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ISSN 1756-1019
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INTERVIEW WITH TIM CRANE

Tim Crane received his PhD from the University of Cambridge. He is currently Knightbridge Professor of Philosophy in the University of Cambridge and a fellow of Peterhouse, Cambridge. Crane’s main areas of research are in the philosophy of mind and in metaphysics. The following interview cover various aspects of his research in the philosophy of mind (as well as related issues in metaphysics and in the scientific study of mind): intentionality and intentionalism, perceptual experience and the Given, physicalism, emergence and cognitive science.

1. Intentionality and Intentionalism

Praxis: In “Intentionality as the Mark of the Mental” (1998) and Elements of Mind (2001b) you defend Brentano’s thesis that all and only mental phenomena are intentional.

You respond to standard counter-examples to Brentano’s claim, such as an „undirected“ anxiety, that when we properly characterize the phenomenology of such states, they can in fact be recognized as displaying the core features of intentionality, as conceived in contemporary analytic philosophy of mind. Taking what Searle (1992) calls “aspectual shape” to be one of those features, you write that in an episode of “undirected” anxiety, the world is presented “as” threatening or “under the aspect” of being threatening. Accordingly, you suggest, even undirected anxiety can be recognized as an intentional mental state.

Assuming that Brentano’s thesis is an attempt at distinguishing the mental from the non-mental in an informative or non-trivial way, one might think that the notion of intentionality should itself be intelligible without recourse to the notion of mentality. But can we make sense of the notion of aspectual shape without presupposing the notion of mentality or, in fact, the notion of intentionality? To take the example of anxiety: is it possible to make sense of the notion of the world’s being presented under the aspect of threat without assuming a certain “background” of intentionality, such as that the subject has a certain concern for or cares about herself or her integrity?
TC: It’s a good question. But I now feel that there is no good reason why we should be able to make the notion of intentionality intelligible wholly independently of the notion of the mental. We come to these matters with a half-formed grasp of the things we are trying to unify with a more exact or precise account, description or ‘definition’. Someone who had no idea of what it was we were trying to get at with the notion of intentionality would be unlikely to grasp the notions of aspectual shape either (i.e. the notion of something seeming a certain way, but where we can also make sense of the very same thing seeming a quite different way). Both notions presuppose the idea of seeming, and seeming is an irreducibly mental phenomenon. (I say something about a similar issue in my reply to Anders Nes in *Analysis* 63: 2008, 215-8.)

You are quite right about anxiety. Anxiety is always anxiety for oneself, and in that sense is ‘directed at’ oneself (in that way it differs from depression, which I believe is ‘directed at’ the world). I don't think this raises any dangerous circularity, since anxiety is a form or kind of intentionality, so of course it cannot be understood independently of general intentional notions. So you are right that you cannot make sense of anxiety without presupposing the basic intelligibility of intentionality. This is like saying, you cannot make sense of moral value without presupposing the basic intelligibility of value.

In general: I don't think we should be looking for reductive definitions or necessary and sufficient conditions which satisfy the strictest standards of non-circularity. With this subject-matter, we will not find them. We should instead be looking for conceptual and metaphysical elucidation or illumination. It is hard to define what this is, exactly, but I suggest that you know it when you see it!

**Praxis:** Why should philosophers look for a feature that is distinctive of mental phenomena in the first place? Or, putting the question in your own words, “why do we need a mark of the mental at all”?

TC: Well, in the first place, there is an intuitive distinction between certain processes and states within us: some of them seem intimately tied up with our nature as subjects or persons or agents, while others do not. The circulation of my blood, or my digesting my dinner – these are not things that are tied up with my agency (though of course my agency may well presuppose them). My blood circulating is not, we normally think, a mental process, while my sensing of the position of my limbs is.
What is this difference? Is it, as Descartes argued, that the difference consists in the way these things are known? Or is it because of the presence of some distinctive non-material quality in these processes? Or does it derive from something else? These seem to me to be real philosophical questions.

There is a broader issue, I guess. Part of the point of the concept of the mental is that it draws a line between those things which due a certain kind of concern or care – creatures which feel, think, suffer and so on – and those things which are not.

Praxis: In various publications (e.g. “The Intentional Structure of Consciousness”, 2003b) you have also defended the claim that the phenomenal character of experiences – what it is like to have them – is to be explained in terms of its intentional properties. In contrast to other varieties of “intentionalism” about phenomenal consciousness, you hold that phenomenal character should be explained in terms of both the attitude (or “mode”) and the intentional content of such experiences.

An important aspect of your proposal is that the distinction between attitude and content, which we are familiar with from standard examples of propositional attitudes (belief, desire), can be generalized to experiences. Your characterize the intentional content of an experience in terms of the presentation of its intentional object – what the experience is directed at – under a certain aspect (see above), rather than, as on a traditional understanding of intentional content, in terms of what is ascribed by a “that”-clause. You then introduce the attitude or mode as what relates the subject to that content.

Is the distinction between content and attitude, as you draw it, a neat one?

TC: I’ll wait to see what turns on this question before answering it!

Praxis: Consider emotional experiences, such as, for example Oedipus’ delight that he married Jocasta. (This example is borrowed from Peter Goldie.) Given the traditional understanding of content as what is attributed by means of a “that”-clause, “that he married Jocasta” would be (or express) the content of the experience. This understanding seems also to be in line with your view of content: “That he married Jocasta” characterizes the object of Oedipus’ delight (the fact or event of having married a particular woman) under a certain aspect (rather than another): Oedipus would not be delighted (in fact, is not delighted, when he finds out) that he married his mother. The relation between
Oedipus and that content – being delighted – would be, both on the traditional view and your view of intentionality, the attitude or mode, I take it.

TC: That’s how I see things, yes.

Praxis: Now, in Oedipus’ episode of delight, not only is his marriage to Jocasta apprehended by him as a marriage to Jocasta (rather than as a marriage to his mother), but that content itself is presented to Oedipus under the aspect of being delightful (compare the way in which the world in anxiety is presented as threatening or frightening). One might think that this further “aspectual shape” is in fact just a different way of characterizing the attitude of Oedipus’ experience. It does not seem to be part of the content of the experience, when content is conceived in the traditional sense: Oedipus is not delighted that his marriage to Jocasta is delightful. But it would seem to classify as content on your view: it seems characterizable as an aspect under which the object of Oedipus’s experience – the fact of him being married to Jocasta – is apprehended by him. Would it then be legitimate, on your view, to regard this as an additional intentional content? Do experiences have multiple contents (as you suggest in your forthcoming paper “The Given”, to which we return in question 4.))?

TC: It’s an interesting point, but I would not want to think of this as an additional intentional content. My fundamental starting-point is the idea of an intentional object – what is loved, feared, delighted in and so on. In this case, I’d say the object of Oedipus’s delight is the fact that he married Jocasta. So I would not say, as you do, that the content is ‘presented under the aspect of being delightful’ since that would suggest that the object of his delight is the content, rather than the fact. (While one could have contents as the objects of certain acts, this is not such a case.)

Praxis: Does the notion of aspectual shape, as you use it, blur the distinction between attitude and content?

TC: I don’t think so. I hope that I can use these three notions – object, content and attitude (or mode) to characterise the structure of all intentional experiences, and I think to do this they need to be quite distinct. But I think what is central to my view is that the phenomenology of experience can be characterised in terms of content and attitude/mode.

It’s true that objects can be presented to us with a certain affective or emotive ‘aspectual shape’: in fact, I now think that much of our perception is like this. A face can seem kind or
frightening, a room cosy or familiar. This is part of the content of the experience – the way in which the experience represents the object. So I would say that when Oedipus delights in the fact that he has married Jocasta, his experience – I’m assuming that it is an episodic, experiential delight – has a content which has an affective aspect as well as a cognitive aspect. And as you say, this is different from saying that the content is the proposition that my marriage to Jocasta is utterly delightful!

