is perhaps possible that, in such cases, his conscious mind misled him into acting in a way that he thought was in consonance with his motivational urges, however the motivational forces in his unconscious mind were at variance with these, resulting in dissatisfaction and even regret.

The opposite is also possible, where people are compelled to act out of unconscious urges, thereby doing violence to their conscious motivational structures. In other cases, a person's motivational structure coul changing over time, and result in his regretting his past actions.

Another dimension of understanding human behaviour, according to this model, is in terms of the nature of the choice that presents itself. To take the earlier example, if there is a choice between upholding moral principles or acquiring wealth, apart from the motivational structure of the individual who is faced with this choice, another important element is the nature of the choice itself: how much of moral sacrifice, and of what type, is required for how much of wealth. The same individual might be willing to sacrifice a lesser principle for X amount of wealth, but not a major one. He might also be willing to sacrifice the major principle but only for a greater amount of wealth. Therefore, perhaps, the adage, that everyone has a price.

Of course there might be some individuals who hold morality to be so important that nothing would motivate them to sacrifice the smallest of principles. This, however, has to be demonstrated.

The situation gets further complicated because of the role that the intellect or reason plays. When faced with a situation where the person would ordinarily rebel against the immorality of the act, and not be able to perform that act without a severe loss of self-respect, the mind (intellect, reason) often comes to the rescue and rationalises the action to a point where the choice is made to seem more palatable, less morally reprehensible, and sometimes even morally praiseworthy. Social oppression, authoritarianism, various forms of exploitation and punishment, are regularly justified in this manner.

Intellect, then, often becomes an enemy of morality, rather than its ally.

It seems clear, then, that human behaviour, in this context, depends upon:

1. How intense, relative to other urges, is the urge to do the moral thing: the nature of the motivational structure.
2. What things are considered to be moral: the nature of moral ideas.
3. How far reason helps to understand the correct moral implications of an action, and refrains from making it seem more acceptable than it is: the role of reason.
4. What sorts of situations are presented to the subject: the nature of the choice.

Values and Conditioning

To begin with, the nature of motivational structure and nature of moral ideas are primarily, if not wholly, a result of the environment within which an individual lives and is brought up. His childhood experiences determine, to a great extent, the intensity of his urges and what he considers moral and what immoral[33].

The interaction with his environment is, of course, two way, for not only does he draw from it but, by being what he is, he also contributes to it, thereby affecting the character of his own family, his children, and his fellow beings.

The third factor, the role of reason, is also both affected by the environment, and contributes to it. There have been people, like Karl Marx, who have tried to expand the horizons of reason and show moral implications of actions that were, till then, not realised. But there are others who work full-time at trying to confuse the choices, and to dull the intellect, so that self-interest above all else can be morally justified. Both these draw from their environment, and have a profound impact on it.

The ability to think clearly, to be intellectually honest, and thereby to properly understand and analyse the choices, is itself developed within a creative environment and, when developed, leaves a significant mark on society, perpetuating itself.

In many parts of the world today, one of the most important factors seems to be the fourth factor, the nature of the choice. To demand moral behaviour from and within a society which is constantly being confronted by impossible choices, is not only impractical but, most likely, in itself

[33]An excellent discussion on 'moral emotion' and the development of moral ideas is found in the *Origin and Development of the Moral Idea*, Edward Westermark, Macmillan & Co, 1926

immoral. This is perhaps the most significant way in which the environment determines the moral tone of a society, for once the people are morally brutalised because of being repeatedly confronted with impossible choices, it becomes very difficult for them to once again re-discover their sensitively and self-respect.

In most countries today, a large number of people are daily confronted with the threat of starvation, violence, and even annihilation, which they can only counter by abandoning even the last vestiges of morality. To expect a man to let his family starve, because stealing from even those who have more than they could ever use is considered immoral, shows a certain lack ofhumanity that is many times more reprehensible than the theft that the starving man might commit.

Whether the conventional notions of morality exist in such a situation, or whether 'morality' has become another way of oppressing the masses, is a question that we must begin to answer for ourselves.

