

The Constitutional Problematics of Nonrelativity or How to Dump Garbage in Nobody's Backyard

Lester Embree

The expression “nonrelative” (and derivatives) is offered here as an alternative to “objective” (and derivatives) in one of its significations, “objective” being excessively polysignificant in current philosophical English. In constitutive phenomenology, “constitution” refers to the explanation of objects in terms of intentive processes or encounterings and is accomplished through fictive as well as serious reflective theoretical observation performed upon the pertinent noetico-noematic correlations. Since the set of problems pertaining to nonrelativity is quite extensive, only an outline of it is ventured in this essay. Outlines omit details and lesser structures but are concerned to delineate the whole and its greater structures.

There is need for an outline of this problematics because most discussion within constitutive phenomenology of what is here called nonrelativity suffers from excessive emphasis on cognitive personal human life. The emphasis on *human* intentive life will not be challenged here but equal emphasis will be placed on the affective and conative as upon cognitive strata in all encounterings and also upon communal as upon personal life, personal life being, after all, abstract while collective life is concrete. This more balanced emphasis is evident in figure 1, which will be followed in the body of this exposition from the bottom upwards as well as from left to right, row by row and letter by letter.

Figure 1
Outline of Problematics of Nonrelativity

	interoccasional	interpersonal	intercommunal
conative	G.	H.	I.
affective	D.	E.	F.
cognitive	A.	B.	C.

A running example may aid the following exposition. Suppose that there is an urban sprawl that extends over several adjacent counties in a state, that an agency of that state proposes to locate a garbage dump in one of the counties, and that there are a series of counterefforts by concerned citizens making up groups such as Hiasson's Mothers of the Wilderness (the "Mowistas") and, far to the left of them, the dreaded "GRD" (Gordon's Reef Defenders). How is this prospect made aware, believed in, valued, and willed by concerned individuals and groups?

The problematics of nonrelativity needs to be distinguished from those of truth and justification. "Truth" applies to propositions only in the case in which the states of affairs referred to in them are affirmed or denied.¹ There can then be truth that is subjective or relative and nonrelative or objective according to whether the matters are thus posited by one or more than one person. "Justification" applies not to propositions but to positings and depends on whether or not positings are immediately or mediately founded upon and motivated by evidencing of the matters posited. There can then be relative or "subjective" and nonrelative or "objective" justification according to whether the same states of affairs or matters in question are evidenced by one or more than one subject in the way most original

¹ For an analysis of propositional truths as a species coordinate with pictorial and indicational adequacy, cf. Lester Embree, "The Problem of Representational Adequacy," in *The Prism of the Self*, ed. Steven Galt Crowell (Dordrecht: Kluwer, 1995), 59-70.

for objects of that region.

“Skepticism” would seem *prima facie* to apply to the position or positions whereby there can be no truth and no justification, but showings that there is subjective truth or subjective justification would not seem sufficient to defeat skepticism; nonrelativity is also required. For example, if someone reports in all sincerity the nightmare of having married a real estate developer, that report can be taken as true for that person, but nobody else perceived or can remember that dream and the representational awareness of it on the basis of the person’s report is not an original mode of evidencing for objects of the region in question.

For another example, if the preponderance of evaluation within a group is that garbage dumps are intrinsically good, then the positive value of garbage dumps is, for that group, nonrelative, although few outsiders would, it seems, accept that the positive valuing of garbage for its own sake can be justified. (The contention that dumps are the best method of disposal is based on extrinsic as well as comparative valuing.) Then again, the positive valuing of health for its own sake might be nonrelatively justified by outsiders as well as the insiders of a health-valuing community and thus justified intercommunally, provided the pertinent conditions of evidencing are fulfilled.² It may also be mentioned, but not pursued, that justification can be naive or critical according to whether the encountering in which objects are constituted is reflectively observed, analyzed, and described in a worldly or in a transcendental attitude. With the differences of non relativity from truth and justification borne in mind, the problematics of nonrelativity can now be outlined.

