WHO IS MY NEIGHBOR?:
HUMANITY AND PROXIMITY

I

What is the scope of morality? To whom are we obligated? Whom are we morally required to help? Whom may we not harm? Whom commands our respect and from whom are we forbidden to withhold our assistance? Do moral concerns and requirements diminish over distance, so that our duties are stronger to those who are near to us, and weaken to vanishing point as possible beneficiaries of our actions and inactions are found further and further away? And what does "distance" mean in these circumstances? When is a person near to me? When is a person far away? Is it a matter of who they are, and of their relation to me (affection, blood, fellow-citizenship)? Or is it sheer geography? If it is geography, does a person count as near or far in virtue of where they live or in virtue of where (right now) they happen to be?

For classic treatment of moral distance, we may turn to a very familiar story.1 It relates a conversation between Jesus of Nazareth and a lawyer:

And, behold, a certain lawyer (nomikos) stood up, and tempted him, saying, Master, what shall I do to inherit eternal life? he said unto him, What is written in the law? how readest thou? And he answering said, Thou shalt love the Lord thy God with all thy heart, and with all thy soul, and with all thy strength, and with all thy mind; and thy neighbour as thyself. And he said unto him, Thou hast answered right: this do, and thou shalt live.

But he, willing to justify himself, said unto Jesus, And who is my neighbour? And Jesus answering said, A certain man went down from Jerusalem to Jericho, and fell among thieves, which stripped him of his raiment, and wounded him, and departed, leaving him half dead. And by chance there came down a certain priest that way: and when he saw him, he passed by on the other side. And likewise a Levite, when he was at the place, came and looked on him, and passed by on the other side. But a certain Samaritan, as he journeyed, came where he was: and when he saw him, he

1 "Who Is My Neighbor?: Humanity and Proximity" by Jeremy Waldron,
had compassion on him, [a]nd went to him, and bound up his wounds, pouring in oil and wine, and set him on his own beast, and brought him to an inn, and took care of him. And on the morrow when he departed, he took out two pence, and gave them to the host, and said unto him, Take care of him; and whatsoever thou spendest more, when I come again, I will repay thee.

Which now of these three, thinkest thou, was neighbour unto him that fell among the thieves? And he said, He that shewed mercy on him. Then said Jesus unto him, Go, and do thou likewise.2

The parable of the Good Samaritan, as it has become known, is cited most often by moral philosophers to open a debate about the duty to rescue, i.e., a debate about the stringency of our obligation to help others as opposed to the stringency of our obligation to refrain from harming them.3 In this debate it is taken for granted that the man who fell among thieves stands within range of the moral requirements that apply to the Samaritan (as also to the priest and the Levite), and the only question is about the character of those requirements. We all agree that it was wrong for the thieves to attack the man, and that it would be equally wrong for the Samaritan, the priest, or the Levite to join in such an attack. The hard question is: do the Samaritan, the priest, or the Levite also have an obligation to help the man who fell among thieves? And if they do not, how can we distinguish the consequential connection between their not helping and his continuing to suffer from the consequential connection that would obtain between their attacking him and his suffering additional injury as a result? It is a question, in brief, about acts and omissions.

Now these issues about harming and helping are surely related to the issue of moral distance—for the following reason at least: the range of those I am physically capable of harming (and thus those whom I might morally be prohibited from harming) seems somewhat more circumscribed than the range of those I am physically capable of helping (and thus might morally be required to help). Certainly so far as physical distance is concerned, the ambit of possible harm that I could inflict—barring special circumstances, like having my finger on the nuclear button—is quite modest. So it might seem that, for those at a very great distance from me, the only conceivable moral relation I could have to them is as their potential benefactor. It follows that any extrapolation of a moral requirement of beneficence from the parable of the Good Samaritan would have the potential to increase the distance over which moral relations are supposed to operate (compared to a morality that emphasizes
only the non-infliction of harm). Clearly, though, the two sets of issues can come apart. One might have independent reasons for circumscribing the distance over which moral relations operate; and yet within that sphere there would still be a question about whether beneficence is as stringently required as the non-infliction of harm.

In fact, the issue of helping versus non-harming is not prominent in the Gospel version of the Good Samaritan parable at all. We may think it malpractice on the lawyer’s part not to have raised the distinction between acts and omissions. But it is simply not an issue in the way the story is told. Anxious though he was to give an impression of casuistical sophistication, the lawyer did not seize on this aspect of the matter. And nor did Jesus. It seems to have been taken for granted on all sides that one’s duty to one’s neighbor is a duty to help as well as a duty not to harm. There is no question of its being merely the latter. At the end of the story, the lawyer has no hesitation in recognizing that the priest and the Levite have failed to prove themselves neighborly to the man in need, even though they never affirmatively harmed him.

So what was the lawyer’s concern when he stood up to put Jesus to the test? He had asked what one must do to inherit eternal life. When Jesus threw his question back at him, the lawyer produced a conventional summary of the Decalogue. Now that might have been the end of the exchange; but the lawyer did not want to let it go. Seeking perhaps to avoid the appearance of having asked a simple question to which any fool (even a lawyer) might know the answer, the nomikos makes it an issue of definition: “And who is my neighbour?” He does not focus on the content of the commandment; he focuses on its scope.

