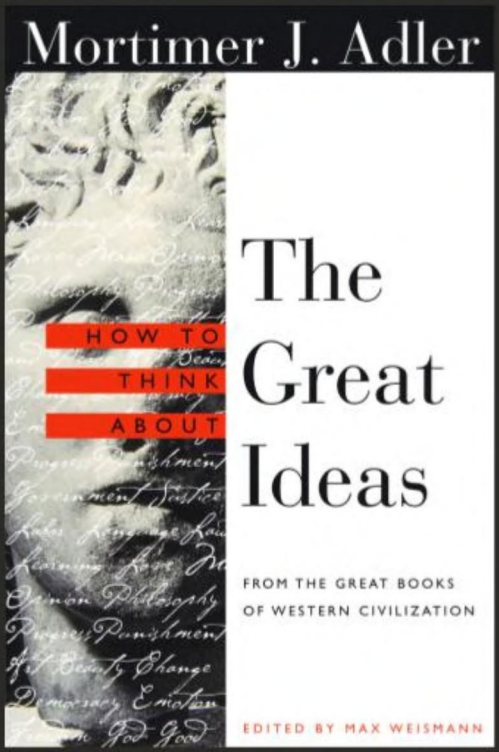

How to Think About the Great Ideas

From the Great Books of Western Civilization

By
Mortimer J. Adler
Edited by Max Weismann

Volume 2 of 2

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First printing 2000
Second printing 2000
Third printing 2001
Fourth printing 2001

Printed and bound in the United States of America

Library of Congress Cataloging-in-Publication Data

Adler, Mortimer Jerome, 1902-
How to think about the great ideas : from the great books of Western civilization / Mortimer J. Adler ; edited by Max Weismann.
p. cm.
Includes index.
ISBN 0-8126-9412-0 (pbk : alk. paper)
1. Great books of the Western world I. Weismann, Max.
II. Title.

ACI .A67 2000
081—dc21 99-045251

Set in 16 pt. Verdana

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The Goodness of Art

In this concluding session on the Great Idea of Art we shall deal with some moral and political problems in connection with the fine arts.

But first I want to return to a number of points which we did not fully complete in our discussion last week. We saw that each of the fine arts is like a language. It is a medium of expression, and because of that fact the form and the content of the work produced in that medium are not separable. This results in the untranslatability of what is being said in one fine art into another.

What a painting says cannot be translated into music. What a piece of music says cannot be translated into poetry. The arts cannot be reduced to a common denominator. And yet, there is a tendency on the part of the general public to try to reduce everything the arts say into the common ordinary medium of everyday speech. This has very two serious results.

First, it causes a misunderstanding of the arts, especially a misunderstanding of the nonliterary arts, as when people read the program notes to a symphony instead of listening to the music or when people allow the title of a painting to stir their imagination instead of actually seeing the plastic representation, the plastic form of the painting itself. The second re-

sult is the modernist revolt in all the arts: abstract painting, modern music, and a similar revolt in poetry.

Let me read you an example of the modernist revolt in poetry, a poem by e.e. cummings. I'm not going to read you the whole poem but only part of it. The title of the poem is "what if a much of a which of a wind." I'm going to read you the last stanza. "what if a dawn of a doom of a dream bites the universe in two, peels forever out of his grave and sprinkles nowhere with me and you? blows soon to never and never to twice (blow life to isn't: blow death to was)—all nothing's only our hugest home; the must who die, the more we live." That is an example of modern poetry in which music, the sound of the words rather than the sense, is being emphasized because the poet is protesting against the attempt to reduce everything to the ordinary common-day meanings of everyday speech.

The modernist revolt in all the arts performs a very important pedagogical function. It should teach us to see the works of art, each work of art, each kind of art, in its own terms. In painting, for example, it should teach us to see that every good painting is both representative and abstract, neither one nor the other. Great paintings are neither purely representative, purely imitative, nor purely abstract. They are not simply like newsreel or newspaper photographs of a scene, mere reporting. And neither are they mere designs of form and color with no reference to objects.

Last week Mr. Carvel asked about the role that imitation plays in the creation of a work of fine art. And I said that I thought that imitation and creation supplement each other. I said, in fact, that they fuse; that artistic making is both creative imitation and imitative creation. And the reason for this is that what the artist draws from the object must be subjectively transformed by him. And what he takes from his own soul or mind must be objectified by him.

This is why I would answer another question we have received, one we received from Mr. Thornton of San Bruno, in a similar fashion. Mr. Thornton holds, for example, the view which many of you may share, that works of fine art divide into the imitative and into the abstract. "Imitative art," he says, "represents nature." "Abstract art comes entirely or mostly from the artist's mind. All or most of the fine arts," he goes on to say, "contain examples of both."

Lloyd Luckman: Well, then what is—

Mortimer Adler: Just a moment, Lloyd, I hold an opposite view to this. For me, as I look at most works of fine art, certainly all the good ones, are both representative and abstract. They involve both imitation and creation.

Lloyd Luckman: Well, I can't quite understand this controversy then, Dr. Adler, because if I understand you, you seem to be saying truly that there is no conflict between abstract and representative art. But I'm quite certain on the other hand that there is

quite a controversy raging in the minds of the public, and for that matter, among the artists themselves.

Mortimer Adler: Well, Lloyd, I think you are right on that point. I think I didn't say precisely what I meant. I shouldn't have said that there is no conflict. I should have said that there *need* be no conflict between representation and abstraction, that there *should* be no conflict. In fact, you are quite right, a conflict does exist.

And I think the reason why a conflict does exist is because, in great paintings and in any piece of music or poem that you read, you will see that there is a tension in every work of art between two basic polarities. And this tension often creates, I think, a tendency on the part of the artist to allow himself to go to one extreme as opposed to the other.

