Culture and Choice: Two models of culture and the cochlear implant controversy

Dr Rob Sparrow, Centre for Human Bioethics, Monash University.


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Introduction

“Cochlear implants” are a product of a technology which attempts to “cure” deafness by bypassing damaged or defective ears through electrical stimulation of the auditory nerve. In the last two decades, these implants have been offered as treatment options not only for adults who have lost their hearing as a result of accident or disease in later life but for also children who were deafened as infants or who were born deaf. An increasing number of operations are being undertaken on children as young as two years old to install these implants in order to allow them to begin hearing and learning spoken language.1 While the existing technology is at best only partially successful in allowing the deaf to hear, if the technology continues to improve then one day we may live in a world in which no-one needs to be unable to hear or communicate in a spoken language.

1 Because deafness early in life makes it extremely difficult for individuals to acquire speech, there are powerful incentives to provide deaf children with the implant at a very young age. In June 1990, the US Food and Drug Administration approved the marketing of the Australian made “Nucleus 22” implant for children two years and older.
It comes as a great surprise to most people in the hearing community to learn that a sizeable and influential section of the deaf community has reacted with hostility and dismay to the development of this technology. Deaf people and organisations mobilised throughout the 1980s and the early 1990s to protest the use of cochlear implants. In particular, they objected to the choice being made on behalf of young children to insert the implant. These critics reject the very idea of trying to find a “cure” for deafness. Indeed they have compared it to genocide. They argue that deaf people should not be thought of as disabled but as members of a minority cultural group. Cochlear implant technology represents an attack on the culture of the Deaf, because it seeks to ensure that deaf children grow up to use a spoken language rather than the signed languages of the Deaf. Success in this project adversely affects the interests of each and every member of Deaf Culture by reducing the size of the community with whom they can communicate in their first language. More generally, the search for a cure for deafness represents the desire of a majority culture to impose its language and values on the Deaf rather than modify its institutions to take account of the perspectives and needs of members of another culture.

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4 I will follow other writers in the area by using capital D “Deaf” to indicate a cultural identity and lower case “deaf” to refer to those whose level of hearing does not allow them to live easily in a spoken-language-oriented society.

The cochlear implant controversy therefore involves at least two issues that have received much discussion in contemporary social and political philosophy. It involves questions about the nature of disability and the definition of “normal” bodies that have been well treated by arguments from disability-rights activists and in the philosophy of disability. But it also raises arguments about the nature and significance of culture and the rights of minority cultures. The arguments about the nature of disability will be more familiar to most people, so I will spend less time on them here. My main purpose in this paper will be to defend the claim that there might be such a thing as “Deaf culture” and then to examine how two different understandings of the role of culture, that have been developed in recent debates in political philosophy, can lead to different conclusions about the rights of Deaf parents in relation to their children and about the ethics of public funding for research on cochlear implants. The more plausible account of culture can ground a defence of the rights of Deaf parents to decide not to get a cochlear implant for their child. However, the same arguments also ground a right for hearing parents of deaf children to choose the implant. If defenders of Deaf Culture wish to resist the use of the implant in the ninety percent of deaf children who are born to hearing parents – a judgement it is not my place to make – then criticism must move to the level of the state’s decision to fund research into the implant.

**Deafness, disability and the definition of “normal” bodies**

When talking to people about the cochlear implant, the single biggest barrier to them understanding the hostility of many Deaf persons towards it is an inability to comprehend that deafness could be perceived as anything other than a tragic loss and a disability. Arguments about the purported rights of the Deaf to preserve their culture will most likely be perceived as irrelevant if we understand deafness as a disabling medical condition. Thus, even though the implications of adopting an understanding of Deafness as culture will be the main focus of this paper, it is important to briefly explain why many Deaf persons do not feel that their deafness is best understood as a disability.
Our first response to those who would insist that deafness is a disability should be to note that this is not an opinion shared by many of those deaf persons who identify with Deaf Culture. According to the testimony of many individuals who are members of Deaf culture, it is perfectly possible to lead a happy and productive life without hearing or spoken language. As I will argue further below, the disadvantages faced by Deaf people are often the result of the refusal of the wider culture to modify their institutions to take account of the needs and perspectives of the Deaf. The experience of deafness per se is not a negative one for many Deaf persons. A sizeable proportion of Deaf individuals say that they would not want to be granted hearing even if it were possible. Striking anecdotal evidence of the strength of Deaf individuals’ attachment to their condition – or as they would have it, their culture - is recounted in several articles about the CI controversy. According to several reports, Deaf couples have been known to seek genetic counselling and testing in an attempt to ensure that their children will be born deaf. Other sources suggest that Deaf parents may celebrate in neonatal wards upon learning that a child will be unable to hear. Unless we insist, in an entirely ad hoc fashion, that these parents, unlike every other parent, do not have the best interests of their child at heart, we must admit that they do not believe that their child will be harmed by being born deaf. In the face of such evidence and testimony from those who experience deafness, it is problematic for hearing persons to continue to insist that it constitutes a disability to be avoided if at all possible.

Of course it remains true that deafness can result in tremendous disadvantage and the loss of many opportunities in this society. But as disability rights

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7 Tucker, “Deaf Culture, Cochlear Implants, and Elective Disability”, p.7; Davis, “Genetic Dilemmas and the Child’s Right to an Open Future”, p. 7. As I write this paper a vigorous controversy is raging in the press about the decision of two Deaf lesbians to deliberately seek out a deaf sperm donor for an IVF procedure in order to maximise their chances of having a deaf child. See Mundy, L. “A World of Their Own”, *Washington Post*. W32, March 31, 2002, Washington.

activists have argued, the key phrase in this sentence is “in this society”. There is a gap between the physical capacities of an individual and any consequent disability. The relation between physical capacities and disability is in fact a social one. The things that people are able or unable to do depend on the social institutions and arrangements and the resources available to them. For instance, in a society in which public buildings make extensive use of stairways and narrow corridors, those in wheelchairs are severely limited in their ability to participate in public life. A simple change in the building codes, to ensure that all structures are designed with the needs of wheelchair users in mind, removes this restriction entirely. Similarly, many of the “disadvantages” faced by people who are deaf turn out to have social and institutional causes and could be rectified by changes in the way society is organised. The replacement of all telephones with teletext machines or terminals for the sending and receipt of email would, for example, go a long way towards removing the difficulties that deaf people currently face in gaining access to social services. More radically, the problem of personal communication between the Deaf and the hearing could be solved by all members of the community, both hearing and Deaf, learning sign language. Or, at least, provision could be made for the use of either spoken or signed language in all official business. The purpose of these examples is not to argue for this institutional change or that, but to highlight the fact that the claim that deaf people are disabled relies on implicit assumptions about prevailing social and institutional arrangements that are themselves part of what is under contestation in arguments about who is to count as disabled.