Some theologians have condemned the lawyer’s follow-up question as sinful or corrupt logic-chopping. But actually, the issue of definition was perfectly reasonable. Mosaic law is riddled with important distinctions between insiders and outsiders, and Mosaic injunctions of mutual aid sometimes do draw distinctions between neighbors and near neighbors, brothers you know and brothers you don’t know, etc. Moreover it was fairly well known that Jesus took an unorthodox view of such matters, and the lawyer might have a legitimate interest in where one “draws the line,” so far as the conventional distinction between neighbor and non-neighbor is concerned in Jesus’ radical teaching.

So the lawyer poses and Jesus confronts the issue of scope. Who is my neighbor? Who is to be the beneficiary of this duty that the law lays
upon me? Or, we can put it the other way round: given a possible beneficiary—say this particular man injured by thieves—to whom does the commandment apply? Does it apply only to the members of that man's own community? or does it apply also to outsiders—for example, to Samaritans, so far as a Jewish man in need is concerned?9 If it does apply across that bitter communal boundary, then no narrower definition of 'neighbor' can possibly save the priest and the Levite from condemnation. So that is the part of the story that should arrest our attention: not helping versus not harming, but duties of care and concern across communal and religious boundaries like those that separated Jew from Samaritan.

II

If our question had been about helping versus not harming, the fact that the person who helped the man who fell among thieves was a Samaritan would not be particularly interesting. Often our casual interpretations of the parable drain this aspect of its interest. 'Samaritan' has entered our vocabulary as just a general term for "a charitable or helpful person."10 (American lawyers, whose ability to mangle a biblical reference knows no bounds, talk routinely of "Bad Samaritans" as people who refuse to help others.)11 But in regard to the bearing of the parable on the issue of moral distance, it is highly significant that one of the most important groups of outsiders in Israel in the era of the Second Temple were Samaritans. Jews regarded Samaritans with contempt, as half-breeds and apostates. "They were publicly cursed in the synagogues; and a petition was daily offered up praying God that the Samaritans might not be partakers of eternal life."12 As the woman at the well said famously to Jesus, "How is it that thou, being a Jew, askest drink of me, which am a woman of Samaria? for the Jews have no dealings with the Samaritans."13

The answer, then, that the lawyer receives in our story is quite startling. Instead of a reiteration (or even a reconception) of traditional divisions, animosities, and taboos, the lawyer is given an answer which cuts straight across established ethnic and religious lines. From the standpoint of Jewish law, the Samaritan was definitely not a neighbor of the man he assisted if that man was a Jew.14 The story might be compelling enough if it contrasted the helping behavior of a stranger with a neglect-
ful behavior of a friend, or the neglectful behavior of a professional (the priest in the story) with that of a layman. But, as Herbert Fingarette points out, “Jesus . . . substitutes a Samaritan, a geographical neighbor but one who was despised and hated by the Jews of his time as being uncouth, unclean, immoral, and heretical.”15 One might as well tell a story about a Palestinian coming to the aid of an Israeli.16

The stories told about Jesus sometimes indicate he took the conventional (Jerusalem) view of Samaritans, for they have him directing his disciples: “Go not into the way of the Gentiles, and into any city of the Samaritans enter ye not.”17 But on other occasions he is said to have remained silent in face of a Jewish accusation that he himself was a Samaritan; he is said to have conversed with and accepted refreshment from a Samaritan woman; and he is said to have cured a group of lepers of whom only one—a Samaritan—returned to express any gratitude.18

The antipathy between Jews and Samaritans had its origins in the division of the people of Israel into southern and northern parts (Judah and Samaria, respectively) recorded in the first book of Kings.19 In pre-captivity times, the kings of Samaria were widely regarded as depraved and idolatrous (though the contemporary rulers of Judah were not much better). The northern kingdom is supposed to have succumbed to Assyrian conquest and deportation a little earlier than the southern kingdom, and its conquest resulted not in the wholesale exile of its inhabitants (as happened in Judah), but in the settlement of foreigners in the conquered lands of Samaria and the mixing of Jewish and foreign traditions.20 The members of the Jerusalem community, by contrast, maintained their own traditions jealously in exile, and after their return from captivity rebuilt the temple, spurned offers of aid from the northerners, and “remained as a self-contained entity, avoiding contact with their paganized neighbors as far as possible.”21 Their attitude to those living in Samaria is summed up in the second book of Kings:

unto this day they [the Samaritans] do after the former manners: they fear not the Lord, neither do they after their statutes, or after their ordinances, or after the law and commandment which the Lord commanded the children of Jacob, whom he named Israel; . . . Howbeit they did not hearken, but they did after their former manner. So these nations feared the Lord, and served their graven images, both their children, and their children’s children: as did their fathers, so do they unto this day.22
Subsequent biblical material prophesied a reintegration of the people of Samaria into the greater Jewish community, but the issue remained a problem, up to and beyond New Testament times.