We have talked so far about the opposition between imitation and creation. And on the side of imitation we have talked about representation in a work of art as opposed to abstraction. But this emphasis on representation or the imitative aspect of a work of art is also an emphasis on its content, on its objectivity, its reference to an object and on its realism, its concern with the way reality is. On the other hand, the emphasis on the creative side or on abstraction leads to an emphasis on the subjectivity of the artist rather than the object, what is in him rather than what is in nature and primarily an emphasis on the form of his work, the form of the

Lloyd Luckman: You've been using this phrase "good art" and "bad art" quite a number of times. And we've received some questions here, one that I would like to bring up right now on good and bad art. This one is from Mr. John Hayes of San Francisco. And he suggests that in all fields of art, useful as well as fine, we ought to reserve the term "art" only for the good works and not to apply it to these poor or mediocre works. Now, have you any comment on Mr. Hayes's proposition?

Mortimer Adler: Yes, Lloyd. Mr. Hayes, I do have a comment. I have, in fact, three comments on your proposition.

First, I don't agree with what you say though I think I understand why you say it. The term "art" is sometimes used as a term of praise and sometimes as a descriptive term. It is used as a term of praise when someone does a piece of work and we say, "Oh, that's really art," meaning it is a good piece of work. Well, we use the word "art" to say it is a good piece of work. But I think the word "art" should be used as a descriptive term and should be applied to good art and bad art, the best and the worst works of art.

And when it is so applied, when we apply the word "art" descriptively to good and bad, we face, of course, the problem that is left, the question, What is the distinction between good art and bad art? In fact, that is two problems, not one. There is an esthetic problem there, the problem of the good and the bad in works of art in terms of beauty and

ugliness. And this leads to all the questions of appreciation, standards of criticism, and so forth. And then there is the moral or political question of good and bad in a work of art conceived as the work being beneficial or injurious. And this leads to questions of moral censorship and political regulations of works of art.

I'm going to take the second question first. The first question is about beauty, and that is dealt with in our program on the Great Idea of Beauty. But let me turn at once to the question of good and bad in works of art in terms of whether the work of art is beneficial or injurious, the morally or politically good and bad aspect of the fine arts—I'm talking only about the fine arts.

What is its problem? Here again, we have another basic tension, this time between two things, the artist on the one hand and the moralist or the statesman on the other. And this tension is sometimes expressed in terms of "art for art's sake," as the artist would have it, or "art for man's sake," as the moralist and the statesman would have it.

THE MORALIST VERSUS THE ARTIST

Let me see if I can state this issue by first stating what the moralist's side of it is and then what the artist's side of it is. From the moralist's point of view the fine arts—painting, music, drama, poetry—these affect human beings. They have an effect on human emotions, on human attitudes, on human conduct.

Hence, why shouldn't the moralist criticize a work of art in terms of its moral significance or its political effect? In the tradition of Western civilization, this has been done again and again. It started with Plato. Plato, you will recall, in *The Republic,* in his ideal state, threw the poets out because he thought they had a bad effect. And he wanted to regulate, as he did in *The Republic* and in *The Laws,* the music that children in the public would hear, because he thought that certain kinds of music would excite them in the wrong way. Throughout the whole of Western civilization the theater has been under censorship, music has been under censorship, and as you know, novels and other pieces of writing have been censored on moral grounds.

And in our own day, in our own day we see another example of this in Nazi Germany and in Communist Russia where the arts have been under political regulation to make them conform to the regnant ideologies in those countries. In our own country there has been a great stir, as you know, about motion pictures, about comic books, about jazz, particularly in connection with children. Well, these are arts, kinds of popular art, which are again subject to moral and political scrutiny in terms of their effects upon human beings.

The opposite point of view is that of the artist. The artist says, "I should be concerned only with the rules of my art. My only obligation is to produce well, according to the rules of my art, the thing I am trying

to make. I have as much right to my freedom of expression as any other indivikdual has. It is the fact that my freedom of expression is part of a general common right of free speech. Moreover," he says to the moralist and the statesman, "you, being concerned with these matters, do not understand the technique of my art. You are ignorant with respect to it and incompetent to tell me how to produce a good work." In fact, he might go on to say, "The freedom of the artist in creating works of fine art is exactly the same as the freedom of the scientist in his pursuit of knowledge and truth."

The scientist is concerned exclusively with the pursuit of truth; the fine artist is concerned exclusively with the production of beautiful things, things of beauty. As opposed to both the scientist and the artist, the prudent man, the moralist or statesman, is concerned with goodness, the moralist with conditions of the good life, the statesman with the conditions of a good society.

The suggestion is that the prudent man has no business telling the artist and the scientist how to produce beauty and pursue the truth, any more than they can tell him what are the conditions of a good life and a good society. Each should have an autonomy is his own field.

Lloyd Luckman: Now, I wonder really, Dr. Adler, if art and morality can be separated quite that sharply. After all, we have to admit that

works of art do affect human beings, whether they affect them for good or for evil, right?

Mortimer Adler: Yes, indeed.

Lloyd Luckman: Well, then does the solution lie perhaps in distinguishing not the way you have but between the work of art and the man who made it? Now this distinction comes to me as a suggestion from one of our correspondents, a Mrs. Marilyn Follsis of Oakland, because she suggests it this way, that when we question the morality of a work of fine art we are questioning the artist as a person rather than the work of art itself. And I wonder if this distinction helps any.

Mortimer Adler: I remember Mrs. Follsis's letter. She draws her question as I recall, Lloyd, from Maritain's excellent book, *Art and Scholasticism.* Am I right about that?

Lloyd Luckman: Yes.

Mortimer Adler: Perhaps it might help then if I were to read a passage from Maritain's book, which has a bearing on the conflict between the artist and the moralist, between the artist and the man of prudence.