In the terminology of ‘The Given’, the content which has this affective aspect must be content in what I call the ‘phenomenological’ sense. The ‘multiple contents’ view uses the notion of content in a ‘semantic’ sense. I accept that there are multiple semantic contents, but the idea of ‘aspectual shape’ is supposed to be getting at the phenomenological content. Semantic contents are, as it were, ways of describing the phenomenological content.

2. Perceptual Experience and the Given

**Praxis:** One much-discussed view of yours is that perceptual experience has non-conceptual content. Your main argument for this view (in “The Nonconceptual Content of Experience”, 1992) draws on a notion of concepts as the constituents of intentional states that make it possible for these states to be inferentially related to other intentional states. As you observe, perceptual experiences, in contrast to beliefs, seem to be inferentially “isolated” from one another (and from other intentional states): for example, we do not deduce the perception of a as being F and G from the perception of a as F and the perception of a as G. Rather, the only way to perceive a as F and G is to perceive both properties simultaneously. You conclude that perceptual experiences do not involve constituents that would allow them to enter inferential relations, and therefore lack conceptual content.

**TC:** That was the view I proposed in that paper, yes.

**Praxis:** The notion of a concept has been much debated in the last decades and there seem to be other ways of understanding this notion which support the view that perceptual experience has conceptual content. For example, one might argue that simply seeing a particular object as F involves seeing it as having a property instantiated by many other things, and that this type of generality is sufficient for attributing conceptual content to the experience (appealing to a broadly Kantian understanding of concepts).

What are the merits of thinking of concepts in terms of inferential capacities or relations?

**TC:** I was led to think about concepts in terms of inferential capacities by asking the
question: what is the point of saying that someone has the concept of a pig, as opposed to merely saying that they have beliefs about pigs? I proposed that the point was to do with the idea of reasoning: if someone could employ lots of different propositions about pigs in reasoning, then this was a reason to think of them as having a distinctive conception or concept of a pig. This would explain, I thought, the generality which philosophers have traditionally wanted from concepts.

The proposal you mention, that seeing something as an $F$ involves some kind of generality because you see it 'as having a property instantiated by many things,' might also deserve the name of an account of conceptual perception (and to this extent I accept that there is an element of creative stipulation in this debate). But I'm not sure I understand the proposal – one would have to be able to see something has having a property which can be instantiated by many things (since one might see only an instance of only one property). But how can you see something as having such a higher-order property? I am not opposed to the idea that one can see things as having capabilities or as actable on (in the style of Gibson and those inspired by him like Noë). But seeing them as being possibly instantiated by other things would require a clearer grip on the problematic notion of instantiation than (surely) most perceivers have.

In general, I don't think there is much to be gained by focussing on the 'seeing as' idiom. My interests are now more in the psychology of perception and in questions about whether ideas like categorical perception can be made to work, or the extent of cognitive penetration in perception.

Praxis: Is the dispute about how to understand the notion of a concept and, derivatively, that of the (non-)conceptual content of experience ultimately a terminological one?

TC: No, for the reasons stated above! (Not ultimately, that is – there are real substantive issues here to do with the role reasoning and background knowledge play in perception. But there are terminological decisions we have to make before getting to those issues.)

Praxis: Much of the debate on whether perceptual experience has conceptual or nonconceptual content is concerned with the question how to account for the intuition that perceptual experiences provide us with reasons for empirical beliefs. As some, in particular John McDowell, insist, we cannot make sense of experiences having an impact on rationality without capacities that belong to rationality, i.e. conceptual capacities, being
already at work in these experiences. To think otherwise, McDowell argues, is to fall into
the “Myth of the Given.”

In the first part of your forthcoming paper “The Given” you adjudicate a dispute between
McDowell and Charles Travis on how to “avoid” the Myth of the Given. On Travis’ view
(2007), perception of the environment does not draw on conceptual capacities; we draw on
conceptual capacities only in forming judgments about what perception presents us with.
You argue that McDowell (2008a) is wrong to claim Travis’ view is a version of the Myth:
Travis does not say that merely being perceptually presented with items in the environment
justifies us in making empirical judgments about them; it is only by deploying concepts
and recognizing what is presented as instances of certain kinds that we are justified in
making such judgments.

TC: Exactly, yes.

Praxis: But one might think (as McDowell in fact himself does; cf. his reply to Travis in
2008b) that this does not quite suffice to avoid the Myth. Bringing to bear concepts on
what is perceptually manifest is a case of rationally responding to (or ‘making up one’s
mind’ about) how things are in the perceptual environment. But making up one’s mind
in this way is itself to be rationally constrained and hence requires the manifestation of
the environment in perception to already draw on conceptual capacities. In other words,
according to McDowell, Travis still falls into the Myth of the Given inasmuch as experience
is said to have an impact on or make the world bear on rationality without drawing itself
on rational capacities (cf. 2008, 266f.).

How far “out” does reason reach on your view?

TC: As you might expect, I don’t see the force of this objection to Travis. Experience
does bear on rationality, in something like the way Travis says. It has an impact, yes, but
this impact need not be taken up by the reasoning subject. There is a sense in which this
impact can be the same and a sense in which it can be different, whether or not it is taken
up. I used to call the sense in which it is the same the ‘non-conceptual’ content.

One way for the experience to have an impact on rationality is for subjects to think about
some aspect or object or property of their experience, and identify it with a concept they
have (maybe by using a word), and then go on to make a judgement about how things
seem to them. This seems to me to be well-described as ‘conceptualising’ the content of
experience, a content which is not conceptualised by the experience itself (in the sense of ‘conceptual’ I mentioned earlier). I don’t see why drawing the conceptual/nonconceptual divide in this way gives rise to any of the problems McDowell describes.

But I now think that in order to accept this general picture, we do not have to deny that there is any cognitive penetration of experience, or say that experience is entirely non-conceptual. There is a non-conceptual component to experience, but experience can have conceptual content too. Here I agree with Christopher Peacocke.

**Praxis:** Is there a Myth of the Given to be avoided the first place?

**TC:** Well, I must admit I find this topic very confounding and I don’t share many of Sellars’s assumptions. Perhaps I should just say here that my inclinations in epistemology have always been externalist, tending towards a head-banging reliabilist end of things. So maybe it’s not surprising that I don’t feel the myth of the given to be one of my problems!

**Praxis:** In the remainder of your forthcoming article you use the term “given” to characterize the phenomenal content of a perceptual experience (the portion of perceptible reality “given” to a subject in experience) and contrast this with its propositional content (what we, in some sense, “bring” to the experience), which is, on your view, an abstraction from or a “description” of its phenomenal content that figures in our practice of attributing intentional states. Phenomenal content, you suggest, is subjective and can be modelled on the notion of a Fregean idea, whereas propositional content is public and abstract, that is, at the level of Fregean sense. Interestingly, you take your view of phenomenal content as roughly on a par with McDowell’s (2008a) view of perceptual content. Yet you do not address the role concepts play in establishing the unity of what is given in perceptual experience on McDowell’s view, as what makes something a unified impression of a certain portion of the perceptible environment. It would seem that concepts, at least on a common view you seem to share in earlier writings (e.g. 1992), figure at the level of Fregean sense or propositional content (which is not to say that they can only figure in propositional contents, as McDowell would deny). If McDowell is right, then it seems that your distinction between phenomenal and propositional content is maybe not that clear-cut: roughly speaking, phenomenal content essentially draws on concepts, the ‘building blocks’ of propositional content.
Thus, do you think that the unity of phenomenal content can be established non-conceptually?