17

Reason and Moral Action

1. The two most common questions concerning morality faced by average human beings are, I believe, the following:
    1.1. What is the moral (ethical, right, correct, desirable) thing to do in (many) particular circumstances?
    1.2. Why should be normal?
2. Another common related question seems to be: how do I change my society (sub society, system, culture, group) into a morally better one?
3. A fourth, perhaps not so common, question appears to be: how do I change my society (etc.) into one where it is easier to act and live morality.
4. The history of moral philosophy, rational or otherwise, seems to have given us no satisfactory answer to the first question (1.1), or at least none that can be communicated as such to the largest exercisers of moral choices: the average human being.
5. To repeat on old story, 'autonomous' ethical systems face the charge of being subjective and non-universal while 'hetrenomous' systems not only face the charge of being logically inconsistent (re. G.E. Moore's naturalistic fallacy) but have the further practical problem of translation from general rules to particular exemplification. For, if what is good is what gives 'the greatest amount of pleasure to the greatest number of people, or what 'sustains a certain social order', then not only is it difficult to determine in each particular case what this might be, but also decide within what time frame must such pleasure or social order be achieved.
6. Of course, in neither case is their a satisfactory answer to the inevitable question: how can we be sure that this general principle prescribes what is actually the moral thing to do?
7. Take a typical dilemma of an administrative officer posted in a dacoit infested area. He has very good reasons to believe the following facts to be true:

Fact 1: That there are a large number of dacoits in the area of his jurisdiction, who have violated many laws and caused much death and suffering.

Fact 2:That many innocent and helpless people not only live in constant fear, but are being brutally beaten-up, raped and killed every day.

Fact 3:That these dacoits either ensure that no withnesses remain alive to give evidence against them, or terrorise those who have been witness to their crimes to such an extent that these peoples are too scared to give testimony in court.

Fact 4:That these dacoits use various other weaknesses in our legal and executive system, and use bribery and other methods to keep out of the hands of the law.

Fact 5:That he has in his custody an individual who is such a dacoit and has committed such actions.

Fact 6:That if this person is released from custody without being punished, he not only himself will most likely continue his acts of violence, but his release would embolden other dacoits to be even more daring

He seems to have at least the following options.

Option 1: To act strictly in accordance with the law aid to release the person in custody.

Option 2: To 'take the law into his own hands' and punish the person as he would have been punished if he could be legally prosecuted.

Option 3: To 'take the law into his own hands' and to punish the person as seems most expedient.

Option 4: To resign his job or otherwise disown the moral dilemma faced by him.

Option 5: To act in any of the four ways specified above and simultaneously to do all that is possible to change the objective conditions that make such a dilemma possible.

It would be interesting to examine what kind of an answer reason, knowledge and moral theory gives to this dilemma, or to other similar dilemmas like using third degree methods of interrogation (ref: the transistor bomb case[34]), or where an individuals mother, for example,

[34] In 1985, there were a series of transistor-bomb explosions in Delhi, which left nearly fifty people dead and nearly two hundred injured, many of them children. Transistor

needs an urgent injection to save her life, but the doctor is only willing to oblige if he is bribed. Again, where one is reluctant to hand over a juvenile to the police because one knows that not only will the police treat him illegally and brutally, but perhaps lead him to become a hardened criminal.

8. Similarly, the answer to the second question: why should I be moral? Does not seem to be forthcoming from reason either. The conventional answer, that such a question makes no sense and that the notion of morality contains logically within it the notion of ought, does not for obvious reason, impress the general public

9. We live in a society where usually the material gains to individuals from immoral actions far outstrip their share of the collective loss that their immoral actions might cause to the society. Besides, there is no guarantee that if we are moral, the opportunities for immorality that we forego would not be taken up by someone else.

10. In conclusion, it can perhaps be said that a test of our theories is their ability to tackle difficult specific situations. This note, then, is just an effort at describing some of these difficult situations in the hope that the discussion it might generate would help us to see thing a little more clearly. For, I do believe that all these situations, and many others, are such that reason must be able to satisfactorily tackle them. I can do no better than quote Immanuel Kant, who says[35]:

> " A collection of rules, even of practical rules, is termed a theory if the rules concerned are envisaged as principles of a fairly general nature, and if they are abstracted from numerous conditions which, nonetheless, necessarily influence their practical application. Conversely, not all activities are called practice, but only those realisations of a particular purpose which are

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radios with bombs inside were left in various public places, including parks, and when they were picked up they exploded. Allegedly, the Delhi police detained some suspects and tortured them to get details of others involved. Though usually there is great outrage and protest from the public when the police tortures suspects, reportedly there was little objection in this case as there was panic and the public desperately wanted the perpetrators to be stopped, whatever the methods!