Let me do that right now because I think it has a direct bearing on this problem. Maritain was deeply concerned in this book with this question and he says that the work of art is the object of a singular conflict of virtues: the virtue of prudence on the one hand which is concerned with morality and the good life, the virtue of art on

art, which are things of beauty, have in our lives?" Now my answer to that question, "What contribution do the beautiful things produced by the fine artist play in our human life?" is in terms of a distinction between *action* and *contemplation.* Let me say that another way: we are at any moment in our lives either actors or we are spectators. I'm using the word *action* and *spectatorship* as the opposed words that perhaps are a little more clear than the more difficult word *contemplation.* And what works of art do for us, what works of fine art which are things of beauty do for us is they make us spectators. They give us that pleasure of spectatorship, giving us relief from the urgencies and exigencies of actions, giving us rest from action. This is their great human contribution, that they give us freedom from the day-to-day pressures and needs and utilities of our active life. They make spectators out of us.

But when one looks at the fine arts this way, as making us spectators, one has to say of them that they are all of a certain sort. They are all spectacles. And I would use another word; being spectacles, holding our attention as spectators, they are all entertainment. From the point of view of the sociologist, not from the point of view of the person who is concerned with one fine art, but from the point of view of the sociologist it is perfectly proper to say that all the fine arts have something in common with entertainment and spectacles in general. That what a parade does, what a prize fight does, what a ballgame

does as a low form of entertainment is exactly the same ultimately as what a great work of fine art does. To say this is not to degrade the fine arts but merely to say that the fine arts play a role in human life at the high level that simple entertainments and spectacles play for mankind at the lowest level of human appreciation and enjoyment, the level, the function of making spectators and giving us a rest from action.

Actually, in a democracy we are concerned with a hierarchy of the arts, or let us put it this way: with a hierarchy of entertainments. We have all grades of people, all grades of sensibility. And it is perfectly proper to say that simple and low forms of entertainment—I mean low in the sense of uncomplicated and easy to appreciate—belong to and are needed by a large public just as much as, for those with very refined and cultivated sensibilities, the highest and most subtle works of art are needed. In this hierarchy of entertainments, if you will, there is a proportion between their difficulty and their function and the scale of human sensibilities on the side of the audience.

Now this completes our discussion of art but that doesn't mean that the discussion is complete. We have by no means covered all the things we should deal with. And if I were to stress any one thing from these four discussions of art, it would be this point, that the fine artist has something to say, which he must try to understand in his own terms, in the language of his medium and not try to translate into our common human speech. Only in that way will we ac-

tually see paintings as paintings and hear music as music and read poetry as poetry.

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How to Think about Justice

When anyone uses a word like *justice* or a word like *truth* it produces a reaction with which I am familiar from long years of teaching and long years of talking to people about such things. They often say—both students in the classroom and the adults that I have talked with about fundamental ideas—"It's impossible to say what justice is or what truth is." These words, they say, are almost empty—big words, but words without clear and definite meaning.

I think there are two reasons for this widely prevalent attitude that one can't say or can't tell the meaning of such terms as "justice" or "truth." One of the reasons is that people confuse two different questions. The question, What is justice? and the question, What is just in this case? I tend to think that it's much easier to say what justice is than it is to say what in any particular case is a just handling of that case, just as it is much easier to say what truth is than to say what is true in a particular argument. But that isn't the only reason why people shy off such "big" and "difficult" words as "truth" and "justice."

The other reason is that they have a feeling that there are so many conflicting senses of the word. They have a general impression that in the history of

European thought eminent philosophers have given quite different meanings and that in ordinary speech people use the word "justice" with quite different meaning. They are right about that. They are quite right. Now you may have this impression, and you're quite right in thinking that the word "justice" has been defined in various ways by the philosophers, that even in ordinary discussion people use the word "justice" in a number of senses.

Let me give you quickly an indication of two or three of the different fundamental senses in which the word "justice" is used. These different senses that I'm going to enumerate for you are, I think, the senses in which you and I every day of our lives use the word "justice" or the adjectives "just" and "unjust." Whether we like it or not, whether we think we know the meaning of this word or not, we tend to use the word—you will say "that's unjust" or "that's just." And I would like us to remind you of the sense in which you and I, whenever we say "that's just" or "that's unjust," mean the word.

THREE SENSES OF "JUSTICE"

The first of these senses is carried by the notion of equality. Justice consists in treating equals equally and unequals unequally. Now let me give you a few examples of what I mean. Suppose two persons commit the same crime, let the crime be petty larceny. Is it just or unjust if one man is sentenced to three months' imprisonment and the other to nine

THE THREE SENSES CAN BE RECONCILED

What I would like to do in the course of the next few minutes is to show you how these three senses all fit together, that they are not inconsistent or conflicting. I would like to show you how they fit together and in the course of doing that I would like to face with you one of the most difficult, perplexing problems that is raised by this fundamental idea of justice.

Aristotle, in his *Ethics,* has an analysis of justice which shows us how to put these three different senses of the just and the unjust together. He first of all makes the distinction between what he calls general justice and special justice. He takes justice and divides it into general and special. What he means by special justice is that special virtue through which men are fair with one another in the exchange of goods or in the distribution of goods. It is the justice we have in mind when we speak of a fair wage or a fair bargain or a fair price or a fair exchange. It is that special virtue of justice which is concerned, in the economic order particularly, with the exchanges that occur between persons of goods and services, or the distribution of ranks and burdens and privileges.

Now what Aristotle means by general justice is something quite different. He looks at a man as acting in relation to other people, acting for the

common good, acting in such a way that he does right, wrongs no one, does good to other people. "And such a man," he says, "is generally just, a man who is virtuous, quite virtuous, in his conduct toward his fellow men and in the service of the common good or the general welfare."

What is the basis of this notion of general justice? It is a fundamental justice of what is right and wrong in conduct and ultimately is based upon what is due other people, what rights they have that we must respect; not respecting them, we would be wronging them. So that you have here in these two senses the meaning of justice as fairness in exchange and justice as giving to another man what is his due when we act well toward the other man or toward the society in which we live.