Yet it still seems as though some of the disadvantages associated with being Deaf cannot be overcome through reordering society. To many, it seems as though there are things that the Deaf can’t do that “normal” people can and that these

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incapacities place them at a disadvantage in a normal environment regardless of any social changes we might make to accommodate the deaf. One might argue, for example, that deaf people are disabled because they cannot respond to aural cues that indicate the presence of various environmental dangers (the toot of the horn from the out-of-control car, the crack of the falling tree, etc).

Arguments of this sort fail for two reasons.

Firstly, the condition of “deafness” involves the development of new or enhanced sensory modes as well as the absence of more familiar modes. There exists a widespread tendency in our society to think of human variation solely in terms of deviation from some imagined perfection. In particular it is easy to think of disability as a merely negative phenomena; as the loss of capacities only. But a loss of capacities in one area is often accompanied by a gain in capacities in another. Thus, for instance, people who are deaf often have skills and abilities that hearing people lack. First and foremost of these is the ability to communicate in Sign as a natural first language. But deaf persons may also have a superior consciousness of subtlety of gesture and of the movement of bodies through space than do hearing persons. More generally, the differences which in existing social contexts appear to us as disabling may sometimes better be thought of as constituting a different way of being and one which is not necessarily inferior. In certain environments (such as those with high levels of environmental noise) deafness will be an advantage and people who are deaf will have greater ability to act. As a consequence, the stipulation of the environment will always be question begging. In some environments, it will be those who can hear who are “disabled”.

Secondly, arguments of this type founder on our reluctance to single out a “normal” human body from the range of variation that we currently recognise.

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It would be easy, for instance, to construct an example where either men or women are disadvantaged in relation to some aspect of a given environment. Yet we would be hesitant to conclude that members of any of these groups are disabled as a consequence of such an argument. Instead we would quite rightly point out the stipulative nature of the example.

Perhaps one way to avoid the difficulties of adjudicating who is normal and who is not might be to draw up a list of paradigmatically human capacities or experiences and then decide the matter with reference to that list? Deafness is a disability because hearing is one of the six senses that humans characteristically possess.\footnote{Including proprioreception, the “forgotten sense”.} But a moment’s thought reveals how question-begging any such attempt must be. The limits of normal human experience or capacity will be the result of who we consider to be part of the range of normal variation amongst persons. If we include the deaf then hearing won’t be something that all normal people have. It will instead become a less important mark of difference, like hair or eye colour, and our account of what it is to be normal will not mention it. Further difficulties appear when we consider the range of bodies, capabilities and experiences amongst persons that we currently recognise as normal. What colour, or shape, are “normal” bodies? Can “normal” humans give birth? Is sexual desire for a member of the opposite sex part of normal human experience? Our account of normal bodies is at the very least significantly bifurcated with regards to sex. It admits significant variation in height, weight, skin colour and sexual preference. What this suggests is that the route whereby we decide on the nature of normal bodies actually runs the other way. Normal bodies are those that normal people possess and it is our intuitions about who is normal that are doing all the work here. The question of normal human capacities comes after the question of the range of normal human variation.

Thus, if a critic wants to insist that deaf people are disabled because they do not have the full range of normal human capacities, it is appropriate to ask whether he (or she) thinks that it is men or women who are disabled? If they insist that
both men and women have normal human bodies despite the fact that they have different bodily capacities, then the question arises as to why they are not prepared to admit that this range might include deaf persons as well?

It is also timely here to emphasise how far the boundaries of the “normal” have already shifted. For much of the history of Western culture the “normal” person was white, male and propertied. Women, non-whites and working class people were thought to be inferior examples of the human form.\textsuperscript{13} This is not the trivial point that members of these groups were (and often, of course, still are) discriminated against and treated as inferior by members of the wider society. But these groups were actually thought to \textit{be} inferior and this inferiority was conceived of as a biological fact. Science – and in particular medical science - was a central discourse in the theorisation of difference. Countless learned authorities tried to trace women’s oft noted inability to think rationally or act responsibly to the distorting influence of their wombs. The racist science of craniometry attempted to demonstrate that the obviously inferior intelligence of Negroes, Jews and Asiatics was the result of their smaller brain size.\textsuperscript{14} Social Darwinism purported to explain how the poverty and imbecility of the poor was due to (and therefore evidence of) their degenerate nature. These are just some of the most notorious examples of the service of science in the cause of sexism, racism and elitism. Sadly, the history of science is full of such attempts to ground the prevailing bigotry of the times, just as the history of arguments about who is “normal” is replete with appeals to the authority of the prevailing scientific discourse of the times.

Of course the fact that we have been wrong to draw the bounds of the normal as we have in the past does not establish that we are wrong to draw them at any point. But my purpose in these historical observations is to at least make it conceivable that we are wrong again. It is also to reduce our confidence in our intuitions about who is normal and who is not. The ignoble history of such

\textsuperscript{13} Despite, of course, constituting the overwhelming majority of the population. This fact should serve to remind us that the category of the normal individual is far more normative than it is descriptive.
intuitions suggests that their strength is often a consequence of a failure of imagination on those who possess them; the result of a deep seated cultural hostility to those who are different to us.

**An alternative model: Deafness as culture**

But if deafness is not a disability, what is it? At the heart of elements of the Deaf community’s objection to cochlear implant technology is the claim that Deaf people constitute a minority culture rather than a group of people who share a disability.\(^{15}\) How plausible is this claim?

The definition of culture is a vexed question in the literature on minority rights. It is exceedingly difficult to formulate a definition which captures all those cases that we feel intuitively should be included but excludes all those groups that we wish to deny constitute cultures. It seems that the possession of a shared history, a unique language (or perhaps dialect), a distinctive art, music, literature or cuisine, are all important in establishing whether or not a group constitutes a “culture”. The extent to which a group maintains or has evolved its own institutions to serve its “cultural” needs is also important.\(^{16}\) But the precise weighting and relative importance of these factors in determining when a group becomes (or possesses) a culture remains controversial. It is well beyond the scope of my paper to resolve this question. For my purposes here it will suffice to suggest that social groups may appear on a continuum of candidates further from and closer to the ideal type of a culture, extending from aggregations of individuals to interest groups, to subcultures, to ethnic and then perhaps national or societal cultures.