In this context, the story of the Good Samaritan can only be understood as an attempt to widen the scope of 'neighbor', to heal the breach in Israel, and potentially to embrace the whole of mankind. As Philip Esler points out, Jesus' introduction of the Samaritan in the story as the only man who proved neighbor unto him that fell among thieves collapses the ground under the feet of those who rely on or quibble about traditional boundaries of neighborhood. The move simply knocks away the implied framework of the discussion hitherto—whether various Israelites could reasonably consider they were or were not under an obligation to regard the man as a neighbor within the mosaic law. . . . That a representative of one of the hated outgroups is brought along that road challenges the whole structure of group differentiation which the law functioned to maintain. . . . One aspect of the genius of this move is its simplicity; for there is nothing artificial in posing a case where the next person to pass by was a non-Israelite. That is what we might expect in life. And yet so natural a possibility brings complete chaos to the conceptual and social framework implied in the lawyer's question and in the parable itself right up to the arrival of the Samaritan.

When the lawyer is then asked by Jesus, "Which now of these three, thinkest thou, was neighbour unto him that fell among the thieves?" he cannot bring himself even to utter the word "Samaritan." He can only say, "He that shewed mercy on him." And the lawyer is sent away with the simple injunction to go and do likewise.

III

Viewing the last phase of the story in this way, it is tempting to see its message as a fairly straightforward form of moral universalism. By saying that the lawyer should go off and do as the Samaritan did—that he too should be willing to cross communal boundaries (or more correctly to be oblivious to them) in rendering aid to others—Jesus may be viewed as preaching that such boundaries do not have moral significance, and that we owe our duty of neighborly love to each and every person on the face of the earth in virtue of their simple humanity. His message seems to attack
a version of communitarianism—common in our day too—which holds that the duties we owe to others depend on the relationships in which we stand to them, and that relationships like common family membership and common membership of a national community predominate over common membership of the human species. Universalism seems to imply that boundaries of family and community are not intrinsically important; there is no such thing as significant moral distance; all men are our brothers; the members of every community, even our enemies, are our neighbors; there are no lines to be drawn, no limits of distance on what may be required of us. Such a position is of course easy to lampoon from a communitarian perspective. Universalism seems to posit the moral agent as a rootless being responsive only to the most abstract characteristics of humanity. It seems to detach us from the concrete reality of our lives, where blood, neighborhood, and nationality do matter, and where the particularity of our affections and our relations to others constitute the very fabric of moral existence.

I suppose the classic lampoon is that of Charles Dickens in the character of Mrs. Jellyby in Bleak House. The narrator, Esther Summerson, is told that Mrs. Jellyby is “a lady . . . who devotes herself entirely to the public.” She is so engaged by schemes for the future of Africa—“the general cultivation of the coffee berry. . . . the happy settlement, on the banks of the African rivers, of our superabundant home population, [and] educating the natives of Borrioboolagha, on the left bank of the Niger”—that she takes little notice of the hungry children—her children—scrambling at her feet and tumbling down the stairs of her dirty and chaotic home:

We passed several more children on the way up, whom it was difficult to avoid treading on in the dark; and as we came into Mrs Jellyby’s presence, one of the poor little things fell down-stairs—down a whole flight (as it sounded to me), with a great noise. Mrs Jellyby, whose face reflected none of the uneasiness which we could not help showing in our own faces, as the dear child’s head recorded its passage with a bump on every stair—Richard afterwards said he counted seven, besides one for the landing—received us with perfect equanimity. She was a pretty, very diminutive, plump woman of from forty to fifty, with handsome eyes, though they had a curious habit of seeming to look a long way off. As if—I am quoting Richard again—they could see nothing nearer than Africa!
Mrs. Jellyby begins to dictate a letter (about a scheme to “teach the natives to turn piano-forte legs and establish an export trade”), but again the demands of family make a vain attempt to impinge on her attention:

Peepy (so self-named) was the unfortunate child who had fallen downstairs, who now interrupted the correspondence by presenting himself, with a strip of plaster on his forehead, to exhibit his wounded knees, in which Ada and I did not know which to pity most—the bruises or the dirt. Mrs Jellyby merely added, with the serene composure with which she said everything, “Go along, you naughty Peepy!” and fixed her fine eyes on Africa again.

However, as she at once proceeded with her dictation, and as I interrupted nothing by doing it, I ventured quietly to stop poor Peepy as he was going out, and to take him up to nurse. He looked very much astonished at it, . . . but soon fell fast asleep in my arms, sobbing at longer and longer intervals, until he was quiet. I was so occupied with Peepy that I lost the letter in detail, though I derived such a general impression from it of the momentous importance of Africa, and the utter insignificance of all other places and things, that I felt quite ashamed to have thought so little about it.