Now what about the third sense of justice, the sense in which we say that justice consists in obeying the law? Aristotle treats this as a part of general justice. For he tends to say that general justice is to special justice as the lawful is to the fair. General justice is to special justice as the lawful is to the fair. That is, in so far as men obey the laws of the land in which they live, they are generally just. Only some of the laws of the land in which we live are concerned with such things as fairness in exchange: fair price, fair wages, and so forth. Thus you see that the special justice dealing only with fairness in exchange is a part of general justice which is concerned with obeying the laws, being lawful in general in the community.

But as soon as that's said, another problem arises. It is the problem of the justice of the laws itself. Because a man would not be just obeying the law if the laws he obeyed were not just. Suppose you were to live, for example, in a tyrannical state or in a totalitarian or fascist society, in which many of the laws were unjust. Would obedience to the laws of such countries constitute a just person and just action? I think your answer and my answer would be no. Justice consists in obeying the laws only if the laws themselves are just.

And once one says this, one faces the most difficult problem of all. Notice, we speak of a just person as a person who obeys the laws. But we say that a person who obeys the law is just only if the law itself is just. Does the word "just" mean the same thing when we say that the man is just and when we say that the law is just? Hardly, for the meaning of the word "just" as applied to a person is determined by that person's obeying the law and therefore can't be the same meaning that we have when we apply it to law—saying that that law is just which the person obeys.

NATURAL AND CONVENTIONAL JUSTICE

Aristotle, faced with this difficult problem of the sense in which we speak of the law as just, quite differently from the sense in which we speak of the

individual as just when that individual obeys the law, at least offers us a beginning of the solution to the problem. He distinguishes between natural and conventional justice. For example, in all the communities in which you and I live there are traffic laws. We are asked to stop at certain corners, drive at certain speeds, drive on the right or the left hand side of the road. There is nothing just or unjust about any one of these things until the law is made. But once in the community in which we live, it is conventionally decided, simply decided by the legislator or by some commission, traffic commission, that these are the rules of driving in the community, then the just person is one who obeys these laws simply because they are the statutes or ordinances of the community in which he lives. For there is nothing right or wrong about left hand driving as opposed to right hand driving.

Yet even if there were no law made concerning stealing or murder, to kill a man or to take what belonged to him and not to you, would according to Aristotle be naturally unjust. And so a law that prohibits murder or prohibits stealing is a law the justice of which is not conventional but natural. Justice is based upon the natural rightness or the natural wrongness of such things as stealing and murder.

Hence the measure of justice in the laws must be found, according to Aristotle, in a principle of natural justice. For only in this way can we talk about the laws being just and unjust in a sense that is different

from the way in which we speak of a person as being just or unjust when that person obeys the law.

Suppose for a moment that there were no natural justice. In that case you could not speak of laws as just or unjust. And all you could say would be that men are just or unjust according as they do or do not obey laws. But there would be no way of saying anything about a just law or an unjust law since there would be no measure of justice in the law if there were no justice behind the law or prior to the law. The law itself, the existing law of the community, would be the only measure of justice, in which case what was just in one community might be unjust in another. But if there is a criterion or a principle of natural justice, then that principle is the same universally, at all times and places, and it measures the justice of laws in any community. In which case there is something behind the law, prior to the law, that determines whether or not men are acting justly when they are acting lawfully.

IS THERE NATURAL JUSTICE?

This problem, the problem of the justice of laws and government, which ultimately underlies the question of whether men are just or unjust when they obey laws, is the most serious problem, certainly the most serious political problem that men have ever faced in the history of Western thought, at least, in connection with the idea of justice. And I would like to expand on this problem a little further and tell you

political philosophers as Thomas Hobbes and Benedict Spinoza.

MIGHT MAKES RIGHT

Let me, just to give you the flavor of this position, read you the language of Hobbes and Spinoza on this very point. Hobbes takes the view that to human beings living in a purely natural condition, not in a society under government, but as it were to a state of nature, that to men living in a purely natural condition, there are no distinctions of justice and injustice. It is like saying, In that condition anything is fair, as in war. The notions of just and unjust, according to Hobbes, apply only to persons living in society. Hobbes says, "Where there is no common-wealth," that is, no civil society with government, "there is nothing unjust." So the nature of justice, according to Hobbes, consists in the keeping, in the obeying, of the laws set up by the sovereign state in which one lives. The breach of civil laws, the breach of the laws of the land, may be called injustice and the observance of them may be called justice, according to Hobbes, but nothing else.

This is Spinoza's opinion, too. According to Spinoza, everything has by nature as much right as it has power to exist and operate. "And therefore," he says, "that in a natural state," that is, in the state of nature, not in society, "there is nothing which can be called just or unjust." Things can be called just or unjust only in a civil state where men live in society

under government as we live in the United States. As before with Hobbes, so it is with Spinoza: justice consists only in obeying the laws of the land in which you live, and injustice in disobeying them. Whatever the laws are, the state has the power to enforce them. But these laws themselves enforced by the state cannot be called just or unjust, for there is no principle or measure which determines anything like justice and injustice as applied to the laws themselves. Whatever a government makes law is a law. And that determines what is just in that society and there is no way of saying that the laws themselves are just are unjust.

Now you can see at once that this second position is a familiar position, the one that you know as "Might makes right." All the rights that people have are granted them legally by the state, and therefore the state can take them away from them. There are no natural and unalienable rights. All rights are legally granted rights and therefore they can be taken away by the change of laws. On this view justice is the same as expediency; the man who is just in obeying the laws is merely being expedient, for if he doesn't obey the laws and gets caught, he will suffer punishment. In other words, he obeys the laws not because the laws are right intrinsically, but from fear of punishment which is the expedient thing to do. And in this view of the matter there can't be any such thing as international justice, justice between states. For there is only justice within each state where men

are living, under the laws of a particular country. As between states, there is no justice. International law is no standard of justice in the conduct and international affairs as between one sovereign state and another.