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What is clear is that on this continuum “Deaf Culture” falls nearer the paradigmatic cases of ethnic and national cultures than do many other proposed candidates for the appellation. Unlike subcultures or even some ethnic cultures, Deaf people possess their own language(s).\(^{17}\) Nor is this language just, as hearing persons tend to think initially, a signed version of the language spoken locally. Signed languages are distinct languages in their own right, each with a unique vocabulary and grammar. They are capable of expressing the same range of propositions as spoken languages. As well as their own language, Deaf people also have a shared set of experiences, relating to the consequences of deafness in a hearing culture, a shared history and distinct set of institutions. They have their own schools, clubs, meeting places and even sporting competitions.\(^{18}\) The combination of the possession of a language and a set of institutions makes the claim of Deaf culture a particularly strong one.\(^{19}\)

\textit{Culture and Cochlear Implants}

Unfortunately, recognising Deafness as a cultural identity rather than a disability does not resolve the debate about the ethics of cochlear implants. There are two reasons for this.

Firstly, there are genuine and difficult questions about the rights of parents to choose a cultural identity for their child which may substantially reduce the opportunities available to them in later life.\(^{20}\) These questions, which arise whenever members of minority cultures decide to bring up their children in

\(^{17}\) There are many Deaf languages, just as there are many spoken languages. Where-ever deaf people have gathered, or have been confined together, they have developed their own languages.

\(^{18}\) For an account of the strength and diversity of Deaf institutions in the United States, see Lane, Hoffmeister, & Bahan, \textit{A Journey into the Deaf-World}, Chapter 5.


ways that may make it harder for them to participate in a surrounding majority culture in later life (by, for instance, deciding to educate their children primarily in their own language rather than the language of the majority culture). They are especially urgent in the case of Deaf parents making a decision about bringing up their child without an implant, because without the implant it is highly unlikely that their child will be able to learn the spoken language of the majority culture in later life.

Secondly, there are some important differences between the case of Deaf culture and other cultural groups. These stem largely from the fact that one seems to be born into Deaf Culture in a more literal sense than is the case for other cultural identities. Arguably an important criterion of membership of Deaf culture is actually being deaf. While hearing persons may enter some way into the life-world of the Deaf by learning Sign and though contact with the Deaf, they remain to some extent outsiders.\(^{21}\) The experiences stemming from being unable to hear, with all the consequences that has in a hearing world, are central to the cultural identity of the Deaf. Yet, as the role played by Sign in the Deaf community makes clear, being unable to hear is not sufficient for membership of Deaf culture. One must also use Sign and participate in the cultural institutions of the Deaf, such as Deaf clubs, churches, schools, etc. There is a social as well as a biological aspect to Deafness.

\(^{21}\) The boundaries of membership of Deaf culture are, unsurprisingly, contested. In particular, the status of children of Deaf adults (CODAs), who have grown up with signed language but who can also hear, in the Deaf community is controversial. If this group are also members of Deaf culture, as a number of authors argue (see below), their presence therein does not threaten the general claim that the experience of Deafness is central to this culture. CODAs know what it is like to be deaf only vicariously, but grow up with this knowledge from birth through contact with their parents. In this they are unlike hearing persons who learn Sign for professional or personal reasons, but for whom the awareness of what it is like to be deaf remains an interesting addition to their knowledge rather than a central feature of their life experience. For different accounts of the boundaries of Deaf Culture, see Roots, J., *The Politics of Visual Language: Deafness, Language Choice, and Political Socialisation*, Carleton University Press, Ottawa, 1999; Lane, Hoffmeister, and Bahan, *A Journey into the Deaf-World*, Chapter 5; Newell, “Access to Opportunity or Oppression: An Australian Policy Analysis of the Ethics of the Cochlear Implant”. The extent of disagreement about the boundaries of Deaf culture is especially apparent in Garretson, (ed.), *Viewpoints on Deafness*. 
However, some ninety percent of deaf children are born to hearing parents. This means that Deaf culture cannot rely on the most familiar mode of cultural transmission, wherein a culture is passed on from one generation to the next within the family, from parent to child. Instead, cultural transmission of Deaf culture occurs primarily in the other cultural institutions of the Deaf, and through contact with cultural role models other than parents. Children who are born without hearing or who lose their hearing at an early age are potential members of Deaf culture only. Without some significant proportion of them learning to Sign and participating in the cultural institutions of the Deaf, Deaf culture will eventually die out. As we will see below, it is this disjunction between the biological and social basis of membership of Deaf culture that is responsible for some of the most difficult questions surrounding the development of cochlear implant technology.

What I want to do in the remainder of this paper is show how two different models of culture and its role in both constraining and making possible the choices of individuals, that have been clarified and developed in recent debates in political philosophy, have different implications for our understanding of both of these issues.

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22 As reported in Tucker, “Deaf Culture, Cochlear Implants, and Elective Disability”, p. 8, some Deaf culturalists argue that Deaf culture is in some sense the “birthright” of these children. They will acquire Sign language naturally and grow up in Deaf culture if introduced to the company of other Deaf persons. As we shall see below, this claim is thrown into severe doubt once cochlear implant technology becomes available.

23 The nature of the relation between the biological and social components of Deafness also renders Deaf culture a unique case in the typology of cultures. While the Deaf, as I have argued, constitute a distinct minority culture, members of Deaf culture are not immigrants who have entered our society. Nor have they left another culture (the exceptions here are those who became Deaf later in life after they had previously been inculcated in another spoken language culture). Instead potential members are generated within each national culture by accident of birth and individual history. The cultures of the Deaf may therefore be thought of as a type of immanent “indigenous” culture. This is in fact the way that the European Parliament characterises them – as indigenous cultures – and it is also the self-understanding and description of many of the Deaf organisations. (See the European Parliament’s, Resolution on Sign Language for the Deaf, 17th June, 1988 and Resolution on Sign Languages, 18th November, 1998.) Like the more familiar example of indigenous peoples in the New World, Deaf cultures have always existed but have been denied recognition of their status and worth by majority cultures that have persecuted and institutionalised their members. For a history of the often shameful treatment of the Deaf, see Lane, H., *When the Mind Hears: A History of the Deaf*, Random House, New York, 1984.
Two models of culture

The last fifteen years or so have seen a renewed interest in the role and significance of “culture” in Anglo-American political philosophy. A large literature has grown up around the relation between culture, justice and liberty, and on the rights of minority cultures. In the course of these debates two different models of the role that culture plays in making possible the choices of individual have emerged, which I shall call the “liberal” and the “communitarian” account.

The “liberal” model

The first understanding of culture that I wish to discuss is what I shall call a “liberal” account of the role and importance of culture. This account will, I suspect, seem familiar and plausible to most readers; it is to some extent the standard or “common sense” account of the value of culture. Unfortunately, as I shall argue, it is also ultimately inaccurate.