Now it is evident to the reader that Mrs. Jellyby’s humanitarianism is daft and unengaged, and her moral priorities are “ludicrously distorted.”27 She is the very image of the cosmopolitan moralist—preoccupied with the distant because it can so readily be made abstract, and ignoring the grubby reality of what is going on around her—what one critic calls “the sick clutter of the Jellyby establishment.”28 Her concrete responsibilities, namely Peepy and his unfortunate siblings, are neglected, while she distracts herself with grand humanitarian schemes whose fatuousness is inversely proportional to their moral proximity.

It is possible, however, to move too quickly from Dickens’s satire to a general attack on humanitarianism and moral universalism. Quite apart from anything else, the fact that a number of Dickens’s contemporaries viewed the character of Mrs. Jellyby as an attack on women’s emancipation as well as on the abolitionist movement should give us pause. Some philosophers talk of “the Jellyby fallacy,” which is the moral error, as they call it, of “giving no special consideration to one’s kin.”29 But again, we should be careful about moving too quickly on the basis of Dickens’s characterization to any general enthusiasm for communitarianism.30 Certainly it would be wrong to use Mrs. Jellyby as the image of excess in relation to the Samaritan’s virtue—as though a certain amount of universalist altruism was alright, but Mrs. Jellyby took Good Samaritanism too far. For
patently, the Samaritan was not really a humanitarian at all in Mrs. Jellyby’s sense; he was not a “telescopic philanthropist,”31 nor did he comport himself as an all-purpose do-gooder. Unlike his modern namesakes—I mean the Samaritan’s Organization (which is, I hasten to add, an entirely worthy group of men and women who maintain a counseling service available by telephone to those who are depressed, lonely, or suicidal)—there is no reason to think that the Samaritan in the parable was on the look-out for the opportunity to rescue people who fell among thieves or other victims of disaster. He was simply on the road, and he came upon the scene of the robbery “as he journeyed.” When he came near the thieves’ victim, he apprehended roughly what had happened and straight away gave aid to him as a neighbor. He did not consult a list of those whom he was obliged to help and those whom he was not obliged to help. He did nothing to check whether this was a member of his community. (Remember the man was left naked by the thieves, stripped of clothing that might have identified him, his nakedness indicating nothing more than whether he was a gentile or not.) What the Samaritan did was respond immediately to the mere fact of the injured man’s presence and his plight, and take immediate, concrete, and (we are entitled to say) loving care of him.

If there is a character in Chapter Four of Bleak House corresponding to the Good Samaritan, it is the narrator, Esther, who “ventured quietly to stop poor Peepy [the little boy who fell down the stairs] as he was going out, and to take him up to nurse.” Peepy was not her little boy; he was not related to Esther in the intimacy of kinship that Mrs. Jellyby’s communitarian detractors are so anxious to emphasize. To Esther, Peepy was just a grubby, sobbing little fellow who happened to be in her vicinity. But like the Samaritan, Esther was someone who saw at a glance what was to be done and simply did it, without reference to familial or ethnic or communitarian categories.

We can take this a little further, by introducing into each of our two stories another character to lampoon: in each case, it will be a person who, when confronted with sheer human need, undertakes a delicate calibration of moral distance before determining how to act. Instead of a Levite, then, in the parable of the Good Samaritan, imagine a communitarian passing along the road from Jerusalem to Jericho. The communitarian would not immediately pass by on the other side; but his approach would be to stop
and figure out his relation to the man who had fallen among thieves. After all, he would not commit the Jellyby fallacy of responding to pure human needs as such. Maybe he was hurrying to a family occasion or the celebration of some event in the life of his community; so, before he acted, he would want to know how this particular set of needs, lying on the road in front of him, fell into his ordered schema of moral distances. Similarly a communitarian Esther, in Chapter Four of Bleak House, might be more concerned with the pressing immediacy of her family’s business, which had taken her to Mrs. Jellyby’s address in the first place. Confronted with the plight of little Peepy, she too would do a delicate calculation as to whether the interests of her kin, to whom she owed a special relationship, would be promoted or retarded by attending right now to this unfortunate little chap, who was nothing more determinate to her than a child and a fellow human being.

Once we imagine these responses, we start to see that there is something sly about the communitarian’s denigration of moral universalism as an “abstract” response. For surely it is the person who attends to the calibrations of community, the person who makes the delicate calculations of moral distance, who would strike us in these cases as the one substituting abstraction for morality. We know this because, for anything bigger than a face-to-face community of immediate kinship, the communitarian’s diminution of moral distance is always bound to rest on abstractions: the abstractions of community membership, the abstractions of ethnicity, even the abstractions of extended family. Communitarian morality is based on and communitarians’ moral responses are mediated by abstractions of kith and community; and in the scenarios we are imagining these abstractions are what would get in the way of a simpler more immediate humanitarian response.