I. The Cognitive Level

² Lester Embree, “Phenomenology of Action for Ecosystemic Health or How to Tend One’s Own Garden,” in *Environmental Philosophy and Environmental Activism*, ed. Don Marietta and Lester Embree (Lanham: Rowman and Littlefield, 1995), 51-66.

The cognitive level consists, for present purposes, of the awareness of realities and the believing that accompanies it and, correlatively, the real objects and their belief characteristics, which characteristics can be discerned when objects as they present themselves are reflectively observed. The cognitive level includes but is not confined to linguistic or predicative intentiveness. There are also nonreal or ideal objects, such as propositions, which are of course expressed in the statements that make up this essay, but they are-for the sake of simplicity-excluded from consideration here. We are not made aware of some real matters, such as the intensive lives of other animals, in a strictly sensuous manner, but we become aware of them representationally, in close relation with sensuous awareness, which is direct.

As for belief, there is the stratum of believing in the intensive process, on the one hand, and there is a belief characteristic, discernible reflectively in the object as it presents itself, on the other hand. This believing and the correlative belief characteristic can be positive, negative, or neutral; as positive and negative it can be firm (“certain”) or shaky (“probable”), and it might be extrinsic (as well as intrinsic) when objects, such as causes or effects, are believed in for the sake of other objects, such as effects or causes. The question, again, of whether the belief is justified is excluded from the present sketch. Moreover, the question of whether the expression of belief is true is also excluded and the focus is on encounters as pre- if not nonpredicative.

A. *Interoccasional Cognition*. The first time an individual encounters a garbage dump the stench is overwhelming in what is then a predominantly olfactory perceiving of it. That this smelling motivates a negative valuing and even willing of some sort, e.g., to get away from the stink, will be returned to presently. At this point, it is plain that the dump as stinking is believed in. If this happens only once to an individual, then the encounter is merely occasional or, in

traditional terms, subjective in the extreme. If the dump is smelled two or more times, it comes to have the minimal nonrelativity or, again in traditional terms, objectivity. This seems best called interoccasional nonrelativity.

Interoccasional nonrelativity of the cognitive sort is constituted within an individual conscious life. Most broadly considered, the smelling of the dump a second or subsequent time is retentive to the earlier predominantly olfactory perceiving and through identificational-differentiation synthesis it is constituted as the same smelly dump. Furthermore, it is automatically protended so that if that individual approaches that dump again, then she will smell it again or, equivalently, it will have the same smell for her. Finally, just as believing in the smelly dump was immediately motivated by the smelling of it, so too the believing that the dump previously smelled and, under pertinent conditions, will be smelled again as the same smelly dump is believed in automatically. (The fascinating constitutive phenomenological issues concerning how similar stench on different occasions cannot only be intended to as pertaining to the identical dump but also can be intended to as different from one another are beyond the scope of this outline.)

B. Interpersonal Cognition. The individual may well not approach her first dump alone. If not, then she may well not only become aware of the stench but also become aware that her companion is smelling and disvaluing the stench along with her. Whether or not this is also conveyed verbally, it can readily be observed representationally on the basis of a normal companion's behavior in such a situation. This is social intentiveness. For there to be a group, the intentiveness needs to be reciprocal, at least in a marginal way. It can be retentive to earlier joint encounterings and protentive to more of the same or others to come. Already in the case of the two mutually intensive dump encounterers, a first level of intersubjective constitution of the smelly dump occurs and, correlatively, of the

nonrelativity of that which is smelled obtains. It seems best to entitle this interindividual nonrelativity.

Strictly speaking, there are now four types of constitution recognized, for the occasional/ interoccasional and the personal or individual/ interindividual distinctions intersect. Without attempting to decide whether interoccasional/ individual or occasional/interindividual forms are the more nonrelative, it can be recognized that occasional/individual cognition is the most and the interoccasional/ interindividual cognition is the least relative of the mentioned compound forms. Again, there are interesting questions about individual differences in, e.g., the ability to smell, which will not be pursued here because they might distract attention from the big picture, but it may be mentioned that matters like the smells of dumps are so regularly constituted as interindividual that the first interesting question may not be how that is possible but rather how it is possible for us to discern personally relative smells.