**TC:** The short answer: yes. The long answer would take time, and unfortunately I don't have anything like a detailed version of it. But the basic idea is that the ‘unity’ of phenomenal content is not a propositional unity: it doesn’t use predication, copulation, variable-binding, quantification etc. (Here I think I would agree with McDowell.) Rather, it is an empirical question what perceptual ‘classifications’ our minds use in order to present the phenomenal unity of the perceived world. I would look to psychology and cognitive neuroscience for the classifications and categories that the visual systems use. (Here I think I would disagree with McDowell, at least insofar as I understand his comments on non-propositional content.) How these classifications are unified is another (very puzzling) matter, and one of the (many) things that goes under the heading of the ‘binding problem’ in cognitive neuroscience. But whatever it is, the unity of phenomenal content cannot be like the unity of a claim or a statement or a proposition.

### 3. Physicalism, Emergence and Cognitive Science

**Praxis:** If only mental phenomena are intentional, do you think that this endangers physicalism as a thesis about the nature of the mental?

**TC:** Short answer? No. The intentional mental phenomena could be realised or identical with or supervenient upon certain very special portions of the physical world. Whether they are or not is another question, but intentionality is no barrier in general to physicalism. (I say something about this in my paper, ‘Intentionality as the Mark of the Mental’ on my website.)

**Praxis:** In your article “Subjective Facts” (2003a), you argue that recent attempts by physicalists to reject Jackson’s (1982, 1986) so-called “Knowledge Argument” have failed. Moreover, you argue that Jackson’s argument actually shows that there are such things as “subjective facts”. Ultimately, you argue that this is something that the physicalist can, and should, accept; that the physicalists can (and should) accept that knowledge derived from subjective experience alone is possible, and that they can (and should) deny that all facts are physical facts. This seems quite counter-intuitive, given what one would „prima facie“ take physicalism to be committed to.

Can you tell us how it is possible for a physicalist to accept subjective facts?
Perhaps I put my conclusion in a way that made it look more counter-intuitive than it really is (this is one way to try and get attention for your ideas!).

As I explain in the paper, the notion of ‘fact’ that the knowledge argument needs if it is to be intelligible at all is the notion of a true proposition or a truth. It is only facts in this sense that are learned, and it is stated in the story that Mary learns a fact. (Facts in the other sense – ‘truth-makers’ – are not learned, they are not the objects of knowledge. Otherwise in knowing one true identity claim about an object, we could know them all.)

Again, the notion of ‘physical’ that the argument needs to use in order to work does not just encompass physics (since a ‘dualist science’ could be learned in the black and white room). But it also encompasses any knowledge which does not require that a subject have any specific kind of experience – I call this ‘objective knowledge’. The knowledge which Mary acquires is ‘subjective knowledge’ or knowledge of subjective facts – i.e. truths which, in order to know them, you have to have had some specific kind of experience. This is the knowledge that Mary might express by saying ‘red looks like this’. The fact that Mary has this knowledge is plainly not incompatible with the basic idea behind physicalism (e.g. all objects or properties are physical).

So all that I mean by saying that this fact is not a physical fact is that if you can knowledgably say ‘red looks like this’, this requires that you have had a certain specific kind of experience. Otherwise you could not have this knowledge (know this fact). Physical facts – truths – do not require that one has any specific kind of experience in order to be known. That’s why I claim that Mary can know the whole of physics in the black and white room.

Perhaps I should have expressed my conclusion by saying that physicalists can accept that Mary learns a new proposition when she sees red for the first time, because such a proposition is ‘subjective’ in the above sense. And physicalism should not be committed to the view that there are no subjective propositions.

Praxis: In your work, you also investigate the relationship between varieties of physicalism known as “non-reductive” physicalism and a view of the mind, according to which mental properties “emerge” from their physical substrates (‘The Significance of Emergence” (2001a) and, more recently, ‘Cosmic Hermeneutics vs. Emergence: The Challenge of the Explanatory Gap” (2010)).
As you characterize these views, non-reductive physicalism and emergentism both claim that mental properties are distinct from physical properties, even though mental properties are properties of physical objects. As you write, they yet differ in that non-reductive physicalists endorse, while emergentists reject, the view that truths about mental phenomena must in principle be explicable in terms of truths about physical facts (broadly speaking).

In both articles, your central claim is that non-reductive physicalists have traditionally wanted to distinguish themselves from emergentists, but that it is not obvious that they can in fact do so. Yet, as far as I can see, your account of the notion of emergence has changed in the meantime. While in “The Significance of Emergence” (2001) you argue that emergent properties are best characterized in terms of the possession of distinct causal powers by an object, that is, powers distinct from the causal powers of its low-level physical properties, in “Cosmic Hermeneutics vs. Emergence” you propose what looks like a more epistemic reading, according to which, roughly speaking, emergent properties are precisely those kinds of properties that are not explicable in principle in terms of truths about physical facts, that is, truths about their physical substrates.

What is the reason for this change in your understanding of emergence?

TC: Thanks for the extremely careful reading of my papers.

In the earlier paper I argued that emergentists were committed to downwards causation, but that non-epiphenomenalist, non-reductionist physicalists were so committed as well. So I described the difference between emergence and non-reductive physicalism in terms of their epistemic/methodological attitude. In the later paper, I simply describe one manifestation of this difference in epistemic attitude: that non-reductive physicalists must hold that there is at least an explanatory reduction of the mental. In other words, they must bridge the explanatory gap if they are not to become emergentists. I don't see a big change here, only a shift of emphasis.

Praxis: In “The Significance of Emergence” you argue that non-reductive physicalism threatens to collapse into emergentism since non-reductive physicalists commit themselves to mental properties having distinct causal powers. More recently, you argue that this threat arises since it is not obvious that non-reductive physicalists can in fact live up to their explanatory demand, given certain epistemic arguments against physicalism.
(that is, Joseph Levine’s (2001) “explanatory gap”-argument).

**TC**: That’s right. I argue that all physicalists must be reductive in one way or another (either ontologically or explanatorily).

**Praxis**: However, does a non-reductive physicalist have to endorse this demand? In “The Significance of Emergence” you suggest that she might in fact be mistaken to do so, while in “Cosmic Hermeneutics vs. Emergence” you no longer recommend an emergentist attitude towards the mental.

**TC**: Yes, I see what you mean. This might look as if different problems were being identified as the problem for physicalists, but in fact it is the same: how should they distinguish themselves from emergentists? In the earlier paper, I came out with it and said: they shouldn’t, they should join the emergentist camp. In the later paper, I conceded that if they were looking to do this, they should try and solve the explanatory gap problem. Simply refusing to do this would be to give in to emergentism. I made a few suggestions as to how they might do this, but I did not endorse non-reductive physicalism. In fact, I still believe the emergentism of these two papers to be the best naturalistic metaphysics of the mind.

**Praxis**: What role, if any, does cognitive science play in the study of the mind, in particularly in studying consciousness and subjectivity? More particularly, what do you think is the relevance, if any, of neuroscience in the study of our inner life?

**TC**: A huge question to finish with! Cognitive science – or cognitive psychology, or cognitive neuroscience, whatever you want to call it – has the same subject-matter as the philosophy of mind. The discoveries of cognitive science have had – or should have had – huge influence on the philosophical study of the mind. To take one example among many, of the kind of thing I mean: the studies of inattentional blindness and change blindness simply cannot be ignored by philosophers of perception. Or, at the more neuroscientific end, what to make of Benjamin Libet’s experiment is a major question for philosophers. Of course, there are many other examples. No philosopher of mind can afford to ignore psychological discoveries about their subject-matter. (Which is not to say that there are not more purely philosophical problems too – I think of the debate about physicalism and dualism as one of them: it’s not something which should trouble a psychologist. But this is not to dismiss the debate.)
In recent years I’ve been working more and more on how our understanding of the mind is enhanced by looking at discoveries in psychology and cognitive neuroscience. I see my interests moving much more in that direction, and away from the metaphysics of mind (as befits a real emergentist, I would say!).