[35] *Kant's Political Writings*, edited by Haus Reiss, Cambridge University Press, 1970, pp 61-62

considered to comply with certain generally conceived principles of procedure".

"it is obvious that no matter how complete the theory may be, a middle term is required between theory and practice, providing a link and a transition fron one to the other. For a concept of the understanding, which contains the general rule, must be supplemented by an act of judgment whereby the practitioner distinguishes instances where the rule applies from those where it does not. And since rules cannot in turn be provided on every occasion to direct the judgment each instance under the previous rule (for this would involve an infinite regress), theoreticians will be found who can never in all their lives become practical, since they lack judgment. There are, for example, doctors or lawyers who did will during their schooling but who do not know how to act when asked to give advice. But even where a natural talent for judgment is present, there may still be a lack of premises. In other words, the theory may be incomplete, and can perhaps be perfected only by future experiments and experiences from which the newly qualified doctor, agriculturalist or economist can and ought to abstract new rules for himself to complete his theory. It is therefore not the fault of theory if it is of little practical use in such cases. The fault is that there is not enough theory; the person concerned ought to have learnt from experience. What he learnt from experience might will be true theory, even if we were unable to impart it to others and to expound it as a teacher in systemic general propositions, and were consequently unable to claim the title of a theoretical physician, agriculturalist or the like. Thus no one can pretend to be practically versed in a branch of knowledge and yet treat theory with scorn, without exposing the fact that he is an ignoramus in his subject. He no doubt imagines that he can get further than he could through theory if he gropes around in experiments and experiences, without collecting certain principles (which in fact amount to what we term theory) and without relating his activities to an integral whole (which, if treated methodically, is what we call a system).

"yet it is easier to excuse and ignoramus who claims that theory is unnecessary and superfluous in his supposed practice than a would-be expert who admits the value of theory for teaching purpose, for examples as a mental exercise, but at the same time maintains that it is quite different in practice, and that anyone

leaving his studies to go out into the world will realise he has been pursuing empty ideals and philosopher's dreams. In short, that whatever sounds good in theory has no practical validity. (This doctrine is often expressed as: ' this or that proposition is valid in thesi, but not in hypothesi'). Now all of us would merely ridicule the empirical engineer who criticised general mechanics or the artillery man who criticised the mathematical theory of ballistics by declaring that, while the theory is ingeniously conceived, it is not valid in practice, since experience in applying it gives result quite different from those predicted theoretically. For if mechanics were supplemented by the theory of friction, and ballistics by the theory of air resistance, in other words if only more theory were added, these theoretical disciplines would harmonise very well with practice."

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An Aspect of Spontaneity

1. In this paper I will attempt to raise a few questions about the notion of a spontaneous action. The purpose of this paper is not to provide answers to these questions, but just to raise them.

2. What sort of an action can be called a spontaneous action? Are actions, done for their own sakes, spontaneous? Are all spontaneous actions non-rational actions? Is 'contrived action' the contradictory of 'spontaneous action'? Are spontaneous actions at all possible?

3. Do spontaneous actions have some moral worth? Can spontaneity be used as a justification for an otherwise bad action?

19

On Understanding Plato's Notion of Love

I

A. It seems an important task in philosophy to clarify the meanings of words and concepts, and to establish real distinctions, even if at times such an activity might prima facie appear to be nmerely a quibble concerning the usage of words. I think a philosopher legitimately attempts at pointing out the differences between several notions, especially when these several notions are ordinarily being referred to by the same word or are being otherwise confused with one another.

The thesis is not that a particular word ought to be used to stand for a particular thing, but just that there are two or more things that are ordinarily meant, together or separately, when a particular word is used and, insofar as these are different things, it is important to distinguish between them. It is immaterial what name one gives each of them.

Plato, in so far as he distinguishes between different types of love, can be understood as attempting to distinguish between the different uses of the word love. What appears, in his dialogue *Symposium*, to be an effort at specifying the meaning of the word love (201-2)[36] is actually an effort, I think, at exposing the contradiction inherent in the other definitions of love offered.

My effort, in this note, is primarily to understand Plato's notion of love, as it is found in his dialogues *Symposium* and *Phaedrus*. An understanding of his notion of love, in the light of all his other dialogues, and the posing of many of the problems that I have with it, I shall leave for the next part of this paper.