C. Intercommunal Cognition. Our two mutually aware dump smellers can constitute a minimal group. Humans form and participate in various ways in numerous groups and there can be cooperation as well as conflict between groups. Suppose, for example, that a group of concerned citizens seeks to become well informed by consulting experts.³ Verbal communication is required here and, on the basis of a modicum of science, they come to believe that a garbage dump includes (and can generate) concentrations of toxic substances (which mayor may not be sensuously perceived) that so contaminate the air and ground water that organisms of various orders, humans included, and even entire ecosystems located downstream in their toxic flow patterns can be harmed or killed. Here causal connections come to be cognized, but the point is that the effects of dumps on life

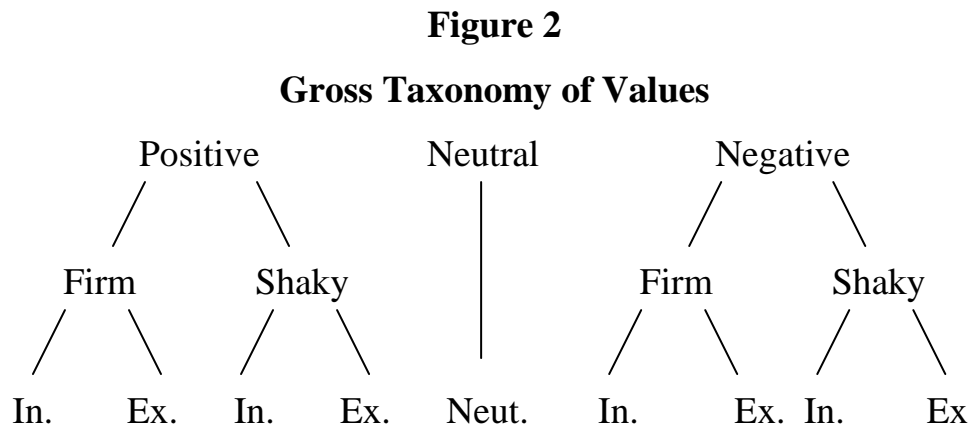
³ Cf. Alfred Schutz, "The Well-Informed Citizen: An Essay on the Social Distribution of Knowledge," in Alfred Schutz, *Collected Papers*, vol. 2, ed. Arvid Broderon (The Hague: Martinus Nijhoff, 1964).

is nonrelative in a third way, which can be called intercollective, one collective being the group of concerned citizens who have become well informed and the other collective being the scientific community in which this knowledge about garbage dumps is discovered. For both groups, dumps have the same specific effects.

II. The Evaluative Level

The phenomenological issue of relativity/ nonrelativity has tended to be focused on scientific objectivity, which pertains to the cognitive level. Yet, because the evaluative and conative levels were clearly recognized by Husserl at least since *Ideen I*,⁴ this ought to have been a matter of emphasis rather than of essence. The evaluative level involves, noetically, valuing, which can be positive, negative, and neutral-as positive and negative it can be firm or shaky (“ambivalent”)-and it also involves valuing objects for their own sakes or for the sakes of other objects. Overall, it can thus have correlative values qua noematic pathothetic characteristics objectivatable in objects of the nine sorts established through analysis of pathic positionality in figure 2. This analysis is subject to refinement with respect to the natural determinations of the value objects, e.g., rose scent and dump stink both have firm intrinsic values, but one is positive and the other negative. That this analysis parallels those possible for belief and volition has not helped keep them distinct, although the differences between (1) believing and disbelieving, (2) liking and disliking, and (3) willing for and willing against should be clear.

⁴ Cf. Lester Embree, “Some Noetico-Noematic Analyses of Action and Practical Life,” in *The Phenomenology of the Noema*, ed. John Drummond and Lester Embree (Dordrecht: Kluwer Academic Publishers, 1992), 157-210.