One area, though, where I feel not much progress has been made by cognitive scientists is in trying to understand consciousness – in the sense of ‘solving the problem of consciousness’, the ‘last barrier to a scientific understanding of ourselves’ etc. There is a lot of wild speculation and a lot of bad philosophy. This is partly because they have sometimes taken on uncritically some very unclear philosophical notions – e.g. ‘qualia’ – and then gone on to theorise using these notions. I sometimes think: you might think that the philosophy of consciousness is a mess, until you start looking at what the neuroscientists start saying about it. Some philosophical discipline really would help here. Just as philosophy of mind must learn about the discoveries of cognitive science, so neuroscientists should take things a bit more slowly and try and figure out why the philosophers – whom they often dismiss – say the things they do.

References


WHAT DOES BLAME DO TO RELATIONSHIPS?

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Abstract
To be blameworthy, according to T. M. Scanlon’s recent account, is to hold attitudes which violate the standards of a particular relationship, and to blame another is to alter one’s relationship appropriately with the blameworthy party in light of those attitudes. I make three objections. First, relationship-types do not determine the standards relative to which Scanlon defines impairment. Second, the notion of an ‘ideal’ relationship used by Scanlon is of no use when providing normative guidance to participants in non-ideal relationships—which is to say, that it’s no use to anybody. Third, that we cannot know how to alter relationships with someone at fault without knowing whether they are to blame; hence one cannot simply equate blaming someone with altering a relationship. I conclude with a discussion of the role that philosophy might play in understanding our relationships with other people.

Peter Strawson (2008) first pointed out the pivotal role of blame in relationships. In some of our relationships the possibility of blame is ruled out in advance, but these are the exception. The clearest example is in our interaction with the very young, or the mentally unwell. Our response to wrongdoing or ill will on the part of such people is not the ordinary bubbling up of resentment. The response is tactical: how can such a person ‘be managed or handled or cured or trained’? (Strawson 2008 p.9) But that is not the right reaction in the course of ordinary human relationships. In fact it precludes an ordinary human relationship: it involves seeing the other as a kind of object, rather than a person. That is sometimes acceptable, but not always, and certainly not to everyone.
To say that blame is an integral part of relationships is not as unpleasant as it sounds. One need not think that even the best of relationships are mud-slinging battlegrounds, with each party perched to blame the other at the slightest misdemeanor, to think that it is true. It is merely to say that ordinary human relationships, if fully fledged, open us up to the possibility of blame if we go wrong.

T. M. Scanlon’s recent account of blame in *Moral Dimensions* (Scanlon 2008) ties blame and relationships particularly closely together, by analysing the former in terms of the latter. To be blameworthy, according to Scanlon, is to hold attitudes which violate the standards of a particular relationship, and to blame another is to alter one’s relationship appropriately with the blameworthy party in light of those attitudes. In this paper I present three objections, outlined at the end of the next section. All three concern, in different ways, what justifies an alteration of a relationship in light of impairment (which, according to Scanlon, is equivalent to the question of what justifies blame). Scanlon’s theory does not capture the complexity of human relationships, and neither does it give an accurate account of the source of the standards that govern our relations. The role of blame is also misunderstood. Reflecting on whether our relationships are impaired by another is not equivalent to wondering whether they are blameworthy. Rather, blameworthiness is part of the justification for a change in relationship. I end this paper by asking whether philosophical analysis, by telling us what blame is, ought to help us decide when blame is justified. If so, and if blameworthiness does mean we ought to alter our relationships, then philosophy could help us how to live with others, and thereby how to live full stop.

**Scanlon’s Theory**

According to Scanlon, the main desiderata for a theory of blame are that it explain:

1. The kinds of things we say which make it look as if blame and wrongness come apart: “What she did was wrong, but you shouldn’t blame her: she was under great stress”; or “It was wrong, but he’s only seven” or “It was the right thing to do, but I blame him for doing it for that awful reason”.

2. ‘Objective stigma’, something akin to blame. Being a central cause of a freak accident sometimes prompts a feeling of reproach even when blame is not appropriate.

3. The natural relationship between blame and assessment of character, and the importance for blame on the reasons for which an action was done.

4. Either why blame can vary according to luck, or why it appears to do so even
though it ought not. An example comes from Nagel (Nagel 1979 pp.28-29). Two drivers are equally careless. Through sheer bad luck, a child runs out in front of one of them, and is killed. To many, blame is appropriate towards both drivers, but ought to be far stronger towards the driver who killed the child. But if blame is merely assessment of character or attitudes, this doesn’t seem to make any sense, since *ex hypothesi* both drivers have the same attitudes.

5. The relativity of blame: why it seems silly (to some) to blame those very distant from us in time or space—why blaming King Arthur for his anti-liberalism has a whiff of absurdity.

Scanlon’s proposal is this:

> to claim that a person is *blameworthy* for an action is to claim that that action shows something about the agent’s attitudes toward others that impairs the relations that others can have with him or her. To *blame* a person is to judge him or her to be blameworthy and to take your relationship with him or her to be modified in a way that this judgment of impaired relations holds to be appropriate.¹

Suppose we discover that Joe, a close friend, has publicised and had a deprecating chuckle at a confidence I have offered him. Three separate questions arise about how to respond. (1) Should I still consider Joe a friend? Even if his revealed attitudes do not warrant striking out the friendship altogether, ought our relationship suffer some adjustment? Deciding that Joe’s attitudes impair our relationship is a judgement of blameworthiness. (2) Should I revise my attitudes toward Joe in a way that this makes appropriate? I may cease to trust or confide in him, or value spending time with him. If I do revise my relationship with Joe by altering my attitudes and intentions appropriately, this amounts to blaming him. (3) Should I express this to Joe, perhaps by complaining to him about his conduct? This is a natural response to blame, although it is not the same thing. Unlike utilitarian accounts, the primary purpose of expressions of blame need not be to sanction or enforce conduct, but to register the fact that a relationship has changed, or to stand up for our own dignity.

How does this account fulfil the *desiderata*? Firstly, the account ought to explain how blame and wrongness can come apart. Someone can do the wrong thing, but due to some mitigating circumstance (say stress) the action might not be an expression of attitudes

¹ p.128. References to Scanlon are, unless otherwise stated, to T. M. Scanlon, *Moral Dimensions: Permissibility, Meaning, Blame* Harvard University Press 2008
damaging to the relationship, rendering blame inappropriate. Someone may also hold attitudes which violate the standard of some relationship, and thus deserve blame, but not act immorally. Second, objective stigma. It might be very hard to live with someone who has caused a freak accident, or for that person to live with themselves, even if his or her attitudes violate no standards. If the accident caused by another involved the death of one’s child, then the event will prompt relational adjustments with that person responsible akin to blame without amounting to the same thing. Third, the attitudes relevant to relationships are those that partly compose an agent’s character, and these attitudes are expressed in the reason-judgments which lead to choice. The link between character, reasons and blame is thus maintained. Our fourth desideratum was to explain the phenomenon of moral luck. How can it be that luck alone warrants a lesser attribution of blame? The answer, according to Scanlon, is that luck makes a difference to how we form our relationships. A careless but lucky driver will prompt some adjustment of relations—but for the one who unluckily kills a child through his recklessness the adjustment will be naturally far greater. Finally, judgments of blameworthiness are objective, and can be made by anyone. But blame itself involves adjusting a relationship that we actually have with a person, and is therefore essentially perspectival and relative.

The account is complex, since we sit at the core of a web of hundreds or even thousands of different relationship types that we can have with others. An alteration of any of these as a reaction to impropriety amounts to blame, but blame comes in as many different stripes as there are relationships. Moral blame in particular is a violation of the moral relationship, which we have with everyone in the world (and perhaps those yet to come in it), and which requires the kind of general concern we ought to have towards other people. The appropriate response in cases where someone reveals themselves to have little or no regard for our interests is not to end the relationship, making them fair game for any kind of punishment (as some retributivists think). Rather, the appropriate response is to make changes in our readiness to interact with him in certain ways (e.g. as friends), withdrawing our help, and withdrawing the hope that things go well for them (which is not the same thing as thinking it objectively better that things go badly for them).