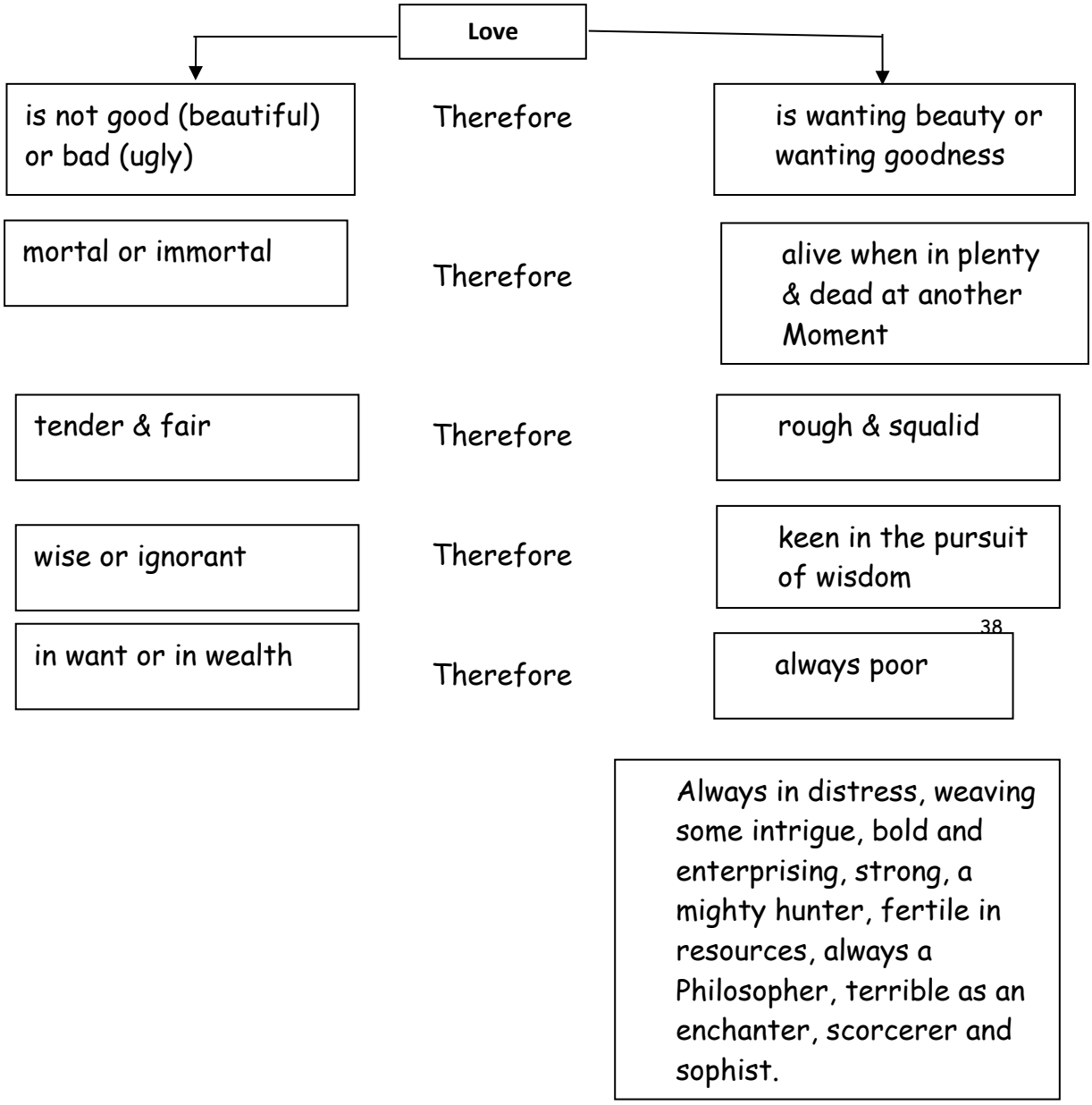
B. The four questions about love, answers to which Plato tries to discover in *Symposium* and *Phaedrus*[37], seem to be:
   1. What characteristics can be ascribed to love? (love, as distinguished from the lover or the beloved)

[36] Page numbers, in brackets, refer to the pages of *Symposium*, in *Plato's Dialogues*, Translated by Benjamin Jowett, Random House. 1966.

[37] For the purpose of representing Plato's views, I have restricted myself to Socrates' account of love (198 – 212) in *Symposium* and Socrates' 2nd discourse on love (244 – 256) in *Phaedrus*. I believe these passages to be representative of Plato's views on love and consider the earlier part of *Symposium* to be a survey of the different uses of the word love.