IV

However, what I would like to suggest now is that the important moral work in the story of the Good Samaritan is not done by any general cosmopolitan universalism, but by the sheer particularity of the accidental conjunction in time and space of two concrete individuals. A particular man is in need in a particular place. “[A] certain Samaritan, as he journeyed, came where he was.” When he saw the man who had been attacked by thieves, he had compassion on him and simply went to him.
The immediacy of this confrontation with a particular human being is what distinguishes the Samaritan’s response—as it also distinguishes Esther’s response to Peepy—from Mrs. Jellyby’s vague and muddled vision of “Africa.” And the response, too, is focused sharply on the immediate case. The Samaritan didn’t dictate a letter, or come up with any daft scheme about ebony piano legs. He was close enough to see that the man lying by the side of the road needed bandages and ointment for his wounds, and money for his care and accommodation at the nearest inn. So it is wrong to see the “moral” of the parable as prescribing nothing but a diffuse and universal concern. It is not altogether at odds with that, but what it prescribes—and the reason it hangs on to the idea of “neighbor”—is openness and responsiveness to actual human need in whatever form it confronts us. And what it prohibits is the action of those (like the priest and the Levite) who would come where the man and his need is, and look on him, and then pass by on the other side.

Seeing the parable as an instance of focused concern for a particular person in a particular place is helpful in thinking through a number of common philosophical responses. First—if I may return to a theme that I sidelined at the beginning—it helps us think less abstractly about the issue of acts and omissions. Those who fail to help the man who fell among thieves are portrayed in the parable as going out of their way not to help, or going out of their way to avoid a decision about whether to help. They may have been inactive in the sense that they were going about their own business, with no thought for the man who fell among thieves, at the time the latter was actually robbed. But when they actually confronted the choice whether to help or not, their attention was riveted upon the man and their actions were more or less completely oriented to his plight (oriented aversively, it is true, but oriented all the same): “[B]y chance there came down a certain priest that way: and when he saw him, he passed by on the other side. And likewise a Levite, when he was at the place, came and looked on him, and passed by on the other side.” Their not helping is an intentional doing: a decision to cross the road, a choice to go out of their way to avoid the predicament. Modern philosophers in their hypotheticals like to present the failure to rescue as a mere absence of response to someone’s plight. But in real life it is seldom just that. One’s hard-heartedness usually has to struggle with a combination of impulse or attempt to help, and with confusion, distress, anger, a voyeuris-
tic desire to see what is happening, and so on. One need not hold this as a general truth about omissions: there is no logical difficulty in conceptualizing an omission as the mere absence of action. But it is not always a good idea to orient oneself to the purity of the most abstract case. In almost all situations where rescue might plausibly be required by morality (or for that matter by law), all the agents concerned—potential helpers and potential victims—are likely to have their attention focused on the victim’s predicament, and they have to make a serious effort of will to shift from that orientation to going about their ordinary business with no thought for the victim’s plight. It is not a question of our being made to pay attention by a universalist morality—our being distracted, as it were, by universalism from our own legitimate pursuits. Humans, being what they are, their attention is focused already, and—in the case of non-helpers—it is just a question of how quickly and decisively they can repudiate that focus, and return to their self-absorbed concerns.

Secondly, looking at the parable of the Good Samaritan as an instance of focused concern on a particular person in a particular place helps us through some of the issues about perfect and imperfect duties with which philosophers complicate these situations. A perfect duty determines a particular action that must be performed (or, as the case may be, not performed) on every occasion it crops up. For instance, I have a perfect duty not to murder you. Any time the question of my murdering you arises, the duty kicks in; I am required to refrain from murdering you on all—not merely most—of the occasions on which it is a possibility. Moreover, in the case of perfect duties of action, the requirement is often quite specific. I owe a perfect duty of repayment to each of my creditors, and I do not have a morally protected choice to pay some but not all of what I owe you when the time for repayment comes, or to pay some of my creditors but not others. When we think about beneficence, however, we often say that it is an imperfect duty: though it commands concern for the welfare of others, it is understood to leave a certain amount of latitude for free choice in determining what to do about it. For example: I meet many beggars as I walk around New York City, and I am sure it would be wrong not to give money to any of them; but maybe it would distort my moral situation to require me to give money to each, or to say that I am required to give a particular amount, or to use specified criteria to figure out who to give money to and who to refuse.
Is this a possible way of looking at the Good Samaritan parable? Hardly. There is something immediate and determinate about the situation the Samaritan faces that no theoretical talk of imperfect duty can really shake. If there was anything to think about, it would go as follows: “In a case like this, where I am on the spot, and where help, if it is to come at all, can only come from me, the demands of morality are compelling. I have no choice.” I owe this point to Peter Winch, who observes that the Samaritan evidently did not see his helping the man who had fallen among thieves as a matter of discretion, let alone as the sort of morally protected discretion which we associate with imperfect duty:

The Samaritan responds to what he sees as a necessity generated by the presence of the injured man. What I mean by introducing this word ['necessity'] can be brought out by considering what someone in the Samaritan’s position, and responding as he did, might say if urged by a companion to hurry on so as not to miss his important appointment. “But I can’t just leave him here to die.”

Evidently the “can’t” is not physical necessity: the priest and the Levite experienced no difficulty in passing by on the other side after they saw the injured man’s plight. It is something like moral necessity, akin to the necessity (the moral stop, if you will) associated with perfect duties like the duty not to murder or the duty to repay one’s debts. Someone who doesn’t really grasp the moral category of murder may think it a matter of discretion whether to take a life or not; but he is wrong. And similarly, the story indicates, the priest and the Levite are wrong: they fail to see that the immediacy of the injured man’s plight does not present assistance, morally speaking, as a matter of choice.