This standpoint, which is the other great standpoint on this fundamental question of justice in relation to laws, comes down to us from antiquity. Just as the view that there is natural justice comes down to us from Aristotle, so this view that there is no natural justice comes down to us from antiquity. And I would like to have you hear the ancient expression of it because it is so marked.

Let me read you just one statement of this which comes to us from Plato's *Republic.* In the opening book of the *Republic* where the great Sophist, Thrasymachus, says this about justice: "I proclaim"—this is Thrasymachus speaking—"I proclaim that justice is nothing else than the interest of the stronger. The different forms of government make law democratical, aristocratical, tyrannical, with a view each to their several interests. And these laws which are made by them for their own interests are the justice which they deliver to their subjects. And he who transgresses these laws, they punish as a breaker of the law and unjust." Notice that the laws are not just. The laws say what is just and the man who breaks the law is called unjust. "And this is what I mean," says Thrasymachus, "this is what I mean when I say that in all states there is the same princi-

ple of justice which is the interest of the government. And as the government must be supposed to have power, the only reasonable conclusion is that everywhere there is one principle of justice, which is the interest of the stronger." And this in a word is saying that might makes right and that right consists in conforming to the existing power, that where the power is, there is the right, and we must obey or conform to the law of force.

Now you can see at once, can't you, that according as one takes one or the other of these two conflicting views about justice and law, one will take quite different views about the conflict in the world today between the democracies on the one hand and the totalitarian powers on the other? For if one takes the view of natural justice, one can say that one of these two conflicting parties is in the right and the other wrong. And then as between states there is a measure of rightness and wrongness. But if one takes the second view that only might makes right, then the struggle of the East and the West, if you will, of the democracies and communism, or the democracies and the totalitarian countries, is merely a struggle of power. The only final arbitration of this is by might. The only measure of who is right will be by who wins in the struggle.

The issue we have just been considering is by no means the only problem concerned with the Great Idea of Justice. But it is, in my judgment, the most important problem about justice in the whole field of

political philosophy. For there we are concerned primarily with the justice of laws and of government and of the justice of men in relation to society. There are other problems about justice which we don't have time for, as for example, the basic moral problem posed by the question, Which is better, to do injustice to others or to suffer injustice done to oneself by them?

tion and parole and the indeterminate sentence realizes that these problems raise the question of the justification of purpose, the objective of punishment.

RETRIBUTION OR PREVENTION?

Let me see if I can state the issue for you, the issue we want to discuss. Because here there are two extremes. At the one extreme there is the position of those who say that punishment is a matter of strict justice. It is a matter entirely of retribution, of retaliation, of punishing the criminal precisely because the criminal or the wrongdoer did wrong. At the other extreme is the position which I would say is entirely a position of expediency, where the punishment is justified entirely in terms of the good result it produces, a result like preventing more crimes, preventing the repetition of the wrongful act.

The two basic words here that more or less summarize these two opposed positions are the words *retribution* and *prevention.* One position says that punishment is entirely retributive. Its whole aim is to achieve retribution for the guilty person. The other position says that the aim of punishment is prevention, either by reforming the criminal or deterring other persons from committing crimes or similar offenses.

Now what I am going to do is try to state these two positions, first the retributive position, and then the preventive position. Having stated the two positions, I would then like to indicate what difficulties

there are in each of these two extreme positions; and finally ask you whether or not the two positions can be in any way combined or reconciled. And in the course of doing that, I would like to see if you can make up your own mind as to which position you take or whether you try to combine them both somehow.

Let me begin by stating the retributive position, the position that the only purpose of punishment is to retaliate against the wrongdoer for his wrongdoing. This position holds that punishment simply rights a wrong, that justice requires that the wrongdoer be wronged in time, be punished in proportion to the gravity of the wrongdoer's offense. The sense of this position is that by punishing in proportion to the seriousness of the offense, the balance of justice is restored.

You all know, I'm sure, how old this view of punishment is. It goes back to the Old Testament where we find in the Mosaic Law, the famous lex talionis. I'm sure you all know the familiar statement of that rule, "...thou shalt give life for life, eye for eye, tooth for tooth, hand for hand, foot for foot, burning for burning, wound for wound, stripe for stripe." Now you will remember that in the gospels, Jesus Christ said, "You have heard that it hath been said, An eye for an eye, and a tooth for a tooth: But I say unto you, That you resist not evil: but whosoever shall smite thee on thy right cheek, turn to him the other also." This doesn't mean that punishment is completely removed. For in the New Testament, Saint Paul enjoins

us as follows: "...avenge not yourselves," he says, "...for it is written, Vengeance is mine; ... saith the Lord." And the ruler of the State, the government of society here is, according to Saint Paul, God's minister, the minister of God who carries the sword to execute justice upon those who do evil.

This view of retributive punishment is not exclusively to be found in the Old or the New Testament. One finds it also in the writings of the ancient Greeks in that great play or series of tragedies by Aeschylus, that dealt with the killing and the vengeance of one man in return for the killing of another, we find these extraordinary lines: Aeschylus says, "Justice claims allowed her debt, who in blood hath dipped the steel, deep in blood her meat shall feel." Whosoever shall take the sword shall perish by the sword.

Now this view is that it is immoral to punish for any ulterior purpose, that it is intrinsically immoral to punish in order to reform the criminal or to deter others from committing crimes or wrongs, that nothing except retaliatory justice justifies punishment.

Let me read you the two classic statements of this theory of punishment. They are to be found in the writings of the two great German philosophers Immanuel Kant and Georg Friedrich Hegel. The first passage is from Kant. Kant says, "Juridical punishment can never be administered merely as a means for promoting another good, either with regard to the criminal himself or to civil society but must in all cases be imposed only because the individual on

whom it is inflicted has committed a crime. The penal law," says Kant, "is a categorical imperative." He means a strict rule of duty. You must do it because it is right to do. And woe to him who creeps through the serpent windings of utilitarianism to discover some advantage that may discharge him from the justice of punishment or even from the due measure of it.