2. What is love a love of? (What is the aim of love? What does it give to the lover?)
3. How is love manifested in the lover and in the beloved? (How does the lover and the beloved feel, think, act ?)
4. What is the cause of love ?

Plato seems to answer the first question: what characteristics can be ascribed to love? Both negatively and positively. He seems to say:



In *Symposium*, Plato appears to anthropomorphize love and calls it the child of plenty and poverty (p 203, ibid). As such, love is described in a way in which it might seem to be confused with the beloved. However,

[38] Perhaps what Plato meant was that though love did not possess much (therefore not wealthy but poor) it did not desire anything either (therefore not in want).

he explicitly states (*Symposium,* p 204, ibid) that love is separate from the beloved and the two should not be confused with each other.

In *Phaedrus*, Plato describes love as divine madness (p 249-50, ibid).

Plato appears to give the following answers to the second question. In *Symposium* he seems to say that love is the desire for the permanent possession of the beautiful or the good. He seems to further say that this gives the lover happiness, and as such needs no further motive. (*Symposium*, p 205-6, ibid).

Love can be a desire for the permanent possession of beauty at the physical level, in which case there is an urge to procreate, through the union of man and woman, to ensure permanency. However, those who are pregnant in the soul conceive virtue and wisdom and are poets and artists (*Symposium*, p 206-9, ibid). Finally there are those who long for the permanent possession of absolute beauty or goodness, and these lovers seek, through love, a way to return to heaven. (*Phaedrus*, p 256, ibid)[39].

Plato has something to say in answer to the third question in both *Symposium* and *Phaedrus*. In *Symposium* he tells us that a lover, though weak, will battle the strongest, suffer anything, and even die for the sake of the beloved (p 207, ibid). In *Phaedrus* he tells us that a lover is initially overawed by the beloved, bashful, torn between conflicting desires of passion and decency, ("He sees her, but he is afraid and falls backwards in adoration", p 254, ibid), wants to 'reverence' the beloved and to sacrifice to the beloved. The lover does not feel the slightest envy or jealousy for the beloved.

Plato seems to offer two different answers to the fourth question: what is the cause of love? In *Symposium*, Plato appears to be saying that man and beasts have in common a desire for immortality, out of which springs what we have called love (pp 207-8, ibid). In *Phaedrus*, on the other hand, Plato seems to suggest that love is a divine madness that is inspired in us by the sight of beauty: beauty which makes us recollect the absolute beauty witnessed by our souls in heaven.

C. Platonic love is, I think, sometimes understood to be either a love totally devoid of all of physical or sexual desire, or a love of the mind or the soul alone.

[39] Plato considers the earlier two levels as stages through which one passes in order to reach the final level.

Insofar as calling such a type of love Platonic love implies that it is what Plato meant by love, I think there is little evidence in his dialogues in support of such an understanding.

If what I have said about Plato's notion of love is correct, Plato certainly seems to allow for the possibility of physical or sexual aspects of love. In the *Symposium* Socrates says, repeating Dietima's teachings: "There is a certain age at which human nature is desirous of procreation and this procreation is the union of man and woman, and is a divine thing" (p 206, ibid). Far from disallowing physicality, he even praises it and calls it a divine thing.

To consider Platonic love a love only of the mind or soul appears to me to be equally fallacious. Plato seems to say that love is love of the beautiful and the good, not of the soul or the mind or of anything else whatsoever. But then, one might understand Platonic love to mean love of the mind or soul because, it can be asserted that the mind and the soul are they only things that are beautiful. However, Plato does not appear to say this, infact he fully accepts the possibility of love being love for physical beauty or for divine beauty, both of which are different from either the mind or the soul.

In the *Phaedrus*, Plato talks about love for divine beauty, which was observed by the soul in heaven and whose recollection make the lovers want to soar back to heaven. Even in such a type of love, Plato both accepts the presence of sexuality and allows for its indulgence, only prescribing a balance between the reason and the passion: a balance designed to help the lovers get to heaven more speedily (p 256, ibid).

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On Understanding Plato's Notion of Love

II

A. In the first part this paper I tried to understand Plato's notion of love, as found in his *Symposium* and *Phaedrus*. In this, the second part of the paper, I propose to primarily discuss one of the things that Plato seems to say about love.