To summarise, Scanlon highlights five central elements to the account: (1) The ground relationship, which provides the standards relative to which an agent’s attitudes constitute an impairment. (2) Impairment of this by inappropriate attitudes. (3) The position of the blamer relative to the blamed. (4) The significance of the impairment for the responder (a function of the impairment, and the relationship to impairment, agent and action), and (5) the response (blame) that is appropriate.
I shall group my objections under three headings. My first claims that relationship-concepts are too minimal to tell us when relationships are impaired, and what responses are appropriate in light of that impairment. The second is that, in any case, idealised relationships are not good guides for those of us in non-ideal relationships. Finally, I claim that Scanlon’s account is circular. On Scanlon’s theory one party is blameworthy if their attitudes impair the relationship. But we need already to know whether the other party is blameworthy, I argue, to determine whether the relationship is impaired in the relevant way.

1. Constitutive Norms and Normative Guidance

To blame is to adopt the attitudes appropriate to those of the person at fault. Scanlon takes his theory to be a ‘desert-based’ theory of blame, which he takes to mean the following:

I take blame to consist of attitudes toward a person that are justified simply by attitudes of that person that make them appropriate, and I hold that there is no need to appeal to other justifications such as the beneficial consequences of blaming or the fact that the person could have avoided being subject to blame. Like refusals of friendship, blame is justified simply by what a person is like. (p.188).

Scanlon considers the worry that by appealing to brute judgments of appropriateness the account becomes too intuitionist, and thereby runs the risk of lacking ‘serious normative force’ (p.189). He responds: ‘The view I am offering gives this idea [of appropriateness] more structure (thereby mitigating this objection, if not, to be sure, avoiding it altogether) by locating the idea of appropriateness within a conception of particular relationships.’ (ibid.) Scanlon finds it clear that there is no demand to enter into relations of trust, cooperation and friendship with someone who callously disregards our own interests, and that ‘an appeal to what is appropriate is an adequate explanation for the suspension of these attitudes’ (p.190). By contrast, Scanlon finds desert theories of punishment which appeal only to the appropriateness of punishment implausible; here ‘[t]he idea of appropriateness by itself seems too weak to bear this justificatory weight.’ (ibid.). In this section I argue that the conception of particular relationships cannot usefully guide us in deciding which attitudes are appropriate to another.

What is it that separates relationships into relevantly different normative types? Scanlon says that:
The normative ideal of a particular kind of relationship specifies what must be true in order for individuals to have a relationship of this kind, and specifies how individuals should, ideally, behave toward one another, and the attitudes that they should have. It thus sets the standards relative to which particular relationships of this kind exist and the (higher) standards relative to which such relationships can be better or worse, and can be seen as impaired. (pp.133-4)

There are therefore two levels of norms. The first, lower set appears to be ‘constitutive’ ideals, akin to the rules of a game. Unless you abide by these minimal norms, you are not in the relationship just as, were you to deviate enough from the rules of chess, you would no longer be playing chess. But the ideal of a relationship also operates at a higher level. The constitutive norms of chess do not specify how, ideally, chess should be played—they do not tell one how to play an astute game. By contrast, the ideal of a relationship not only specifies the constitutive norms, but also the norms that specify whether the relationship is going well or badly. I shall call the lower, ‘constitutive’ norms the ‘minimal’ norms, and the higher ideals the ‘full-blooded’ norms.

Take friendship as an example. The constitutive norms tell us that, unless people have some minimal levels of affection for one another, enjoy each other’s company, and have a certain amount of trust, they are not friends. But, according to Scanlon, the ideal of a relationship goes further: friendships may fulfil the constitutive norms but fall short of the full-blooded ones, displaying, say, an unacceptably low level of trust or affection within the friendship. The relationship, by fulfilling the minimal norms but falling short of the full-blooded ideals, exists in impaired form. The friend with the attitudes that fall short of the full-blooded ideal will be blameworthy. If the other friend responds appropriately, he or she will be blaming.

Scanlon structures intuition by ‘locating the idea of appropriateness within a conception of particular relationships’. The language here (‘a conception of particular relationships’) is suggestive of locating the idea of appropriateness at the lower, constitutive level. But that would undermine his appeal to relationship-conceptions to structure intuitions about appropriate reactions. The constitutive norms of chess are silent on which of the available moves is the best. Likewise, the minimal norms that constitute relationship-types are unable to tell us which attitudes are appropriate. The minimal norms tell us, for example,

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2 I owe this way of describing Scanlon’s theory to Edward Harcourt.
that in order to be a friend one must have some affection for the other. But if one's friend does something that appears to reveal a lack of affection the constitutive norms do not tell us what the appropriate reaction is. At best, the constitutive norms merely inform us that we are no longer friends. 'That's just not what friends do!' the constitutive norms say; they are silent on where to take matters from there.

It is true that there are some minimal demands which, if two people did not meet them, they would not be friends. But beyond that there are many different kinds of friendships, which demand very different sets of attitudes. To give a slightly different example, take romantic relationships. In some romantic relationships jealousy is an inappropriate attitude—it shows a lack of trust. But some couples have violently stormy relationships, marked by rows and powerful feelings of possessiveness. Some couples are extremely happy this way (or at least would be miserable any other way). Perhaps to their minds a lack of jealousy shows a lack of passion or care. To them, jealousy is a natural concomitant to strong feeling, and thereby appropriate in some situations. The constitutive norms of being in a ‘romantic relationship’ do not tell us whether the jealousy is appropriate or not—they do not tell us whether the stormy couple or the calm couple have the more admirable relationship. Those minimal norms cannot, therefore, give any structure to our intuitions as to whether jealousy is sometimes appropriate.3

It is therefore false to say, as Scanlon does (p.133-4, quoted above), that there is a single ‘ideal’ of a relationship that specifies both the constitutive norms of a relationship but also, at a higher level, the norms that specify whether a relationship is going well or badly. For any single constitutive ideal there will then be a wide variety of ‘higher’ norms that specify the multitude of ways in which a relationship could be going well. How many ways a romantic relationship could be going well or badly is a substantive ethical question, and an answer to it depends upon how liberal we are with how couples can treat each other—how many different attitude-sets could be seen as different but nevertheless admirable relationships. An answer is not dictated by the constitutive ideal of the romantic relationship.

Blame, Scanlon says, is only justified by ‘what a person is like’ (p.188), and nothing else, including the beneficial consequences of blaming. This claim masks the fact that, when deciding whether our relationships are impaired, and how to react to that impairment, we have already had to make substantive judgments about the value of our relationship, and

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3 I'm grateful to an anonymous referee in this journal that prompted me to put this point in this way.
about how the patterns of reactions, intentions, attitudes and expectations that it involves compare with alternative relationships of the kind we are in—whether the relationship would be more valuable if it were one that occasionally incorporated jealousy, for example. It is ultimately the value of the relationship that justifies one attitudinal reaction over another—not ‘appropriateness’ flowing from constitutive norms of relationship-types.

2: Problems with the notion of an ‘ideal’ relationship

In the last section I argued that relationship-types do not determine which attitudes are appropriate to another’s impairment. That is by no means a knock-down objection. Even if the concept of a relationship-type is very minimal, it is still consistent to hold that a person is blameworthy if they hold attitudes that violate the full-blooded relationships norms, specified by the ideal of certain kinds of relationships. Perhaps the minimal norms that make up relationship-type concepts are like virtue-concepts – they can still guide action at a high level of abstraction, even if they do not tell us algorithmically what to do or feel.4 In this section I argue, however, that reflecting on ideal relationships is not the right place to start when looking for the full-blooded standards that define impairment. The objection here has shades of an old and familiar one made by Bernard Williams (Williams 1995 p.190) to an Aristotelian theory of reasons: I cannot have reason to do what the phronimos has reason to do, because of the myriad ways in which I am not a phronimos. Likewise, appealing to ideal relationships to decide upon the appropriate attitudinal response to another sometimes gives no normative guidance, and sometimes gives the wrong normative guidance.