(It is sometimes said that imperfect duties do not correlate with rights in the way that perfect duties do, and that this is the basis of the moral necessity associated with the latter. I am not sure whether I want to say that the man who fell among thieves had a right to be helped by those who passed along the road. On some conceptions of rights, that would not be out of place. But I suspect that the point I have just made about the duty’s seeming compelling—Peter Winch’s thought, “I can’t just leave him here to die”—is prior to that. That is, we say, if we do, that the man who fell among thieves has a right to be helped only when the duty to help him seems a compelling one, and it is the latter point, not the former, that I want to insist upon.)
Thirdly, this emphasis on focused concern enables us also to reconceive points that are sometimes made about special relationships. It is often said that our duty to rescue or to come to the aid of others is as morally compelling as our duty not to harm them only in cases where we have some special relationship to the potential beneficiaries: the beneficiary is my child, for example, or I have been hired as a lifeguard to protect the people on a particular stretch of beach. Now, the denouement of the parable may certainly be read as an explosion of this special-relationship approach to the duties we owe to others. That is, it may be read as indicating that we should stop thinking about the specialness of certain human relationships and focus instead on the mere fact of someone’s humanity. Alternatively, however, we may hang on to the concept of a special relationship, but apply it in a new way. Through there was no antecedent special relationship between the man who fell among thieves and the Samaritan that might ground a traditional duty to rescue, that doesn’t mean that their relation was wholly abstract—the relation of one instance of common humanity to another. Their relationship at that time and in that place was morally significant in its particularity, and special by virtue of the immediate concrete circumstances of their encounter at that particular moment in that particular place. The law, for example, often requires a person involved in an automobile accident to stop and render aid to the injured, and even when they have no other special relationship to the victims. It is not a general duty: motorists who pass by the accident site a few moments later are not obligated to help (at least not in law). But someone whose car was hit in the accident is obligated to help, even when the accident was not his fault. The mere fact of being in the collision is held to be special enough. Well, similarly we may want to say that there is something morally special about being on the spot where the man who fell among thieves has fallen. Or even if we ultimately reject that idea, still the sheer fact of the encounter is enough to distinguish the case from the general duty that universalists think any human owes to any other.38

Some will say this is not the way the special relationship idea is supposed to be deployed: we are supposed to refer to antecedently established special relationships, which cast a certain light on the encounter between possible helper and possible beneficiary, rather than a special relationship constituted by the fact of the encounter itself. But there’s no reason why we should accept this, as though the antecedent establishment of the
special relationship had moral significance in itself. Some may say that the special-relationship idea expresses the importance of consent: the lifeguard agreed to look after the bathers, and that is why he has a special duty to them. But plainly the special-relationship idea goes far beyond this: parents have special relations to their children whether they agreed to conceive, bear, and raise them or not; and the motorist hit in the collision has a duty to stop that has nothing to do with consent. Nor is it an objection to this reconceptualization of the special-relationship idea that it fails to limit the class of whose whom we are obliged to help in the way that the traditional application of the idea limits that class. Such delimitation is not the point of the "special-relationship" idea. Rather, the idea is that certain features of our relations or interactions with certain others give rise to duties that go beyond what we owe to others anyway. The special duties arise because of what these particular relations or interactions are like—being a parent, or having assumed certain responsibilities, or being in a car wreck. Now the suggestion I am making—that the sheer fact of proximity (to a person in desperate need) gives rise to special duties, because of what proximity to need is like—may seem radical. But it cannot be ruled out of court as an abuse of the special-relationship idea simply because it makes life more morally onerous for us than it seemed to be when we neglected the moral significance of this relationship.

V

Our subject is moral distance. And what I want to conclude is that it is possible to conceive the notion of distance in a quite literal sense—a sense which makes the parable of the Good Samaritan turn on the issue of actual proximity. A man has fallen among thieves in a particular place on a particular road. Indeed, the story's sense of the sheer physical presence of those who might help him is repeated so often that it becomes almost tangible:

[B]y chance there came down a certain priest that way. . . . And likewise a Levite, when he was at the place, came and looked on him. . . . But a certain Samaritan, as he journeyed, came where he was; and when he saw him, he. . . . went to him. . . .

The idea is that these three travelers are each bound morally to the man who fell among thieves by virtue of being in his immediate vicinity—in
his “neighborhood” (in the crudest geographical sense of that term)—when he is in desperate need. Never mind ethnicity, community, or traditional categories of neighbor-ness. They are there and that makes them his neighbors. To pass by and do nothing to help a person whose need is so immediately present seems plainly wrong: even the lawyer in the original story sees this.