And if we turn to the writings of Hegel, we find a similar statement of this basic point of view. "Crime is an evil," says Hegel, "but punishment is not an evil. Punishment is good because it rights a wrong. To regard punishment as an evil," Hegel says, "is the fundamental presupposition of those who regard it as preventive, as a deterrent, or as a reformative. What on these theories is supposed to result from punishment is characterized quite superficially," says Hegel, "as a good. But the precise point at issue is the wrong that was done and the righting of that wrong. If you adopt a superficial attitude toward punishment, you brush aside the objective treatment of the righting of a wrong." And he goes on to say that "when you are concerned with reforming the wrongdoer, making him better, or deterring others, you are treating the wrongdoer not as a man who deserves to be punished because he has done wrong, but as an animal you are trying to train. It is all right to punish animals for this reason, but men deserve to be punished strictly as a matter of justice."

I think these two statements I just read you, one from Kant and one from Hegel, indicate the extreme

position that there is no ground, no reason for punishment except for retaliation or retribution. A wrong has been done and it must be righted by punishment. And no other end must be considered.

At the opposite extreme is a theory which says that the whole purpose of punishment is prevention, either by the reformation, the correction, the improvement of the wrongdoer, or by the deterrent of potential wrongdoers from committing wrong. Here this emphasis on reformation or deterrence as the sole purposes or justifications of punishment leads the person to go so far as to say that no one is to be punished simply because he did wrong. Wrongdoing itself is not the reason for punishment.

Now this is a hard thing to understand. But perhaps one can understand this extreme position by this comparison. If a man damages the property of another man and the person whose property is damaged goes to law, he gets compensation, he wins the case, he gets some kind of compensation or restitution. In the Old Testament it says that if you stole a man's pig, you had to return a pig to him. If you tore down his fence, you had to rebuild his fence. If a man breaches a contract and you suffer a certain amount of injury in business, the man who is guilty of the breach of contract must according to the law in some way compensate you for the financial injury you have suffered.

Now the point is that though this kind of balance, this kind of rectification happens in civil cases, you

the man who was punished and those who see him punished may be deterred from doing wrong again. He punishes entirely for the sake of prevention." That is Plato.

Let me read you a similar statement many centuries later from the English philosopher, Thomas Hobbes, so that you get a full sense of this position which says that punishment is solely with regard to the future, not with regard to the past wrong but the future, the reform of the criminal or the deterrence of other persons. Hobbes says, "The chief aim of punishment through reformation and deterrence is to maintain public peace. In punishing," he says, "we do not look at the evil which has been done in the past, but only at the greatness of the good we wish to achieve. Whereby," he says, "we are forbidden to inflict punishment with any other designs than for the correction of the offender or the direction of others. Anything else is an act of hostility."

And then later Rousseau says that the wise statesman is one who knows how, by punishing crimes, to prevent them. And the most important thing is the reformation of the criminal himself. "There is not a single evildoer," according to Rousseau, "who could not be turned to some good. The State has no right to put to death, even for the sake of making an example, anyone whom it can leave alive without danger." Now this gives you the other extreme position which insists that punishment is solely for the sake of preventing future wrongdoing.

CHOOSING IN DIFFICULT CASES

I now want to ask you the hard question, which of these two positions do you take? Let me see if I can help you by giving you some examples and showing you how you would have to decide particular cases according as you took one position or the other. Suppose that you and you alone—no one else in the world—you alone knew that a man was guilty of murder; he had confessed his guilt to you; but suppose you also knew that he had completely repented of this crime and would never commit another crime or do anything wrong, would you punish him? If you take the retributive position, you certainly would. He is guilty and deserves to be punished. If you take the utilitarian position, you would not punish him because he is reformed, and no one knowing of his crime, there would be no deterrent value in punishing him.

Or let's take another case. Suppose you knew that if you punished a particular person publicly, you would deter a great deal of wrongdoing; yet you knew that this person was not guilty of any crime at all. He was an innocent person but you could make an example of him and deter others. Would you punish him? If you take the retributive position, you would say, "Not at all. He is guiltless and therefore does not deserve to be punished." But if you take the utilitarian position, you might say, "Since the end of punishment is the prevention of crime or wrongdoing, it makes

no difference whether this person is guilty or not. If we punish him, we achieve some good by deterring others."

Or take some other examples, would you punish a man severely, even if the results made him a more hardened criminal than he was, instead of reforming him, simply because the severity of the punishment was proportionate to the offense he committed? If you take the retributive position, you will punish him in proportion to his crime regardless of whether or not you would harden him as a criminal. But if you take the utilitarian position, you would say, "No, the important thing here is to correct this man. I would treat him in such a manner that he is reformed, regardless of whether we have to treat him lightly or severely in order to do this."

Or to take one other case, here are two men; one has committed a very slight offense and one a serious offense. But suppose you knew that if you punished the man who committed the lighter offense severely and the man who committed the very serious offense lightly, you would improve them both, would you do that? If you took the utilitarian position, you would because your aim is to make punishment fit the criminal, not the crime. But if you take the retributive position, you would not. You would treat the man who committed the slight offense in a light manner and you would treat severely the man who committed the very grave offense.

This indicates the options you have. In view of this let me ask again, which position do you take, the extreme retributive position or the extreme utilitarian position?

FINDING MIDDLE GROUND

Now you may say to me, "Do I have to take either of these extreme positions?" You may answer my question, the one I've just given you, by saying, "Why must I take either extreme? Is there no way of combining these positions, of reconciling some truth in the one with some truth in the other? Isn't there some middle ground which avoids what seems the difficulty of the two extremes?"