Let’s return to an earlier quotation: ‘The normative ideal of a particular kind of relationship specifies what must be true in order for individuals to have a relationship of this kind, and specifies how individuals should, ideally, behave toward one another, and the attitudes that they should have’ (2008 pp.133-4). Impairment occurs when ‘one party, while standing in the relevant relation to another person, holds attitudes toward that person that are ruled out by the standards of that relationship, thus making it inappropriate for the other party to have attitudes other than those that the relationship normally involves’ (p.135). I have argued that the constitutive norms of a relationship could not specify how individuals ought to behave toward one another, since many different normative ideals of friendship (say) all fulfil the constitutive norms. They do not, therefore, specify what constitutes an

4 I owe this response to Edward Harcourt.
impaired relationship. But the full-blooded norms, if determined by ideal friendships, do not specify the right standards either. Do we really reflect about how ideal friends would treat one another when deciding how to behave? Of course there is a sense in which we do. When reflecting on what to do, especially if we feel the pangs of self-reproach, we think about what we would do if we were less flawed. But in another, more substantial sense of ‘ideal’, I do not believe that ideal relationships specify how to treat one another. That is the sense in which the instantiators of ideal relationships are themselves ideal people.

The first thing to notice is that even if I could embody the attitudes of one half of an ideal relationship, that may not constitute the best response to another real-life person. Often when deciding how to view another person we are reaching the best compromise we can manage given their foibles. Thinking of ideal relationships here will not necessarily help broker the best possible relationship given the non-ideal circumstances. If at least one partner has non-ideal attitudes, adopting the attitudes constitutive of the best possible relationship with someone (the attitudes that one ideal person has to another) does not always result in the best possible relationship in the circumstances. It might be a necessary condition of X and Y having the best possible relationship that X have attitude set A—but it doesn’t follow that whatever attitudes Y happens to hold, the best thing for X to do for the relationship is adopt A. If Y has attitude set B and there’s nothing X can do about it, it may be best for the relationship if X adopts attitude set C. An example might be attempts to live with close family members. Jarring personalities make it impossible to get on like good friends, but enduring family bonds mean that one has reason to have the best relationship possible in the circumstances. This may mean that one cannot treat them like a friend—perhaps one, say, has to put up with being patronised from time to time, which would be demeaning with anyone else.

Often the problems that arise in relationships are from propensities that are conspicuously non-ideal. Sometimes our less than ideal elements rightly attract blame, and sometimes that is just how we are. Take friendship again. Scanlon says that

> the people who have drifted apart may thereby cease to be friends, but physical injury does not, or should not, bring friendship to an end. This difference between the cases follows from the standards governing attitudes that friendship involves. These standards must allow for friendships to end blamelessly. (p.135)

Ending a friendship does not necessarily involve attitudes that impair the relationship, but abandoning a friend when they become injured does. Suppose I find myself drifting
away from a friend. I no longer have the level of affection that friendship really requires. Am I blameworthy? According to Scanlon, the difference between blameworthy and non-blameworthy attitudes is whether the ideal friends could allow their attitudes to drift in the way that I have. But on a plausible reading of ‘ideal’, I don’t see how an ideal friendship could legislate for cases of ‘drifting apart’. In ideal friendships—the friendships made in heaven—no one would drift apart. This is not because they felt obligated to stay together, but because the friendship is ideal. If I notice my feelings for a friend slipping away, and I want to determine whether I can get away with this blamelessly, reflecting on the standards that govern an ideal friendship will not help. Ideal friends never feel how I feel, so the reactions of the ideal friend cannot guide me. For the ideal friendship, the question never arises, so how can the ideal offer standards for the flawed?

One might object5 that, when looking to ideal agents we do not imagine what they would do in an ideal context. We merely transpose them into ours, and then imagine what they would allow. That may sometimes be true. But in the envisaged scenario we are not transposing the ideal agents into our external context, moving them from heaven into the real world and imagining what they would do and how they would feel. The context includes not only the external situation but internal emotions and attitudes. By making the transposition you are asking what someone who is ideal in some respects but not ideal in others would feel in your situation (in other words, how someone who is better than you in some respects but not others would feel). It leaves a vital normative question unanswered: how many of the ideal relator’s traits may I jettison when considering my own situation? The normative results are quite different, depending upon how many you allow. Allow too many of my dispositions to be taken on and the normative standards drop. Allow too few, and we return to the situation whereby the ideal, by being a denizen of another planet, fails to offer me any guidance. There is probably a right answer to the question, but it is not given by the conception of the ideal relationship.

Even if that question could be answered, we are left with quite an artificial picture of the kind of reflection usually involved. It is one where, in order to decide what attitudes are appropriate, I try to imagine what I would do were I better (in some unspecified respects) than I am. In one sense, that’s a true description of the exercise. But it skips the interesting questions. In order to decide what to do I don’t imagine what I would do were I a little

5 As indeed an anonymous referee for this journal did.
better—rather, I just try to think a little better about the issues directly. Scanlon says that ‘Friendship would be an oppressive relationship if it had to last forever, no matter what’ (p.135). I think that’s right, but I arrive at the principle by reflecting more generally on what people close to me can reasonably demand, on the reasonable expectations that others form when I offer friendship, and on the conditions under which anyone at all can oppress me. I conclude that friends cannot demand unconditional affection. Reflecting on ideal friendships confuses the matter.

Moreover, the ideal of a relationship often specifies quite implausible substantive standards, and would define some relational adjustments as blame when they are really not. Take the marriage relation. The ideal marriage lasts forever, ‘till death do us part. The standards prescribe enduring affection: that’s why the couple vow to love each other (that is, voluntarily place themselves under a binding bond of affection). If this is right, it follows from Scanlon’s account of blame that it’s impossible for a marriage to end loveless without one or the other partner being blameworthy. Falling out of love is ruled out by the standards of the (ideal) relationship. If one partner in a marriage no longer loves the other partner, and they are still married, they hold inappropriate attitudes, and it is natural to think that it becomes ‘inappropriate’ for the other partner to love them back. If the jilted partner reacts by trying to ‘get over’ the other by adjusting his or her attitudes, this amounts to blame on Scanlon’s account.

I think the theory is wrong on three counts here. First, it is possible for a marriage to end without at least one of the spouses being blameworthy, contra this interpretation of Scanlon’s theory. Second, whether or not someone is to blame sometimes depends on the history of the attitudes in a way that Scanlon’s account does not allow for. Suppose one spouse spends too much time at work, and fails to make time for the activities necessary for a functioning relationship. In that case, I would say that he or she is to blame for those attitudes. If, on the other hand, he or she were to arrive at those same attitudes through a gentle, unforeseeable drift, I would say they could avoid being blameworthy. Scanlon’s account, as far as I can tell, does not allow for the difference. Finally, on Scanlon’s account all relational adjustments in response to impairing attitudes amount to blame, and this example shows why that is not right. If A doesn’t love B the relationship is impaired. It’s inappropriate for B to love A back. On Scanlon’s account, that means B’s adjustment would amount to blame. But whether A’s attitudes make A blameworthy for impairing the relationship is a separate issue from what it’s appropriate for B to feel in light of A. B
might, for example, blame himself for A's lack of love—perhaps B thinks that he just isn't
good enough for A (this thought is, I think, fairly common). Nevertheless, an adjustment
on B's part is appropriate: asymmetrical devotion is demeaning, and B should probably
get on with things. That does not amount to B's blaming A, even though it is A's attitudes
that impair the relationship, and it is B that has to make adjust his attitudes in light of that
impairment.