I have understood Plato to be saying that love is the desire for the permanent possession of the beautiful or the good. In this note I propose to examine this statement of Plato, in so far as I understand it. It is not my effort to show that Plato was wrong in giving the sort of definition he appears to have given to love: wrong because he described love to be the sort of thing that does not exist, or should not be called love, or does not adequately explain the complex nature of love. Perhaps all these charges can be made, but they do not concern me at present. In this note I would like to discuss some of the types of relationships that I think are both possible and are the sorts of relationships that I would like to call love relationships. Some of these relationships, it seems to me, embody a notion of love essentially different from that I understand Plato to be propagating. In doing all this, in so far as I am able, I would just be offering another notion which I would like to call love and which I think is different to what Plato calls love.

B. Various questions can be raised concerning Plato's assertion that love is the desire for the permanent possession of the beautiful or the good, including:

1. Is love a desire?

2. Does love necessarily love only the beautiful or the good?

3. Can one identify the beautiful with the good?

4. Is the desire for the permanent possession of the object of love either a necessary or a sufficient condition for love?

In this note I will only be concerned with some of these questions, certainly not with all of them.

C. I understand love to be an emotion[40] which generates various desires. Though it is not my intention here to list all such possible desires, some of them appear to be the desire for the happiness or wellbeing of the object of love, the desire to be loved or well thought of by the object of love, the desire for the permanent possession of the object of love, and the desire for a permanent association with the object of love.

   I also think that one of the defining characteristics of love is the desire for the happiness or the wellbeing of the object of love: love must necessarily generate this desire.

   It further appears to me that this must also be the predominant desire of love and that all other desires must be subservient to this one. Even the desire for ones own happiness and wellbeing must, if one loves, be subservient to the predominant desire for the happiness or wellbeing of the object of love.

   Finally, it seems to me that love must also generate at least one of the following two desires: the desire for the permanent possession of the object of love or the desire for permanent association with it: Which of these two desires it generates depends at least partly on the nature of the object of love. For example, one might desire the permanent possession of an object or a person but one might only desire permanent association with animals, when one loves them.

   These, then, are at least some of the necessary characteristics of love.

D. My position, then, appears to differ from Plato's, in so far as it does, in the following ways:

   1. I maintain that love is an emotion that generates various desires, while Plato seems to maintain that love itself is a desire. This point, however, I have not discussed in this note, only mentioned it .
   2. I maintain that the desire for the happiness or wellbeing of the objects of love is a necessary characteristic of love, Plato does not, at least *prime facie*, seem to think so.
   3. Plato seems to consider the desire for the permanent possession of the object of love as a necessary condition of love, but I only

[40] By an emotion I mean a non-sensuous feeling. The nature of emotions as also the emotional content of love need to be discussed and clarified. However, I propose to postpone such a discussion for the next parts of this paper.

consider it as one of the two possible desires, either of which must be present in love. Of course, the desire for the permanent possession of something includes the desire for permanent association. As such, I allow for the possibility of love which involves the desire for permanent association without the desire for permanent possession, Plato does not seem to.[41]

4. I consider the desire for the happiness or wellbeing of the object of love as the predominant desire, holding predominance over all other desires including the desires for permanent possession or permanent association, as also over desire for one's own happiness or wellbeing. Plato does not seem to to think so.[42]

Apart from the sort of love that one human being feels for another, and this can well be accompanied by the desire for permanent possession, there are relationships of love between individuals and groups or classes. In this sense one might say, perhaps, that Mother Teresa loves the poor, or that Gandhi ji loved the harijans[43].

It seems implausible that the love for the poor or the harijans would be accompanied with the desire for permanent possession, but more likely it would involve a desire for permanent association.

Again, one could talk of somebody loving animals. In this case, if the animals were really loved, there again would be a desire for permanent association rather than for permanent possession[44]. Similarly, in the case of somebody who loves art, and who might risk his life preserving works of art which neither belong to him nor ever can, just because he loves art. Ofcourse , when somebody is said to desire the wellbeing of an inanimate object, we are somewhat extending the use of the word wellbeing, though I feel this a legitimate extension.

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[41] I can see that the concepts of possession and association need to be clarified, and I hope to do this in a later note. However, it might be pertinent to consider, here, the possible contention that Plato's use of possession was identical to my use of 'association'. If such a contention was true, then one of the seeming differences between what Plato seems to have said and what I have tried to say would disappear. I would, then, maintain that there are two distinct types of desires, one for possession and the other for association, even if Plato did not distinguish between them.