For a clearly set out and well developed account of this way of understanding culture, I turn to the influential account of the importance of culture to the autonomy and well-being of individuals developed by contemporary liberal political theorist Will Kymlicka. In his book, Liberalism, Community and Culture, and in subsequent works, Kymlicka has argued that liberal political theory had lost sight of the part that membership in a secure culture played in allowing individuals to freely pursue the good. According to Kymlicka, membership of a secure culture is an important good because it is essential to the self-respect of individuals. As a rule, individuals are only capable of achieving the self-respect which flows from the faith that the choices they have made and

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24 The following argument was originally advanced in Kymlicka, W., Liberalism, Community and Culture, Oxford University Press, Oxford, 1989, pp. 163-6. Kymlicka has further investigated the implications of this account of culture for multicultural societies in subsequent work, most notably, Kymlicka, Multicultural Citizenship.
the activities in which they are engaged are valuable ones, if they live in a culture
that affirms the values of those choices and activities. Furthermore, cultures
provide the “context of choice” in which individuals make their choices about
the good. They are the framework within which we at least begin our reasoning
about what is important and valuable in life. For my purposes here it is
important to note that to a large extent this role is fulfilled by a culture’s
language. Languages reflect the form of life, beliefs, practices and values of a
culture and transmit these to each successive generation. They also make
possible the intercourse with other members of the culture which is essential to
full enculturation.

The other crucial thing to note about the liberal account of the value of culture is
that it understands culture as essentially an instrumental good. That is, rather
than being a good in itself, it is good by virtue of its role in securing other goods,
namely self-respect and a context of choice that allows individuals to pursue
their own notions of the good. Driving the liberal account is a concern for each
individual’s ability to decide for themselves how they wish to live their life. In
order for them to be able to do this to the fullest possible extent they must be able
to choose between as many different ways of life as possible. This means that it is
entirely possible to rank cultures against one another according to the extent to
which they secure a wide range of possible life options for their members. Some
cultures are “bad” or “oppressive” cultures because they restrict the life options
available to their members. Others are “good” or “liberal” cultures because they
provide their members with a wide range of options.25

Finally, these assessments are supposed to be ones upon which people can agree
regardless of their own cultural commitments. That is, even members of a
minority culture, for instance, should be able to agree that members of a
surrounding majority culture have better prospects of achieving self-respect and
a wider range of life choices. Such agreement is only possible if it is possible for
members of different cultures to abstract away from their particular

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commitments and assess the range of opportunities within another culture independently of the values of their own culture.

The liberal insistence that sets of choices or opportunities can be compared against each other is motivated by liberalism’s universalism. (Very) Roughly speaking, liberal political philosophy seeks to establish a set of institutions that all reasonable people can agree upon.\textsuperscript{26} It places individual freedom at its core in the belief that this is something that everyone, from every culture, can aspire to, because such freedom allows each individual to choose their other values themselves. But if sets of freedoms could only be evaluated from within cultures then there would be no way of determining which societies offered more freedom. That is, the ranking described above will not be determinate, but would depend on one’s own culture.

As will become clear below, the universalism of liberalism has some attractive features but the extent of its ambition, I will argue, means that it is ultimately dangerous when it comes to the choices that parents face as to whether or not to get implants for their children.

\textbf{The “communitarian” model}

The second model of the role and significance of culture is one that I shall call the “communitarian” account. The label “communitarian” is one which has been applied to and adopted by a wide range of different authors and political agendas not all of whom would agree with the use I make of it here. Nonetheless the model of culture which I set out below is one that many so-called communitarians would recognise and which has its origins in the work of the

\textsuperscript{26} For an influential account of liberalism that places this desire at the heart of the liberal project, see Waldron, J., “Theoretical Foundations of Liberalism”, \textit{The Philosophical Quarterly}, 37(147), 1987, pp. 127-150.
pioneering “communitarian” writers, Alisdair MacIntyre, Michael Walzer and Michael Sandel.27

Like the liberal account, the communitarian account of culture also holds that cultures are important because of the role they play in grounding the self-respect of their members and in providing them with a “context of choice” within which to make their own choices. But unlike the liberal account, communitarians are likely to hold that part of the value of a culture is that it grounds self-respect in realising specific cultural roles and that it provides a context of choice in which some particular choices appear attractive and others are discouraged. The communitarian account emphasises that what we desire for ourselves (and others who we care about) are not opportunities per se but valuable or important opportunities. The mere multiplication of opportunities does not increase our chances of leading a meaningful or worthwhile life. It may even decrease our chances of doing so, if some of these options lead down paths to misery, confusion or delusion from which it is difficult to extricate ourselves.28 Judgements about the content and worth of opportunities are inevitable and they are necessarily made with reference to our existing values, which themselves are influenced by our culture. Thus on the communitarian account, cultures are thought of as containing and reproducing substantive values. These values are embedded in the context of choice within which other ends are evaluated.

According to the communitarian then, although culture remains an instrumental good, the good that it is instrumental in achieving is to some extent a particular conception of how a human life is best lived. Each culture therefore makes possible a different good(s). This means that it will not be possible to


28 Think here of our reservations about individual’s freedom to experiment with addictive drugs or join religious cults.
straightforwardly rank cultures against each other according to the extent to which they provide these goods. Instead members of each culture will judge the matter differently, with reference to the standards contained in their own culture.  

As a result, communitarianism sacrifices the universalism that liberalism aspires to. This retreat from universalism is the most controversial feature of the communitarian account of culture. It means that communitarianism will always be open to the charge that it offers no way of resolving disputes when members of different cultures disagree about an issue. In fact, I think this charge touches communitarianism much less than its critics suggest, but the argument required to show this would take us well beyond this paper. For current purposes we must make do with the recognition that, on the communitarian account, disputes between cultures must be resolved with reference to their substantive values and not by an appeal to a comparison between sets of opportunities that presumes the possibility of abstracting away from the commitments we in fact have.

**Applying these models to the Cochlear Implant controversy**

My aim now is to show how these two models of culture give significantly different results when applied to the cochlear implant controversy. The differences between these two accounts can be usefully high-lighted by considering two cases, one real – the existing cochlear implant – and one hypothetical (but not that far fetched) – a future “bionic ear” that can guarantee perfect hearing for those who use it.