D. Interoccasional Evaluation. There is relativity and various stages of nonrelativity to the values of objects constituted in the evaluative stratum of the intensive process. The first valuing of the scent of a nicely cooking compost pile might be shaky as well as occasional but can become interoccasionally firm. It may furthermore be intrinsically negative but extrinsically firm. It may also be intrinsically negative but extrinsically positive in value as one cognizes it as a nonpolluting way of disposing of yard and kitchen waste and also of generating solid and fluid organic fertilizer, compost, and mulch. The first degree of nonrelativity is not dependent on the valuing of something for the sake of something else but upon the repeated valuing of it as the same. It may also be mentioned that to become a person who approves of composting does not imply that the value of composting is objectivated, much less that propositions about it are formulated. Interoccasional or individual evaluation is originally prepredicative.

E. Interpersonal Evaluation. The members of a household, neighborhood, town, county, etc., can positively and firmly but especially communally value compost facilities of various sizes in the same intrinsic and extrinsic ways. Like

wormeries, composting is a partial alternative to garbage dumps. Cognition is involved, for the valuing is immediately motivated by believing, and believing is immediately and mediately motivated by observing or evidencing of various sorts and degrees of sophistication. Moreover, there is mutual intentiveness, evaluation as well as cognition included, among what thereby become members of the group. This mutual encountering is usually relevant if not marginal rather than thematic. The point is, however, that a nonrelative positive and firm value can be interindividually constituted where composters in at least a partial preference to garbage dumps are concerned, i.e., leaders of a community can speak on behalf of the group and say “We prefer composting to dumping” or “Composting is better than dumping.” This is nonrelative, but relative to a community rather than to an individual or an occasion. From within, however, it is quite “objective.” And the question needs to be asked whether something that is nonrelative to all competent individuals, and communities, i.e., omnirelative, is still relative in a serious way.

F. Intercommunal Evaluation. In the case under analysis, however, a county is confronted with the problem of the state planning to impose a new garbage dump upon it. To the well-informed and concerned citizen groups of the county, this is nonrelatively bad. For the sake of the discussion, let us suppose that all such groups in the county in question form a coalition to oppose the siting of the dump. They might even rally under the flag on which it is inscribed “Not in our backyard!” The political plot would then thicken, but the phenomenological point at this stage is that there would be an intercommunal negative valuing correlative to which the dump siting would have intercommunal negative nonrelative value, some of it intrinsic with respect to the stink and other ugliness, but most of it extrinsic with respect to the adverse health impacts.

An intercommunal intersubjectivity has not only mutually encountering intentiveness within it between persons but also between communities. This

involves mutual awareness of various representational sorts, mutual believing in various ways, and mutual evaluation. In an alliance or coalition, the persons and communities like their fellow persons and communities for, among other things, their valuing, in this case their disliking of new dumps in the county, and this is also not unilateral but mutual. Coalitions and even communities are sometimes not stable, especially before participation and support become habitual and also when based only on one negative valuing. An interesting question that, like the questions of the justification of valuing, can be left for another occasion concerns the conditions under which communities and coalitions are stable.

III. The Level of Action

From a cognitive and even from an evaluative standpoint it is almost too easy personally to take up a standpoint outside of interoccasional, interpersonal, and intercommunal forms of intentiveness and the correlative relativities and nonrelativities constituted in them. To do so with respect to action, however, is simply to be neutral and thus not act, something theorists may overlook. Others, individual and collective, are allies, opponents, or nonparticipants. One only acts from a subjective or relative standpoint, which can still be justified, and as one participates in intersubjectivities, various nonrelativities are constituted. If one acts for or against a present actual or future possible situation, i.e., to preserve, destroy, create, or prevent, one must act personally alone, as a participant in a community, or as member of a coalition of persons and communities, and the nonrelativity or “objectivity” of ends and means is constituted in that “subjective” or in one degree or other “intersubjective” action.

In action, the means that is always willed is somatic movement, whether I-engaged or habitual, and other matters are willed as ends also others as means. This is done at least on the basis of believed-in causal connections, so that believed-in

possible effects are willed as ends and then causes or, more generally, conducive circumstances, are willed as means. The ends can be positive, negative, or neutral, as positive and negative they can be firm (“resolute”) or shaky (“hesitant”) and, according to whether the matter willed is already actual or not, they can be preservative or destructive or creative or preventative. The countywide antidump coalition is resolutely devoted to preventative action.