[42] the fact that a lover desires, above all else, the happiness and well-being of his beloved does not imply that he would necessarily act out of this desire. He might, for example, choose to act out of duty even though this action might be detrimental to the happiness and well-being of his beloved.

[43] perhaps in both the cases it is more correct to say that Mother Teresa and Gandhiji loved humanity, or human beings.

[44] it could be maintained that it is only possible to love something specific and that the love of animals or of humanity is an extension of the love for certain specific animals or people. I personally do not agree with this view.

E. There are at least two places, as far as I could discover, in Plato's *Symposium* and *Phaedrus*, one in each, where Plato seems to be saying something similar to what I have said about love, namely that there is a strong desire for the happiness and wellbeing of the beloved. In *Symposium* we are told by Socrates that Diotima said "see you not how all animals, birds as well as beasts, in their desire of procreation, are in agony when they take the infection of love, which begins with the desire of union, whereto is added the care of offspring, on whose behalf the weakest are ready to battle against the strongest even to the uttermost, and to die for them, and will let themselves be tormented with hunger or suffer anything in order to maintain their young. " (Tr. By B. Jowett, p 331, ibid). In *Phaedrus* Socrates says of a lover "… he would sacrifice to his beloved as to the image of a god… " (Tr. B. Jowett. P 255, ibid).

It seems plausible that Plato recognised the desire for the happiness or wellbeing of the beloved as one of the desires possible in love. However, Plato neither gave it the position sought to give it in the definition of love nor did he consider it as essentially a desire of love. He tried, in *Symposium*, to show, or so it appears, that this desire was just a manifestation of our desire for immortally.

21

Some Reflections on the Notion of Love

1. My main aim in this paper will be to offer a definition of love. I will try to offer a definition that is at least logically complete: states both the sufficient and necessary conditions that anything must satisfy before it can be called love.

   I have, of course, not attempted at enunciating all the incidental components of love. Not only would such a task be infinite but also I find myself quite incapable of comprehending all the manifold nuances of love. But of this I will have more to say later.

   Then again, what, for the purpose of this paper, I have called love, you can call whatever you like. It's not the name that I am interested in, it is, I think, the notion. All the time when I am talking of love, I do not only mean the sort of relationship that is found between two individuals, but also a love for the masses, or humanity, or animals, etc[45]. Finally, this is also an endeavour to indicate one way to answer the universal lover's question: am I really in love? Hence the original title[46].

2. Only that can be called love, to my mind, which satisfies the following conditions.

   First, if it is love, the lover must be ready to put the interests of the loved before his own. Secondly, he must be ready to do this not out of a sense of duty or for any other reason, but through inclination. This does not imply that a lover would always be acting in the interests of the loved, for he might, out of a sense of duty or whatever, put other people's interests before the loved one's. Also, I'm not suggesting a necessarily non-hedonistic thesis. All that is involved is that the lover's pleasure, if hedonism prevails, is dependent on the love's pleasure.

[45] when one talks of loving an inanimate object, then one night, it seems to me, the anthropomorphising that object. Alternatively, in some cases, one might be talking more of the effects, like in the case of alcohol.

[46] An earlier version pf this paper was titled *The Lover's Dilemma.*

Perhaps the plausibility of the definition would be heightened if one asked oneself the question: does it make sense to say that "I love X but I will not put X's interest before my own"?

3. Again, one might feel that if love means all this, then most people might not be capable of loving. This is true, for love is not one of those things that anybody is capable of. A certain amount of maturity and mental strength, as is obvious, is necessary if anybody wants to love, in the true sense.

   Another interesting implication is that if this definition of love is accepted then there is no place for jealousy or possessiveness. One couldn't both love and be possessive and jealous vis-a-vis the loved. Othello then, when he said that he loved not wisely, but too well, was sadly mistaken, for his was no love at all.

   Again, all this might sound like an over simplification. What, one might ask, then distinguishes parental love from maritial love, for example. These obvious distinctions are caused by those very incidental things that I referred to earlier. In other words, though all love must involve the two conditions enunciated and, further, though these two conditions are also, collectively, sufficient conditions, the different 'type of love' can be explained by the incidental things accompanying love. For example 'Love' in my sense of the word, along with sexual attraction, would be the sort of feelings a young man might feel about a hypothetical woman. Again, he might also feel very strongly about, say, his brother. In this case, though love may be present there would be an absence of the sexual attraction, and so the end result might appear drastically different.