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29 Typically, this means that members of a culture will judge that their own culture provides the widest range of opportunities for the pursuit of meaningful life paths. But they need not do. It is at least theoretically possible that one culture may better realise the goods valued in another. In this case, members of the one culture will presumably rank another culture above their own; we would expect them to be trying to change cultures as a result.
The cochlear implant: An imperfect technology

Both a liberal and a communitarian account of the value of culture are capable of grounding a serious objection to the use of the existing cochlear implant in pre-linguistically deaf children. The danger with existing cochlear implants, when employed in the case of pre-linguistically deaf children, is that they risk depriving them of full membership of any culture. Implantees may end up trapped “between cultures”, unable to function effectively in a hearing context but also lacking the facility with sign language available to those who grow up with it as their first language.

This risk exists because of the imperfect nature of the current technology and because the attempt to hear and communicate in a spoken language is often made at the cost of an early education in Sign. Existing implants fall substantially short of guaranteeing that implantees will be able to participate fully in hearing interaction. It is widely acknowledged that the majority of persons who receive the implant will remain deaf to some extent. Very few implantees are able to participate in a spoken language conversation in a crowded environment, for instance. A significant percentage of early childhood implantees, are unable to communicate effectively even with those close to them, without the benefit of Sign, lip reading, or other hearing aids. The factors which determine “successful” outcomes with the implant are not yet fully understood. Moreover, ease of communication in a signed language removes the incentive for the child to learn to speak and for this reason communicating to the child in Sign, and the child’s own use of Sign, may sometimes be discouraged.

If this occurs and the child’s attempt to learn to hear and speak with the aid of the implant fails then she will have been deprived of the early contact and experience with Sign that allow those who learn it from birth to use it as a natural language. She may grow up unable to use any language fluently and suffer a host of cognitive, developmental and educational problems that flow
from this. Furthermore, lacking effective language skills, she may also be deprived of full membership of either the hearing or Deaf community.

The outcomes for deaf children fitted with the implant may therefore sometimes be worse than if they had been allowed to grow up using a signed language and if resources had been devoted to removing the social causes of the avoidable disadvantages that the Deaf face in a society oriented around spoken language.

The argument up to this point is one that could be made using a liberal account of culture. It is the risk of the loss of opportunities to the child that has concerned us so far, without reference to what these opportunities consist in. In so far as the decision to provide a child with the implant risks leaving the child with fewer opportunities than if they had learned to sign, liberals can agree that the use of existing implants is unethical.30

The communitarian account of culture will also ground criticism of the use of the implant in these circumstances. But the route to this conclusion is slightly more complex. Remember that the communitarian account holds that assessment of the range of liberties available to a person is always made from within a particular cultural perspective. This means that we cannot determine the affect

30 It might be thought that this argument only establishes that children should not be deprived of the benefits of Sign while learning to use the implant. Even this is a conclusion that I would celebrate. However there are three reasons to be suspicious of this “bi-cultural” solution to the question of the ethics of the implants. The first is practical/educational and is entirely consonant with a liberal account of the value of culture. It concerns whether such bi-cultural education is likely to be pursued by parents and institutions that have invested a significant amount of effort, time and money in procuring an implant, and also whether it is likely to succeed in its intent. Cochlear implants are expensive devices; the effort required to train the brain to recognise their input as sound and to translate this into recognition of speech is large and time consuming; the many hours of speech therapy and other specialist assistance are costly. Having made such a large commitment to this project, parents may be reluctant to spend time teaching their children Sign as well, especially if they feel that doing so is likely to distract their child from the task of learning to use the implant. Conversely, the more facility a child and their parents develop with signed language the less incentive there is for them to persist in using the implant. There is thus an unstable tension in the project of teaching a child both to sign and to use the implant. The existence of this tension suggests that attempts to teach children to use both a signed and spoken language may incur a cost to their fluency in one or the other. However, these are questions which can be investigated empirically and it may prove that my concerns are ill founded.

My second and third reasons for concern are theoretical ones, which raise issues that will only have force for Deaf communitarians, and they will be discussed below.
of adopting a communitarian account without also considering who it is that is making the assessment. That is, whether it is a member of a Deaf or hearing culture considering the matter.

Nonetheless it seems that both a Deaf and a hearing person must agree that the outcome in the case where a child ends up with no secure membership of any culture is a disaster. In so far as the existing implant technology carries a substantial risk that this may occur, both Deaf and hearing people may be opposed to the use of the implant in young children. A Deaf critic is likely to celebrate this conclusion because it means that children will get to enjoy the many valuable and life affirming experiences made possible by participation in Deaf culture. A hearing person is likely to be less sanguine about this outcome, feeling that it would be better for a child if she could have access to the many goods available in hearing culture, but nevertheless concede that she would be better off with a guaranteed secure membership of Deaf culture than risk having none of the goods of either culture.

Note, however, that these two critics are likely to judge the threshold for success in use of the implant very differently. The Deaf critic may not be impressed with even a high level of success in learning to hear and speak, if she is strongly committed to her own Deaf culture and does not value the opportunity to participate in hearing culture. A hearing person though is likely to judge any ability to speak and hear as a fantastic outcome. The full implications of this difference in judgements becomes clear when we move to consider the case of a perfect cochlear implant technology – the bionic ear.

**The Bionic Ear – a perfect technology of cultural assimilation**

What if cochlear implant (or indeed some other) technology improves to the point that it does become possible to cure deafness? If scientists manage to create a genuine “bionic ear”?
Once such a perfect technology exists then the argument set out above using the liberal account of the value of culture collapses. The danger that children will be left between cultures disappears. The decision whether to proceed with implantation or not now becomes a decision about which culture a child will grow up as a member of. Without a bionic ear, and given access to Sign language and the opportunity to participate in the institutions of the Deaf, the child will grow up as a member of Deaf culture. If a bionic ear is installed then the child will grow up a fully participating member of the spoken language culture of the wider society.

If we adopt a liberal account of the role and importance of culture, we should seek to ensure that the child grows up in the culture that offers them the most available opportunities. It also seems clear that this will be the spoken language culture of the dominant majority. While participation in Deaf culture may offer the child an environment that provides the conditions for self-respect and a context of choice, so too would participation in a hearing culture, and merely because of the smaller size of Deaf culture, it is unlikely to offer the same range of opportunities. Liberals may regret the loss of the child to the Deaf culture, which is likely to offer even less opportunities to other members as a result, but the damage to the culture, even if this is understood as a loss to the opportunities available to its individual members, does not seem sufficient to justify the reduction of the opportunities available to this child.