And I think I can show you that there appears to be middle ground, because some of the great thinkers and writers about punishment seem to have combined something from the utilitarian position with something from the retributive position. For example, Plato seems to combine both positions. He says, "The proper purpose of punishment is twofold. He who is rightly punished ought either to become better and profit by it or he ought to be made an example to his fellows that they may see what he suffers and fear and become better." So far as he says that, he is emphasizing prevention, reform of the wrongdoer, or the deterrence of potential wrongdoer. But then he goes on to say, "But the law should aim at the right measure of punishment, and in all cases at the deserved punishment." Now those words, "the right

measure of punishment," and "at the deserved punishment" indicates that Plato is also saying that a man must be guilty in order to be punished and the punishment should somehow still fit the guilt.

Or to take one other great thinker, Saint Thomas Aquinas in the *Summa Theologica,* who talks about punishment, both divine and human punishment. We find again the three things combined somehow. Aquinas says that retribution or just retribution is not the only reason for punishment. "Sometimes punishment is for the good of those who are punished, and sometimes for the correction of others who are deterred from wrongdoing." But notice what Aquinas is saying. "In addition to retribution," he is saying, "one can punish in order to reform the wrongdoer or to prevent others from wrongdoing." So he seems to say that there are three reasons for punishment: retribution or retaliation, reformation, and deterrence.

If you look at Aquinas carefully I think you will find that he does not think these three things are equal or coordinate, for in this passage where he deals with the matter—I'm not going to bother to read it to you—he says that retribution is not only the primary but the essential, the indispensable condition in punishment. And then over and above that as secondary purposes of punishment one can attempt to prevent wrongdoing by reforming criminals or deterring others from committing crimes.

If I were to attempt to state for you in principle how these two extreme views can be reconciled, I

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How to Think about Language

Today we shall deal with Language as a Great Idea. The special significance of language, the special importance of language as an idea, lies in the fact that it is related to all the other Great Ideas in a particular way insofar as ideas and thoughts are expressed by persons in words, in speech, in language. What people have thought about language and the uses or limitations of language has affected what they have thought about many other things.

I'm sure that all of you are acquainted with the word *semantics.* In recent times the science of semantics and the art of semantics have a great deal of currency and popularity. You hear people say, when a conversation is going on and someone starts to make a comment on the use of words or the difficulty of finding the right word, "Oh, now you're involved in semantics" or "That's just a semantic problem." And many people, I think, suppose because of the recent vogue of semantics that the interest and concern with language is a very modern or even contemporary thing.

There is a great contemporary interest in language, but man's concern with language as a vehicle for the

expression of thought, for the communication of ideas and emotions, is perennial. It has existed in every age, in every century. It was as prominent in antiquity as in modern times.

If you read the dialogues of Plato, for example, you will find Socrates and the people he was talking to continually calling attention to the slipperiness of words and how words sometimes conceal thought as well as express it. Or take another example in the ancient world, the works of Aristotle. You will find that Aristotle was continually commenting on the three, the four, the five senses of a word like "justice" or a word like "government" or a word like "substance" or "liberty." In fact, one of the books of Aristotle's *Metaphysics* is nothing but a commentary on twenty-five or twenty-six basic words, an attempt to clarify their meanings and to distinguish their senses, so important did Aristotle think the clarification of language as an instrument of thought was.

The same thing is true in the Middle Ages. The Middle Ages developed an elaborate grammar and an elaborate theory of signs and how words had to be used to convey different shades of meaning and to clarify our intentions in speech. And again, in modern times such philosophers as Hobbes and Locke included chapters in their works on the use and abuse of words, how language should be used to be effective and what pitfalls and errors should be avoided.

There is one important difference between the ancient and the modern attitude toward language.

The ancients regarded the fault as ours when we misuse language. It is almost like saying that we had certain weaknesses, men have certain weaknesses, moral weaknesses. And the moral virtues are necessary to overcome the weaknesses of our desires or appetites or passions. The fault in ours when we misuse language. And if we succeed, the reward is ours when we master language and make it serve our purposes.

LANGUAGE IS PECULIARLY HUMAN

The modern attitude is quite different. The modern attitude almost looks at language as if it were a foreign thing, as if it were an enemy of ours. Such figures of speech as the tyranny of words, language as a source of deception, language as a barrier to communication, put upon language, as if it were not our own, the burden of the difficulty. And so moderns, as the ancients never did, have in mind the ideal of a perfect language, the construction of a language which unlike the language we ordinarily use, would have all the difficulties removed and be a perfectly lucid, clear medium of communication.

There is one point that was generally agreed upon until very recently, namely, that speech or language is a particularly human thing. Speech in some ways is one of the distinguishing characteristics of man. In the last fifty years there has been some disagreement with this point. Biologists have supposed that they have discovered communication among other beings,

among insects. The students of the higher apes have claimed that they have found in the chimpanzees a language, a vocabulary of a hundred and twenty or a hundred and twenty-five words. And so it is now thought that communication or language is not a special property belonging to man but one that is shared with other animals.

I think this is wrong, by the way. And I should like to tell you why. I still think it's true that language or speech is a peculiarly human characteristic, a property of man and man alone. And my reason for thinking so is that communication is one thing and language or speech is another. When one animal communicates to another animal it does so by an emotional cry, an expression of emotions the way a man might express his emotions of rage or fear or anger or hate. So the animals express their emotions. But this communication from one animal to another is not speech. Speech doesn't begin until thought is communicated. And thought is communicated by words which function as parts of speech in sentences, sentences that have syntax, in which the parts of speech go together in a certain way to form the structure of a sentence.

I say to you that the first time any animal utters a sentence, a sentence that has a syntactical structure in which the words function as parts of speech, then I am willing to admit that other animals than man have language or speech. Until then, I think we must only say that other animals may have means of

communication, but they do not employ language or speech.

This last fact leads us to the problem which I should like to discuss with you first, the problem of the nature or the naturalness of human language. Let's consider that at once.