3. Philosophical Quietism: Can we think of whether a relationship is impaired without
already having an idea of blame?

Scanlon's fruitful work often displays a kind of pessimism regarding traditional
philosophical techniques and targets. Don't ask what a reason is, he says in What We Owe
to Each Other (Scanlon 1998): it will not tell you what reasons there are.6 The metaphysics
does not matter, nor does the state of mind one is in when one accepts a reason.7 Taking
reasons as basic, analysing what value is does not tell you what's valuable—if it's valuable
that just means that there is reason to value it.8 Reflecting directly on the concept of well-
being will not tell you what the best life is: think instead about the reasons you have.9
Reflecting on blame will not tell you how to live with others: rather, deciding how to live
with others amounts to blaming if one is reacting to attitudes deemed inappropriate.

It is hard to doubt the power of Scanlon's work, and the progress that has been made by
such a 'quietist' line of thought. Often relocation provides illumination. But, at least for
the case of blame, I'm not convinced. On Scanlon's account, we rely on standards internal
to relationships to determine what kind of attitudes we should hold towards others; and
taking these attitudes up amounts to blaming. But can we really do so without having an
idea of whether they are to blame, and of what blame does, or ought to do, to relationships?

Scanlon illustrates the practical reflection that follows from his account by considering
Pettit's example of a ferry disaster (Pettit 2007). A ferry sinks and many people die. On
Scanlon's account asking whether the ferry company is blameworthy is roughly equivalent
to asking whether 'we have grounds to suspend our trust of the ferry company (say by

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6 See Chapter 1
7 Ibid.
8 See Chapter 2
9 See Chapter 3
revoking its license to operate ferries), because it is insufficiently responsive to relevant considerations (of safety)’ (p.163). This is surprising, since one would expect the account to be the other way around. For Scanlon, we know if the company is blameworthy if we decide we ought to suspend our trust; but surely one decides whether to suspend one’s trust by, first of all, thinking about whether the ferry company is blameworthy. I doubt whether one can really determine whether someone is being ‘sufficiently responsive to relevant considerations’ in isolation from wondering whether they are to blame. Sufficient responsiveness is not a guarantee of safety: a motorist who pays ‘sufficient’ attention to the roads does not insulate himself entirely from the possibility of accident. Indeed, a driver can be blameless even if, were he to have been more responsive, the accident could have been avoided, because it may be unreasonable to demand that he pay more attention than he in fact did. In these cases, ‘sufficient’ is normatively loaded. It doesn’t mean ‘sufficient to avoid an accident’, it just means sufficient to make the driving responsible. And it seems to me that when we reflect on whether a piece of driving is responsible, at least part of the process is imagining whether there exist possible accidents in which we would judge the driver blameworthy, or entertaining counterfactuals about what we should feel in the case of a particular accident. The process of reflection I find natural in determining whether someone is ‘sufficiently responsive’, therefore, presupposes that I have some grip on when I would decide that someone is blameworthy.\footnote{An anonymous referee for this journal suggested that ‘sufficiently responsive’ could be normatively loaded in a way that did not presuppose blame. Instead, one could simply say that a motorist failed to pay sufficient attention when the expected disutility of an accident (the disutility of an accident multiplied by the probability of having an accident) outweighed the disutility of paying more attention. This consequentialist account would be unavailable to Scanlon, since it is incompatible with his contractualism. In any case, it strikes me as implausible. It amounts to the following proposition: one is justified in altering one’s relationship with someone if their attitudes fail to generate the highest possible expected utility. I find that an implausible picture of human relationships. It does not answer the circularity worry either, since the question is still open whether the driver is blameworthy for the non-utility maximising attitudes.} Scanlon assumes that we can answer questions like those about trustworthiness or ‘sufficient responsiveness to reasons’ without recourse to thinking about blame directly, and I think it’s reasonable to doubt whether that is possible.

The point here is that blameworthiness is a concept prior to the kinds of impairment that prompt blame. People’s attitudes commonly impair relationships because they fall short of what, ideally, we would like them to be. Sometimes the appropriate reaction is to just get around those unfortunate attitudes as best you can, building the best compromise out of the possible options. Sometimes the appropriate reaction is more akin to the range
of attitudes that Scanlon takes to be blame: like withdrawing trust or affection or good will. But only culpable attitudes should prompt those latter kinds of adjustments. Cases of corporate responsibility are interesting precisely because blame is so hard to place. Industrial accidents prompt an urge to place blame somewhere, but it is hard to know where in particular to stick our pin of blame within the overall corporate structure. Merely falling short of the ideal company does not justify adjusting one’s attitudes in the relevant way. Take the marriage example again. A’s lack of love impairs the relationship. If A arrived at this situation through a gradual, unforeseeable drift, then A is not blameworthy. If, on the other hand, A fell out of love by failing to put in the emotional investment necessary for a functional relationship, then A is blameworthy. A’s lack of love is the same in either case, but B should only blame A (whatever that amounts to) in the latter situation, because only then is A culpable.11

According to Scanlon, blame is justified if the other person’s attitudes impair our relationship. But to my mind, relationships are only impaired in the relevant way if the other person is blameworthy for the attitudes. The mere existence of the impairing attitudes is not enough to justify an adjustment akin to blame. Scanlon’s account is therefore circular. It is right, as I pointed out at the beginning of this paper, to say that blame and relationships are closely related. But that is because when reflecting on whether we are justified in altering our relationships in certain ways, we begin by wondering whether the other person is blameworthy for the impairment.

**Conclusion**

I have conspicuously failed to provide an answer to the question of what blame does to relationships. If I am right, then blameworthiness justifies certain alterations in relationships. Philosophers ask themselves what blame and blameworthiness are. Ought an answer to the philosophical questions explain why blame sometimes justifies alterations in relationships, and when and which alterations are justified?

To my mind it should. Moral philosophy, if it is to help one how to live, ought not only illuminate a concept but also offer guidance as to its application. There are philosophical accounts of blame that attempt to do this. A consequentialist account, for example, might

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11 Of course, whether or not A is blameworthy B should stop loving A. Part of the objection of the last section was that merely ceasing to love A does not amount to blame. Blame probably amounts to something over and above this: greater feelings of resentment and reductions in trust, for example.
say that blame is a proleptic mechanism to enforce better conduct in the future, or is a way of placing a mark on an offender’s moral record. By telling us what blame is, a consequentialist tells us what the aims of blaming are, and thereby explains when it is justified. While such theories do try to offer such directives, they fail because the directives they give aren’t what they ought to be—they recommend blame in scenarios where, substantively, we ought not to blame. An evaluative attitude account may offer directives too. The normativity of the mental offers some scope for extracting normative guidance from an account of the nature of a mental state. No account of a belief, for example, can tell us what a belief is without telling us that beliefs are correct if they represent the facts. Since attitude-types determine their own correctness conditions, a philosophical account of the attitude-types involved in blame might also help to tell us when holding that attitude is appropriate, and what the best expression of that attitude is.

On Scanlon’s theory, blaming someone merely equates to an altering our relationship in light of impairment. Blameworthiness just means that a relationship is impaired. The normative question, ‘what ought blame do to relationships?’, is analysed out of existence, replaced by questions of what reactions the impairing attitudes of one party justify. The analysis of blame itself is therefore silent on what constitutes impaired relations with others, and on what range of reactions are justified in light of that impairment. Given how pivotal blame is to relationships, that is incredibly surprising. The answer to questions of how we justifiably react to others, on Scanlon’s theory, come instead purely from our conceptions of relationships, but I have argued in all three sections that that is not correct. Most of all, as I have argued in the last section, our ideas about when relationships are impaired are already partly dependent upon whether the other party is culpable for their attitudes. If that view is right, and blameworthiness itself justifies alterations of relationships, it opens up the possibility that a better philosophical understanding of blame and blameworthiness helps us better understand when our relationships are impaired, and why.