Now, what is it about proximity that makes this possible? One type of answer would connect proximity to universalist morality in an instrumental way. There is a rough correlation between proximity and causal efficacy. For in many situations the one who is there, on the spot, in the vicinity of the person in need, is the one who can do the most to help. Need connotes urgency, and if help doesn’t come straightaway from the person on the spot, it may be too late. Moreover someone in the vicinity can see quickly and in a focused way what needs to be done and, being there, he is often in the best position to do it. So from a universalist point of view, there is reason to treat this relationship as special. Attaching special duties—duties of first aid, for example—to immediate proximity makes sense on the universalist model rather in the way that the attachment of special duties to parents makes sense. (Universalists seldom deny these special duties: what they do is explicate them in terms of their serving an underlying universal humanitarianism.)39 Of course it is only a rough correlation: sometimes efficacy does not line up with proximity in this way. So the special responsibility attaching to those who are closest to the scene is just a prima facie duty: sometimes those who are farther away will not be able to assume that they are off the hook, so to speak. Sometimes the relief of distress will be the responsibility of distant individuals (like Mrs. Jellyby). Still, there is enough there to allow the universalist to give some sort of account of the appeal of particularist intuitions, and to apply it to our case as well.

Non-universalists, of course, will find this whole account question-begging, as well as inadequate to explain the force of the special relationships they are prepared to recognize. They don’t see the special responsibilities of (for example) parents in this instrumental light; they will certainly not concede that any account has been given of how proximity could possibly trump that special relationship and they certainly do not concede the major premise on which the instrumental explanation is founded. If I am saying nothing more than that a universalist can explain why the Samaritan
had an obligation to help the man who fell among thieves, I have not advanced the argument very far. So there is a further question of whether we can explain the importance of proximity in the parable of the Good Samaritan in a way that would illustrate a distinctive form of universalism, and one that can plausibly compete with and displace particularist intuitions that do not appeal to a universalist foundation.

Non-instrumental accounts of the moral importance of the proximity relation have been given elsewhere in philosophy, most notably in the political philosophy of Immanuel Kant. Kant argued that those who cannot avoid “living side-by-side” have a duty (and may legitimately be forced) to leave the state of nature and proceed into a civil society governed by principles of right. This is because the fact that they live in the same vicinity means they are likely to compete for the same resources, and in their competition they will have violent impacts on one another’s external freedom. Now that sounds like a Hobbesian account: the move to the state of nature is motivated by the importance of peace. But actually Kant’s argument is more moralistic than that. People struggling for control of resources are likely to make and defend claims of right, and there is an intrinsic affront to justice, Kant thinks, in cross-cutting claims of right being pursued unilaterally without reference to a single coherent scheme. Interesting though this argument is, however, it is not exactly what we are looking for here: the problem of conflict and the moral interest in coherence are not significant in the Good Samaritan situation. Still the Kantian approach to political philosophy does share with the perspective being developed here a determination to establish moral relations between people where they actually are, and not on the basis of—indeed in spite of—real or imagined ethnic and communical sympathies. Though it is oriented to the possibility of conflict, the Kantian account also involves an important element of recognition. I must enter a system of public laws with those with whom I am otherwise likely to compete for the resources in our vicinity not just because this is the best way to get security for my possessions, but because this is what is required when right-bearers confront one another. We must recognize one another not just as potential predators but as moral subjects and, even in the midst of our competition, deal with one another on that basis.

Well, similarly, I believe that an element of recognition plays an important part in explaining the grip that the parable of the Good Samaritan
has on us. I have emphasized proximity, and in that connection we may consider the importance of sight in the way the parable is presented—the immediate visibility of the predicament of the man who fell among thieves. The priest “saw” him, the Levite “came and looked on him,” and the Samaritan “when he saw him, he had compassion on him.” Visibility is of course partly connected with the issues of efficacy we have already considered: the passers-by could see the injury and the danger of death, and see, too, what needed to be done. But it is more than that. The suffering and injury they could see was close enough to make a direct appeal to their sympathy: it was there, in their face, so to speak. If the man was conscious, then they would have been close enough to hear his plea for help, or at least see it in his eyes; and they would know he knew that they were the ones in a position to help him when it appeared no one else could or would (and that he knew that they knew, etc.). Now, it is a fact of our common humanity that these appeals in extremis, and the mutual recognition that they express and that they evoke, do not depend on ethnic or communal solidarity. They transcend all such boundaries. They depend only on the sheer fact of one human being confronting another and mouthing a cry for help. Some might try to reduce this elemental appeal to a fact of our animality, and the response it evokes to an almost instinctive animal sympathy—Rousseau’s “innate repugnance against seeing a fellow creature suffer.” The element of recognition plainly goes beyond this, as does the more-or-less conscious expectation of assistance that accompanies such appeals, and the articulate sense of duty—again, Peter Winch’s thought, “I can’t just leave him here to die”—which it evokes, whenever two humans confront one another in this way. Moreover there is nothing automatic about the response: the priest and the Levite did, after all, pass by on the other side. It is not animal magnetism. It is an elemental matter of morality: the unmediated (as opposed to the abstract) face of humanitarianism, the direct moral appeal of one human being to another.