G. Interoccasional Action. One can recognize the most relative action to be occasional. For example, upon the first sniff of a dump in her life the individual turns heel and flees breathing through her mouth but beginning already to believe that the stinking mess will still be there after she gets away, and thus not only the cognitive but also the evaluative and the conative or practical nonrelativity begins to be constituted immediately, even though it is most conspicuous when there are successive and intently interrelated occasional encounterings. It is also reflected in situations of vacillation. Interoccasional action is personal action. This can become habitual in the case of driving routinely on the upwind side of the dump or purchasing bottled water and it can also consist of consciously chosen actions.

H. Interpersonal Action. As a rule, personal actions do not make much difference in larger situations; most persons who seem effective are effective only as leaders and leaders are as much participants in communities as followers are, although the mutual encounterings and roles in planning, decision making, and task execution vary. One can will in connection with others against either an already existing garbage dump in one’s area or against the siting of a proposed one there. This is interpersonal action. Persons reciprocally act on one another and are affected by earlier actions within the community and projected communal actions, i.e., plans and policies. Quickly, however, when up against the state and on an issue with such broad and adverse impacts, communities seek allies and thus engage in intercommunal negative action. Alliances are formed, mutual support

occurs, etc., and then the forces of evil might even be slowed down a bit, maybe.

I. *Intercommunal Action*. The problem that arises for intercommunal action is that if the dump is not sited in this county it will be sited in one of the other counties in the region. Not in my backyard seems, at least to the unthoughtful, to entail somebody else's backyard. After all, it will be said by those who site new dumps, all this garbage is produced and must go somewhere. And if larger and larger intercommunal antidump alliances, even intercounty, statewide, interstate, national, and international ones, keep being formed, the backyard out of which the dump would be kept just gets larger and larger and the rest of the finite area left in Gaia gets smaller and smaller. Carrying this through all the way, the entire intersubject is humanity and the big backyard is called Earth and there is no nonbackyard. Or is it feasible to dump waste into the sun? Then again, must waste disposal necessarily entail dumping?⁵

The concern in the present essay is merely to show that the problem of nonrelativity holds on practical and evaluative as well as cognitive levels and for intercommunal as well as interpersonal as well as personal lives, but it might still be suggested that ultimately the nonrelative (or omnirelative) practical goal is to have no dumps in anybody's backyard or, in other words, no dumps anywhere in "our" backyard. Means to that end would include personal and communal composting of yard and kitchen waste, but it would also require reduction in the use of other materials, e.g., packaging, the reuse rather than dumping of, e.g., building materials, recycling and the prevention of the use of nonrecyclable materials, etc., which are matters of wider and wider intercommunal, interpersonal, even interoccasional personal action but then also evaluation and cognition.

⁵ Cf. *Confronting Environmental Racism: Voices from the Grassroots*, ed. Robert D. Bullard (Boston: South End Press, 1993).

Conclusion

To show that this sketch plainly invites further phenomenological investigation, some questions may be raised. (1) While the problem of the nonrelativity of the values of ecosystems, including animals, human and nonhuman, has been intimated, there is the question of the possibility of multispecies, interpersonal and intercommunal life as constituting nonrelative items, as happens, for example, when a human hunter and

her dog pursue game together. When the nonhumans involved in intersubjective life are incapable of language, such nonrelativity must be interestingly prepredicative in conspicuous respects. (2) While already addressed to some extent in the phenomenological tradition, the interoccasional, interpersonal, and intercommunal constitution of ideal matters, e.g., mathematical and logical structures, would contrast with the present sketch, which is devoted to real matters. And (3) the present sketch has focused on the constitution of present and future nonrelative real matters, leaving the constitution of nonrelative past events still to be considered, e.g., our future communal memory of the nonrelative facts of how we succeeded in eliminating the institution of garbage dumps.