Because freedom to choose between different life plans is the most important good according to liberalism, depriving a child of the widest possible range of opportunities is a grave wrong. To trap a child in a culture with reduced opportunities is to risk consigning them to a life that they would not have chosen if they had had the wider range of options. Thus depending on how large we judge the difference in opportunities available to Deaf and hearing children to be, it may even count as a form of child abuse to deprive a child of a bionic ear. Furthermore, on the liberal account, this is a judgement that even the Deaf

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31 Davis, “Genetic Dilemmas and the Child’s Right to an Open Future”. 
parents of a deaf child should be capable of agreeing with. That is, because it is possible to compare the range of opportunities made by different cultures, regardless of our own particular cultural affiliations, Deaf parents should also judge that all children would be better off with a bionic ear. A failure to reach this conclusion, that is available to all reasonable persons, can only be due to a failure of reason on behalf of the parents, or perhaps a failure to have the best interests of their child at heart. The implication that people who would deny their child access to the technology must be unreasonable or uncaring may serve to strengthen support within the hearing community for legal or state intervention to grant the child a bionic ear against their parent’s wishes. The universalism of the liberal account therefore has the unexpected result of placing pressure on the choices available to Deaf parents of deaf children.\(^\text{32}\)

But note the implicit subject position from which this assessment is made. The judgement that the child will be better off as a member of a hearing culture, presumes that the person making it has no allegiance to the cultural identity of the Deaf. According to communitarians, this is a typical of the liberal account; that it passes off the particular cultural judgements of its advocates as the dictates of abstract and universal reason.

From the perspective of a member of Deaf culture, the opportunities that are made available by a bionic ear, and which seem so valuable to the hearing person, may not appear as such. The main opportunities at stake here are opportunities to hear and to speak and to communicate with the majority of

\(^{32}\) I am not arguing here that a liberal account of culture will automatically establish the conclusion that the decision to deny a deaf child a bionic ear is child abuse and that the state is justified in providing one against the wishes of the parents. A number of important philosophical and policy questions would need to be addressed and resolved to establish this. The point I am making here is merely that the combination of liberalism’s universalism with its conclusion that deaf children have fewer opportunities than hearing children may license such a policy. It is also worth noting that the mere existence of a bionic ear technology, or even the current cochlear implant technology, may significantly alter the structure of the decision as to whether or not to employ an implant. Once such implants exists then deafness becomes an “elective disability” and therefore, it may be argued, society has less obligation to provide social and institutional support for the deaf. This argument is actually endorsed in Tucker, “Deaf Culture, Cochlear Implants, and Elective Disability”. But if resources are not going to be made available to allow deaf children to function in a hearing society, then Deaf parents’ decision to refuse the bionic ear for their child becomes much more difficult.
members of the broader society in their language. These will in turn open up a wide range of opportunities that result from participation in a much larger community, including important social, economic and political opportunities. But a Deaf person with a strong identification with their own culture may feel that it is more important to participate in Deaf culture than to communicate with those outside it. More fundamentally, because they do not identify with the way of life of another culture, they may not value opportunities which exist within it. The opportunities that are embedded in another culture may simply not appear as such. And of course the cost of gaining access to these opportunities in this case is the loss of the opportunity to experience the unique and rich culture of the Deaf and to pursue all the ways of life that it makes possible. If one is deeply committed to Deaf culture then one may believe that a life lived as a member of Deaf culture offers a wider range of valuable opportunities than membership of a hearing culture.

I must emphasise that, as a hearing person, this is not a judgement that it is my place to make. Indeed it is a consequence of the communitarian account of culture that it is not a judgement I could make. My own cultural commitments

33 Again it might be thought that the argument here only establishes that the Deaf have a reason to want children taught Sign as well as spoken language. As long as a child can sign she will have access to the ways of life promoted in Deaf culture. If they can hear and talk with the benefit of the bionic ear then they can also enjoy the opportunities available through participation in the surrounding hearing culture. Surely even Deaf persons should agree that it is better for a child to have access to the opportunities made possible in both cultures? Once more, it is not my place to make this judgment. Nonetheless I can think of a number of reasons why a Deaf person might reject this conclusion. It is not uncommon for cultures to be defined against other cultures, with membership of a culture being predicated on rejection of the goods available in another culture. Think here of the Amish, for instance. This is especially likely when a minority culture is surrounded and under pressure from a majority culture. In such cases members of a culture may draw together and reaffirm their commitment to each other and their culture by renouncing participation in the institutions and activities of the dominant culture. Where a culture defines itself in this way, it will not be possible to be a full member of the culture while affirming the worth of opportunities made available in another culture. There is some evidence that Deaf culture may be defined in this way, in the discussion as to whether or not CODAs are full members of Deaf culture. To the extent that the denial of the ability and/or desire to participate fully in hearing culture is a condition of membership of Deaf culture, Deaf persons may have reasons to prefer that children be educated only in a signed language. But more generally, I do not believe that such bilingual education succeeds in “summing” the cultures available to a child. If cultures are defined by the opportunities that they make available, and the value of which they affirm, then a person who attempts to be a member of two cultures is not a member of both, but is strictly speaking a full member of neither one. He or she is likely to affirm the value of options that members of one or the other cultures deny. To put this another way, in so far as members of each culture
make it impossible for me to occupy the place of a Deaf person considering the question.

It may also be that it is not a judgement that many Deaf persons would make.\textsuperscript{34} But as I noted earlier at least some Deaf persons claim that they would not choose to hear even it became possible for them to do so. Such persons presumably do not believe that they would have more valuable opportunities in a hearing culture, instead they place a greater value on the options and choices that Deaf culture contains for them. But if this is the decision that they would make then it follows that they should also hold that others, including children, are better off within Deaf culture.\textsuperscript{35} The reasons for their own decision should generalise.

If we accept a communitarian account of the role and value of culture, therefore, we can see that Deaf persons may have good reasons to resist even the “perfect technology” of the bionic ear. But again, we must remember that according to the communitarian account, any assessment of the value of cultures depends on the cultural commitments of the person making it. Thus when we turn to consider the likely response of hearing persons to the development of the bionic ear, we get a very different result.

Once the risk that children might be trapped “between cultures”, which exists in the case of the cochlear implant, is overcome by the development of the bionic ear, it will appear self-evident to hearing persons that deaf children should be provided with the bionic ear so that they can grow up in hearing culture. Just as Deaf individuals may judge that children will have the widest range of valuable

\textsuperscript{34} For a useful survey of Deaf attitudes on these matters, see Roots, \textit{The Politics of Visual Language}.

\textsuperscript{35} Note that I am not claiming here that a Deaf person would be justified in arguing that it would be better for a child to grow up Deaf even if this meant that they had fewer opportunities in life. Instead, what I am asserting is that from the perspective of such a Deaf parent, a child would have more opportunities to participate in those activities that they judge to be most valuable available to him/her, if he/she were to grow up in Deaf culture.
opportunities if they grow up in Deaf culture, so too will hearing persons judge that they should be brought up in a hearing culture.