THERE IS NO SINGLE NATURAL LANGUAGE

I said a moment ago that language was a distinctive trait of human nature, that it was natural for man to be a user of words in the form of speech to communicate ideas and emotions. But though this is the case, though language is natural to man in this sense, as it is not natural to any other animal, it is also true that among human beings there is no natural language. There is no single, natural language.

Let me explain this point. If one takes the cries of other animals, the instinctive expressions of emotion in the case of the chimpanzees or the movements and sounds made by insects in the brushing of their wings by which biologists tell us they communicate to one another, we find that those means of communication are quite natural to each species of insect or animal. That is, all the animals of a certain species will have the same, exactly the same, means of communication. But although language is natural to men, we find in the human race a tremendous plurality and variety of languages. The

reach to heaven; and let us make our name famous, before we be scattered abroad in all lands. And the Lord, the Lord God, came down to see the city and the tower, which the children of Adam were building. And he said," that is, God said, "Behold, it is one people, and all have one tongue; and they have begun to do this: neither will they leave off from their designs until they accomplish them indeed. Come ye therefore, let us go down, and there confound their speech, that they may not understand one another's speech. And so the Lord scattered them from that place into all lands: and they ceased to build the city. And therefore the name thereof was called Babel; because there the language of the whole earth was confounded: and from thence the Lord scattered them abroad upon the face of all countries."

As I understand this story, what we are being told here in the Bible is that before God confused or confounded the speech of men, at this moment in history, all human beings talked one language as if it were a natural language. And only after this point when God confounded their speech were men separated from one another by diverse languages which prevented them from understanding one another until they were able to translate from one language to another.

You may still ask what I would mean by one, common, natural language, the kind of language that men had before God confounded human speech at the Tower of Babel. And I would turn to another

passage in Genesis, the opening of the story of the garden of Eden when Adam is still there. And there is a passage in that story which reads as follows: "And the Lord God, having formed out of the ground all the beasts of the earth, and all the fowls of the air; brought them to Adam to see what he would call them: for whatsoever Adam called any living creature, the same is its name."

Notice that passage, for what we are being told here is that as the angel brought a different animal before Adam, a flower or an animal, Adam gave it its name and that was its name, that was its right name, the name that belonged to it as if that name were the natural and proper name of that thing. Now we, in English, we say *dog,* in German we say, *Hund,* in French we say, *chien.* None of those is the "right" name of the animal because there are three of them, and any one of them is as good as any other. But the name that Adam gave, according to the story, was the natural name for the animal. So a natural language would have only one name for each thing. And that would be the right name, the proper or natural name.

WORDS MEAN IDEAS

We know, so far as any actual history of mankind is concerned, that apart from the Bible there has never been such a natural language. But this idea of a natural language raises for us a problem about the conventional languages which we speak, the various

languages such as French and German and English. The problem is, how in these conventional languages do such sounds as "dog" or "Hund" or "chien" get their meaning? They are just sounds. Or the marks on paper which we write are just physical marks. How do these, what at first are merely meaningless sounds or meaningless marks, get their meaning? That is one of the problems that we must face when we consider a purely conventional language in which we make up the sounds and marks that constitute the language.

The second problem is the problem about the ambiguity of the words that we use, the fact that these words we make up soon get to have a large number of meanings. The fact that they have a variety of different meanings often tends to confuse us and make our use of language difficult and sometimes even treacherous.

I would like to deal with this problem now. That is, how do words—the problem of how words get their meaning first, and deal later with the problem of ambiguity. How do words get their meaning? Where do they get their meaning from? Let me correct that last wording just a little. One shouldn't speak of words as getting or changing meaning so much as the sounds or marks which become words when they get meaning and function differently as words when they change their meaning. A sound or mark, the mark one makes on a page, the sound one makes with one's voice when it is meaningless, is not a

word. A meaningful sound or mark is a word. And the problem is, the problem I want to face is, how in the origin of language do these meaningless marks and sounds become words by becoming meaningful? How do sounds and marks become meaningful?

One problem about the origin of language is, I think, in general insoluble. And that is the history of the invention of the different sounds and marks that constitute our conventional languages like French or German or English. But the problem of how those sounds and marks when they are invented become meaningful is, I think, a soluble problem. Let me read you two or three texts from the Great Books on the question of how sounds or marks become meaningful and thus function as words.

The first text, in some ways one of the most striking texts, is from Aristotle. "Spoken words," writes Aristotle, "are the symbols of mental experience, our ideas or images or feelings. And written words are the symbols of spoken words." And Aristotle goes on to say, "Just as all men do not have the same writing," they don't all write in French or in English or in German or Spanish, "so all men do not have the same speech sounds, but the mental experiences," that is, our ideas or images or feelings, "which these are sounds or words directly symbolized are the same for all men, as also are those things of which our experiences are the images." What Aristotle was trying to say here is that our images or ideas directly symbolize the things of which they are the

THE AMBIGUITY OF LANGUAGE

In the time that's left I would like to deal briefly with one other problem in connection with language, and that is the problem of ambiguity which arises from the fact that we often have many meanings for one and the same word, and also from the fact that we often have many words to express one and the same idea. These two facts that we have too many words sometimes for a single idea, or on the other hand, too many meanings for a single word, really creates the problem of communication.

Think about what communication means. Communication has at the root of it unity, community. It involves two minds sharing the same idea. It isn't enough that they use the same word, because if two people use the same word, one having one meaning for it, another a quite different meaning, they aren't communicating. They are communicating only if, when one uses the word and the other uses the same word, they use it to express the same idea, the same emotion, the same thought, or the same intention. Only in that way do you have two minds getting together, coming to terms, sharing experiences of a mental or emotional sort.

One of the problems that people have always faced is how to overcome this difficulty about our conventional languages. Sometimes they think that the problem would be solved if we could invent an ideal language in which each word had only one meaning.