   Let us examine, say, the case of a mother and a child. As often happens, the mother makes all sorts of sacrifices for the child. The child wets its side of the bed at night, and the mother puts the child on the dry portion while she herself sleeps on the wet sheets. In such a case, it seems to me, the mother obviously dislikes the experience of sleeping in a wet bed. It is not that experience that is accepted out of inclination. What the mother apprehends is the whole, so to speak, where either the child is uncomfortable, or she is. If she loves the child, she accepts her own discomfort over the child's, out of inclination.

4. Finally, I must distinguish between respect and love, the two being often mistaken for one another.

   Respect, I think, is something rational and primarily conscious. It just means that someone conforms to the standards, at a fundamental level, that you hold valuable. A weak person might respect someone who lives according to the principles the weak person would like to follow, but is unable to. A strong person, on the other hand, might respect someone who lives according to the principles he himself follows. Respect, therefore, is comparatively narro Tand, if one is respected by someone, all that is established is that one conforms to the practiced or aspired values of that person. To be respected therefore can, at times, be an insult.

   Love, on the other hand, asks for no reasons. It is compulsive and it is possible, at least theoretically, to love someone and yet not respect him, or Vice-Versa. In love, that which is given consciously has comparatively less value than that which is given in spite of oneself.

22

Academics in Pursuit of Knowledge, and of Hierarchy[47]

1. An academic, at least in one sense, can be seen as a lover of knowledge or truth or as one who desires knowledge or truth.
2. An academic, in a strict sense, can be seen as a person who desires knowledge or truth above all else: he desires nothing else as much as he desires truth or knowledge.
3. Such an understanding of an academic raises various questions, some of which I propose to discuss here.

II

4. Having seen the truth, ought not an academic, *qua* academic, be obliged to act out of this truth., insofar as this truth calls for action. For example, if an academic sees the truth about an evil social situation, ought not he, as an academic, work towards changing it?
5. However, if an academic is defined as someone who desires knowledge then an academic, *qua* academic, ought to pursue knowledge. If , further, an academic is seen as someone who desires truth above all else, then he ought to, as an academic, pursue truth above all else, even to the exclusion of fighting for social change.
6. Perhaps one can say that though an academic, *qua* academic, must pursue knowledge above all else, a human being ought not be primarily an academic. Humans ought to put their desires and duties as an academic below their desires as human beings or as a social being. In other words, wherever there is a conflict, pursuit of knowledge must be sacrificed in favour of pursuit of social justice or morality.
7. Admittedly a person can only act legitimately out of knowledge, therefore he or she must pursue knowledge in order to be able to legitimately act. However, pursuit of knowledge must not become either the only or the primary preoccupation of academics, or of humans.

III

8. Many academic institutions the world over subscribe to a system of hierarchy for its academics, a system involving at least some of the following: different status, different material benefits and different work facilities, dependant on the relative position in the hierarchy.

[47] An earlier version titled *Academics as Lovers of Knowledge and Truth*

9. Theoretically, the relative position in the hierarchy reflects the tangible ability of an academic. Tangible or demonstrable ability, however, really means the quality and quantity of the academic work made public by any academic.
10. Considering the difficulty in objectively and accurately judging the relative merits of different pieces of academic work, barring exceptionally bad or exceptionally good work, academic ability gets judged on the basis of the quantum of work, of a minimally acceptable standard, that an academic has produced.
11. For academics in the wider sense, being those whose desire for knowledge does not necessarily preclude a stronger desire for status or material benefits, such a system holds the constant temptation for producing lots of stuff which they know is nowhere near the best that they could do, but which is good enough to be counted in their favour.
12. Even for those who are academics in the stricter sense (if there be any such), they being those who desire knowledge above all else, the temptation of better work facilities leading to better chances of seeing the truth, would be operative. They would also, then, be tempted to produce oodles of passable stuff in order to rise in the hierarchy, justifying this by arguing that what they were really interested in was the better work facilities that come with each promotion.
13. As such, even if the hierarchical system was properly implemented and was free from non-academic considerations, it would still be counterproductive as far as the objective of promoting excellence in academia was concerned.

Rubina Mondal assisted in the finalisation of this manuscript by re-typing the old and tattered papers on to a computer.