Given this difference of opinion as to the best decision to make in relation to the cultural identity of a child, which perspective should be respected in relation to decisions about the use of bionic ears/ cochlear implants? It is tempting to hold that children who are born deaf should be left alone, to grow up as members of Deaf culture. But once bionic ears are available, a child’s deafness does not mean that he/she is a potential member of Deaf culture any more than any other child. The child will only grow up as a member of Deaf culture if she grows up in close proximity with other Deaf persons, in a Deaf residential school or through participation in the other institutions of Deaf culture. But with the benefit of a bionic ear, he/she need do none of these things. We therefore cannot settle the question of the proper cultural identity of a deaf child by reference to their deafness once a bionic ear technology has been developed.

So how to proceed? It seems sensible to allow that parents should be granted the right to make this decision on behalf of their own children. We should trust that parents are best placed to consider the best interests of their own children. Furthermore there are important practical reasons to think that children will be happier and more likely to grow up with a secure cultural membership if they share the culture of their parents.

Hearing parents of deaf children should therefore be allowed to employ the bionic ear to bring their children up as members of their hearing culture. But equally well, the right of Deaf parents to bring deaf children up as members of Deaf culture, without the use of the bionic ear, should also be respected.

The adoption of a communitarian account of the value of culture therefore allows the right of Deaf parents to bring up Deaf children to be defended even in the case where cochlear implant technology has improved to the point where deaf children could be made to hear perfectly. This is a significant conclusion because
it means that Deaf objections to cochlear implant technology need not rest on the fact that it is currently an imperfect technology.\textsuperscript{36}

Unfortunately, however, establishing the right of Deaf parents to bring up Deaf children will not be enough to protect Deaf culture from the corrosive influence of cochlear implant technology. As I noted earlier, some 90\% of deaf children are born to hearing parents. It seems likely that the vast majority of these parents will choose to bring their children up in their own hearing culture with the benefit of the bionic ear. The realisation that Deafness is a cultural identity rather than a disability has little affect at the level of the these parents’ decision whether to provide their child with a bionic ear or not. What matters to them is that their child should grow up as a member of their culture. If the deaf children of hearing parents are all “cured” of their deafness in this way, then this will reduce the size of, and opportunities available within, deaf culture to such a degree that eventually even Deaf parents are likely to judge that their children would be better off growing up in a hearing culture. Thus once the technology exists to offer the hearing parents of deaf children this choice, it seems that an inevitable consequence in the long term is the destruction of Deaf culture.\textsuperscript{37}

\textbf{Public Funding for Implant Research and Respect for Deaf Culture}

So is it the case that the communitarian account of the role and value of culture, can ultimately contribute nothing to the defence of Deaf culture? No. At a broader social level it does seem as though the fact that Deafness is an alternative cultural identity rather than a disability is important and it is at this level that the Deaf communitarian case against cochlear implant technology is best made. While it may be reasonable for hearing parents to employ this technology to

\textsuperscript{36} Deaf criticism of the Cochlear Implant on these grounds is likely to lose its force as the implants improve over the coming years.

ensure that their child grows up as a member of their culture, it is less clear that it is reasonable for society as a whole to fund the development of a technology that makes such a choice possible. The ethics of the decision to develop and maintain a technology is significantly different from the ethics of the individual decision to make use of it once it exists. Further, while we may feel that no individual has a duty to respond to the fact that the consequence of widespread use of bionic ears will be the extinction of Deaf culture, we may feel that society as a whole (or the government, as its representative) does.

A full account of the consequences of the communitarian account of the role and value of culture for the structure, institutions and politics of a multicultural society is well beyond the scope of this paper. These are extremely controversial matters. Yet it is not unreasonable to suggest that, as far as possible, the government of a multicultural society should refrain from taking a position on matters of dispute between the cultures that exist within it. It may be – indeed probably is – the case that “as far as possible” is not very far; that in many, perhaps most, cases there is no “neutral” position for the government to occupy, no way of avoiding taking sides. Nevertheless even when it is inevitable that the government must adopt a policy that will have some impact on a dispute, it should endeavour to demonstrate respect for the cultures of which its citizens are members in doing so. At the very least, in the case where what is at stake is the destruction or survival of one of these cultures, it seems clear that the government should be extremely reluctant to side with those who would destroy a culture. Should it do so, it could expect no loyalty from members of the culture under threat.

Yet it seems as though the destruction of a culture is precisely what is at stake in the debate about the use of cochlear implants in prelinguistically deaf children, especially if, as we can expect, this technology continues to improve. Any state support for the development of these implants should therefore be extremely controversial. When the government decides to devote substantial resources to the development of a technology that will allow some parents to ensure that their children avoid growing up as members of a particular culture (and which will
thereby lead to the extinction of this culture) this clearly demonstrates a hostility to the values of the culture and a lack of respect for its members. Public funding for cochlear implant research attacks the self esteem of the Deaf directly by communicating the idea that their way of life is not valued by the broader society and that they are unfortunate victims of a disability rather than members of a unique culture. It also threatens their interests by jeopardising their long term projects in so far as these refer to the continued existence of a flourishing Deaf culture.

The negative consequences for Deaf culture, if a bionic ear should be developed, and the message conveyed to Deaf people by public funding for cochlear implant research provide prima facie grounds for the conclusion that the government should not fund any further research into cochlear implant technology designed for use in pre-linguistically deaf children. It is inappropriate for the government of a multicultural society to fund research into a medical technology, the intended purpose of which is to move persons from one culture to another, and the likely outcome of which is the destruction of a culture. Furthermore, given the tightly inter-woven nature of privately and publicly funded research science, and the extent to which private research often “piggybacks” on public research, through making use of techniques and results developed in publicly funded institutions and by employing researchers educated and trained in publicly funded institutions, this conclusion may also have substantial implications for the future of any research into a “bionic ear”.

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38 Continued development of implants for the post linguistically deaf arguably does not convey the same disrespect for Deaf culture. Those who lose their hearing later in life are less likely to be able to develop the fluency in signed language to enable them to participate as full members of Deaf culture. Nor does “curing” such people of their deafness involve the same threat to the viability of Deaf culture. Finally these individuals can make their own choice about whether or not to pursue an implant – a choice which is denied prelinguistically deaf children implanted at an early age.