VI

I have been careful not to present proximity as a necessary condition for the existence of a duty of beneficence, as though the further away one were from a human plight (that one knew about) the less one would be
WHO IS MY NEIGHBOR?: HUMANITY AND PROXIMITY

obligated to help. The aim has been more modest: to explore the basis on which the intuitions evoked by the parable of the Good Samaritan plainly trump or overwhelm any thoughts about people owing assistance only to those connected to them by ties of blood or communal affiliation. I guess some opponents of universalism would be willing to concede the point for cases exactly like this, but they might still want to insist that morality is most at home in the confines of the family, the village, or the national community, and best taught and most manageably applied in that context. But that may be to miss one final point about the parable.

The action does not take place within the comfortable confines of a community. It takes place on the road from Jerusalem to Jericho, and it highlights the arbitrary "thrownness" of our being in the presence of another in those circumstances; "[B]y chance there came down a certain priest that way. . . ." When you are on the road, there is no telling who you might meet, who you might run into, who you might find yourself in the immediate neighborhood of, and we have to learn morality for those circumstances too. Now the parable of the Good Samaritan first challenged an audience in an era where the road might still be seen as an exception: most people did live within the confines of community and the morality of love for your neighbor was able to flourish in a context where your neighbor was likely to be someone just like you. We do not live in such an era. Much of our life is lived "on the road," or lived in circumstances where we are often and, in Kant's phrase, "unavoidably side-by-side" with strangers, with people alien to what we fancy are our traditions or our community. It may well be that a moral outlook that begins with the sheer fact of the proximity of two human beings—irrespective of their affiliations—is a better bet for these circumstances than a moral outlook which takes as its starting point what we owe to those we know and to those with whom we already have a connection.

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Notes

1. I have adapted some of the material that follows from Jeremy Waldron, "On the Road: Good Samaritans and Compelling Duties," Santa Clara Law Review, 40 (2000), 1053. But that paper is mainly about the legal enforcement of a duty to rescue.


4. Deuteronomy 6: 5 (“And thou shalt love the Lord thy God with all thine heart, and with all thy soul, and with all thy might”) and Leviticus 19: 18 (“Thou shalt . . . love thy neighbour as thyself.”)

5. See, e.g., Dietrich Bonhoeffer, The Cost of Discipleship (London: SCM, 1959), at p. 77: “Jesus parries the question as a temptation of the devil. . . . It is the sort of question you can keep on asking without ever getting an answer.”

6. For example, see Deuteronomy 23: 2–8: “A bastard shall not enter into the congregation of the Lord. . . . An Ammonite or Moabite shall not enter into the congregation of the Lord; even to their tenth generation shall they not enter into the congregation of the Lord for ever. . . .”; see also Deuteronomy 22: 1–2 “Thou shalt not see thy brother’s ox or his sheep go astray. . . . thou shalt in any case bring them again unto thy brother. And if thy brother be not nigh unto thee, or if thou know him not, then thou shalt bring it unto thine own house, and it shall be with thee until thy brother seek after it, and thou shalt restore it to him again.” (My emphasis; some translations put “fellow-countryman” for brother).

7. For example, he reminded his disciples, “Ye have heard that it hath been said, Thou shalt love thy neighbour, and hate thine enemy” (Matthew 5: 43), and he contrasted it with his own teaching—“But I say unto you, Love your enemies, bless them that curse you, do good to them that hate you” (Matthew 5: 44), etc.—portraying the latter explicitly as radical and unconventional (Matthew 5: 46–47).


9. I say, “for example”—but there is no reason to suppose that the man who fell among thieves and who was rescued by a Samaritan on the road to Jericho was Jewish. The point is not stipulated in the parable. For the significance of this, see Esler, “Jesus and the Reduction of Intergroup Conflict,” pp. 328–29.

10. This is the second meaning given for “Samaritan” in the Oxford English Dictionary.


17. Matthew 10: 5.

19. 1 Kings 16: 21–33.

20. 2 Kings 17: 18–33.


22. 2 Kings 17: 34 and 40–41.


26. The extracts that follow are taken from Charles Dickens, Bleak House (Harmondsworth: Penguin, 1994), ch. 4.


31. “Telescopic Philanthropy” is Dickens’s title for Chapter 4 of Bleak House, from which I quoted earlier.

32. For instance, the classic example of a man sitting in a lounge chair next to a swimming pool while a toddler drowns, in Jeffrey Murphy, “Blackmail: A Preliminary Inquiry,” The Monist, 63 (1980), 168.


35. Idem.

36. A number of scholars have raised the possibility that the priest and Levite are concerned with ritual cleanness, being unwilling to risk impurity from touching what might well turn out to be a corpse. See, e.g., Brad H. Young, The Parables: Jewish Tradition and Christian Interpretation (Peabody, MA: Hendrickson, 1998), pp. 109–10. If they thought the man was dead, they might be torn between the duty to help and their obligation, as temple officials, to maintain ritual purity (Leviticus 21: 1–4). Note, however, that the possibility of such conflicts of duty have nothing to do with the perfect/imperfect distinction.


38. I do not want to denigrate universalism, as described; I only want to point out that something more concrete is involved in the case we are considering.