39 There is also a similar, although weaker argument, for prohibiting research into cochlear implant technology even by private associations. While the government’s toleration of private research into a technology of cultural assimilation is not equivalent to its funding it, nor is it devoid of moral significance. Society’s toleration of such research may be understood as condoning it. By refusing to prohibit research into the bionic ear, a society suggests that it is a matter of indifference whether or not Deaf Culture is threatened by the success of such efforts, and this may be thought to demonstrate a profound disrespect for the interests and well being of its members. The question as to whether or not this is sufficient to justify preventing private associations from researching the technology takes us into the territory of a familiar
It may be objected here that a refusal to fund further research into the cochlear implant appears to elevate the desires of Deaf parents of deaf children above those of the much larger group of hearing parents of deaf children, who would like to use the technology to bring up their children in their own culture. This seems especially problematic as a communitarian account of culture seems to affirm the moral weight of hearing parents’ desires.\textsuperscript{40}

I have already conceded that once such a technology exists there would be scant grounds to resist its use. But until it does, the balance of considerations may be quite different.

Firstly, in the absence of the technology, the Deaf claim about Deafness being the birthright of deaf children has some plausibility. If children of hearing parents who are born deaf are educated alongside Deaf children, they will grow up speaking a Signed language as their natural first language. They will have unfettered access to Deaf culture and to the goods available therein. Recognising Deafness as a cultural identity rather than a disability may allow hearing parents to understand that their child can lead a rich and satisfying life despite – indeed because of – being Deaf. Moreover, it is not clear that hearing parents are being denied a right to bring their children up in their own culture, if it is not possible for them to do so, because the technology is unavailable. They may believe that their interests are being neglected if the government does not seek to develop a technology that might serve them, but their claim for positive action from the government is weaker than the claim they would have against government interference if the technology was available.

\textsuperscript{40} In fact, this will depend on the commitments of the person making the judgement. What is true is that my suggestion above that the state should, as much as is possible, not take a position on the relative merits of the cultures within it is naturally interpreted to suggest that the government should accord moral weight to the desires of parents from all cultures to bring their children up within their own culture.
Secondly, as I noted above, any decision to research the technology has a public character that parents’ decision to use it once it exists does not. This public character raises the question of the relation between Deaf and Hearing culture(s). Unlike that facing individual Deaf or hearing parents, the situation facing the Deaf and hearing cultures is very different. Deaf culture is clearly threatened with destruction if a bionic ear is developed. Hearing culture(s) face no threat if it is not. Any public funding for research into a bionic ear therefore expresses a lack of respect for the Deaf, in a way that a refusal to fund it does not express a lack of respect for hearing culture(s). Furthermore, the threat to the continued existence of Deaf culture posed by bionic ear technology negatively affects all Deaf persons, who have a clear interest in the survival and strength of their culture.

This means that there is a larger group of persons than just Deaf parents of deaf children, whose interests are counter posed to those of the hearing parents of deaf children who would like the bionic ear to be developed. Against the desires of hearing parents to have the bionic ear made available, must be weighed the desires of those members of Deaf culture who wish to live in a society that respects their culture and to continue to be able to live in and contribute to a flourishing cultural community that would be threatened by the likely consequences of the existence of the implant. How we judge the relative weight of these factors will depend both on how much weight we accord these desires and on the relative sizes of the these two groups. In societies in which there exists a large and flourishing Deaf culture, this judgement may well go in favour of the survival of the cultural group.

Finally, the presumption that the state should, as far as is possible, remain neutral in relation to disputes between cultures, may be interpreted as requiring it to grant equal consideration to the interests of cultural groups, without reducing these to the interests of the individuals who comprise them. That is, the argument might proceed directly from the observation that Deaf culture would be threatened by the existence of a bionic ear technology, while hearing culture(s) are not threatened by its absence, to the conclusion that a “neutral”
state would not fund the development of the implant. Granting equal consideration to the interests of Deaf and hearing culture(s) favours a course of action that allows them both to flourish rather than one which leads to the destruction of Deaf culture.

Arguments which refer to the interests of groups without understanding these as merely the sum of the interests of their members are controversial. I have space only for two observations about them here. Firstly, despite the controversial nature of arguments of this sort, they are far more widely accepted and drawn upon than is usually recognised. Many forums, at all level of contemporary politics, involve the representation of groups rather than individuals and often treat the interests of these groups of being of roughly even weight, regardless of how many members they have. It would therefore not be unprecedented to rely on an argument from the interests of Deaf culture, considered as a group, to motivate the conclusion that public funding should not be dedicated to the development of a bionic ear. Secondly, consideration of the interests of the group in this controversy are an important factor to which the communitarian perspective draws our attention. This argument might tell against public funding for the development of the bionic ear even in those cases where the Deaf culture that would be threatened by its development is quite small.41

There are obviously many and difficult questions that would need to be addressed and resolved before we could say with confidence that the prima facie case against funding for the bionic ear set out here translates into an all things considered conclusion that such research should not be funded. In particular, a more extended discussion of the proper role of the state in a multicultural society, the extent and significance of individuals’ interests in the survival of their culture, and the nature and weight of groups rights, than I have been able to provide here, would be required. What I have tried to indicate briefly is how the prima facie case might be defended and developed. Any defence of Deaf

41 Obviously, there must be a limit on how small a cultural group can be to demand respect from the state on this account. At the very least, in this case, a Deaf culture must be of sufficient size that it could sustain its culture in the absence of the threat posed by the existence of a bionic ear technology.
culture from the potentially corrosive affects of any future “bionic ear” must focus on the ethics of the decision to fund the development of the technology, rather than on the ethics of its use once it exists, and emphasise the public nature of this decision and its implications for the relations between Deaf and hearing culture(s). An argument asserting the rights of minority cultures to equal respect and consideration within a multicultural society, informed by communitarian political philosophy, offers the best prospect for the defence of the unique culture(s) of the Deaf.

**Conclusion**

I have attempted to show how the resources of contemporary political philosophy can be brought to bear on the cochlear implant controversy. In particular, I have tried to show how the adoption of “communitarian” account of the role and value of culture can usefully illuminate the choices facing the hearing and the deaf communities in relation to the use of cochlear implants in pre-linguistically deaf children. Along the way I have made a number of suggestions about what Deaf persons could argue, or might think, some of which will undoubtedly be controversial within the Deaf community. In closing I want to emphasise again that I have neither sufficient personal experience or knowledge of Deaf culture, nor (more importantly) the right, to make claims on behalf of the Deaf community. Whether or not Deaf persons wish to take up the arguments explored in this paper is up to them. I will judge myself to have succeeded here, if I have managed to clarify what is at stake in this choice.\(^{42}\)

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\(^{42}\) I wish to thank Catherine Mills, Kate Crawford, Jeremy Aarons, Lyn Gillam, Neil Levy, Jacqui Broad, and the participants of the Victorian Council of Deaf Persons State Conference, Melbourne, 2002, for comments and discussion which have improved this paper.