Acknowledgements: I am grateful to audiences in the Cambridge Graduate Seminar, and the Oxford Graduate Conference, for their useful and trenchant criticism. I would like to thank Simon Blackburn and two anonymous referees from this journal in particular. All the points in this paper are only made in the way that they are because of superb written

12 See, e.g. Karen Jones’ theory of trust in Jones (1996). A theory which says that trust is an affective attitude, she says, will think it correct to trust in different circumstances from someone who thinks that to trust is to have some belief about the reliability of another.
comments from Edward Harcourt, for which I am very grateful. I am also grateful to Tim Scanlon for our discussions about his work.

References:


Abstract

The Mahabharata, an Indian epic poem, describes a legendary war between two sides of a royal family. The epic's plot involves numerous moral dilemmas that have intrigued and perplexed scholars of Indian literature. Many of these dilemmas revolve around a character named Krsna. Krsna is a divine incarnation and a self-proclaimed upholder of dharma, a system of social and religious duties central to Hindu ethics. Yet, during the war, Krsna repeatedly encourages his allies to use tactics that violate dharma. In this paper, I try to make sense of Krsna's actions by analyzing them in terms of categories from Western moral philosophy. I show that Krsna seems to embrace an ethical approach called consequentialism, but that his version of consequentialism differs from Western theories of consequentialism by seeing adherence to dharma as an intrinsic good.

Note: In citing passages from the Bhagavad-Gita in this paper, I cite Zaehner's 1969 translation. In citing passages from the rest of the Mahabharata, I cite two volumes (1973, 1975) of Buitenen's translation, except where otherwise indicated. Where available volumes of Buitenen's translation do not include sections of the Mahabharata that I want to cite, I use Ganguli's 1883-1896 translation.

1. Introduction

This paper's purpose is to situate moral issues in the Mahabharata, an Indian epic poem, in relation to some categories from Western moral philosophy. Some scholars have already tried to do this. For example, Agarwal (1992, pp. 129-142) sees in the Mahabharata a conflict between utilitarianism and a more Kantian approach to ethics. In the Bhagavad-
Gita, a famous section of the Mahabharata, two characters named Arjuna and Krsna discuss the morality of an impending war. According to Agarwal, Arjuna argues as a utilitarian, voicing concern about the consequences of fighting, whereas Krsna tells Arjuna to fight because it is his duty. However, this cannot be the whole story regarding Krsna's moral viewpoint. During the war, Krsna repeatedly urges the Pandavas to violate dharma, or duty, in order to win. In these cases, he does not seem to think that dharma overrides concern about consequences. At the same time, the Mahabharata affirms that adherence to dharma is the most valuable of human goals, and that Krsna's purpose on earth is to restore adherence to dharma. In this paper, I argue that Krsna advocates a form of consequentialism—but one according to which adherence to dharma is good in itself.

The Mahabharata revolves around the legendary Bharata war, a war between two sides of a royal family. These two sides are commonly called the Pandavas and the Kauravas. The Pandavas and the Kauravas are the sons of the princes Pandu and Dhrtarastra, respectively. Dhrtarastra is blind, and his blindness makes him ineligible for the throne. After Pandu becomes king, he accidentally wounds a sage. The sage curses Pandu to die if he engages in sexual activity. Pandu goes into exile with his wives Kunti and Madri, and Dhrtarastra rules despite his blindness. Kunti and Madri bear sons through divine intervention. The gods Indra, Vayu, and Dharma father Kunti's sons, Arjuna, Bhima, and Yudhisthira respectively. The Asvins, divine twins, father Madri's sons, Nakula and Sahadeva. Meanwhile, Dhrtarastra fathers the Kauravas, the eldest of whom is named Duryodhana. The Kauravas are incarnate demons.

Duryodhana wants the throne for himself. However, when the Pandavas return from exile, Dhrtarastra makes Yudhisthira the crown prince. As one might imagine, this creates tension between the Pandavas and the Kauravas. After a failed assassination attempt, a failed partition of the kingdom, and a rather extreme gambling match that results in exile for the Pandavas, the two sides of the family prepare for war. Friends and relatives must take sides in the conflict. Thus, the Pandavas find themselves facing loved ones on the battlefield. The Pandavas “win” the war, but at a horrible cost. Only the Pandavas and a few others survive. Moreover, the Pandavas find themselves resorting to dishonorable tactics in order to win.

1 Technically, both sides of the family are Kauravas (“descendants of Kuru”), for they share an ancestor named Kuru. However, tradition has often reserved the label “Kaurava” for the Pandavas’ cousins, and that is how I will use the term in this paper.
To make matters more disturbing, those tactics are often suggested by Kṛṣṇa, Arjuna’s charioteer, who is an incarnation of the supreme god Viṣṇu and a self-proclaimed upholder of dharma. For example, consider Kṛṣṇa’s treatment of Bhīma, a warrior for the Kauravas. Bhīma knows that Sikhandi, a warrior for the Pandavas, was a woman in his previous life. Kṛṣṇa tells the Pandavas to set Sikhandi on Bhīma. Bhīma refuses to fight Sikhandi, who deals Bhīma a mortal wound. Another example concerns Karna, another warrior for the Kauravas. When Arjuna fights Karna, Karna’s chariot wheel gets stuck. Karna asks Arjuna to let him get his chariot unstuck before continuing with the battle. But Kṛṣṇa reminds Arjuna of Karna’s misdeeds and tells him to kill Karna immediately. During a mace fight between Bhima and Duryodhana, Kṛṣṇa tells Bhima to violate the warrior code by using a low blow.

In light of his divine status, Kṛṣṇa’s apparent disregard for dharma presents a puzzle. Remarking on Kṛṣṇa’s adharmic behavior, Sukthankar calls him “that paradox of paradoxes” (1957, p. 12). The actions of this “devious divinity”, as Matilal (1991, pp. 401-418) calls Kṛṣṇa, create numerous ethical—not to mention theological—issues. In this paper, I try to make sense of Kṛṣṇa’s moral viewpoint.²

2. Intrinsic and extrinsic goods

Before continuing, I must introduce some terminology. First I will distinguish between various kinds of goods. By “goods”, I mean things that are good. Goods are either intrinsic or extrinsic. When I say that X is an intrinsic good or is intrinsically good, I mean that X is good in itself. When I say that X is an extrinsic good or is extrinsically good, I mean that X is good because of its relations to other things. The most obvious examples of extrinsic goods are instrumental goods. When I say that X is an instrumental good or is instrumentally good, I mean that X is a means to other goods.³ For instance, consider money. Money allows one to buy other goods. Thus, money is instrumentally good.

² In writing a two-paragraph summary of a sprawling epic, I have not bothered to support every statement with burdensome and unnecessary citations. However, a published summary of the Mahabharata, which includes most of the details that I mentioned, can be found in Buitenen (1973, pp. xiii-xv).

³ As Anderson (1993, p. 19-20) points out, not all extrinsic goods are instrumental goods. (Anderson uses the term “intrinsic value” where I use the term “intrinsic goodness”, but her point is the same.) Anderson uses the following example to illustrate this point. Suppose that a friend gives me an ugly bracelet as a gift. For me, the bracelet is only an extrinsic good: I value it only because of its relation my friend. Yet the bracelet is surely not a means to achieving other good things. Thus, the bracelet is not an instrumental good.
Note that a thing can be both an intrinsic good and an extrinsic good. Consider happiness. A person regards his happiness as good in itself. Thus, he regards his happiness as an intrinsic good. At the same time, if a person is happy, then he is more likely to benefit others. Thus, a person may also regard his happiness as a means to the good of others. That is, he may also regard his happiness as an instrumental good.

3. Consequentialism, deontology, and dharma

I will now discuss two ethical terms that appear frequently throughout this paper—consequentialism and deontology.

Consequentialism is one approach to ethics. For consequentialists, the sole aim of morality is to produce good consequences. More specifically, consequentialists think that the sole aim of morality is to maximize intrinsic goods. Consequentialists disagree about what counts as an intrinsic good. According to one kind of consequentialism, hedonistic utilitarianism, pleasure is the only intrinsic good. Other consequentialists believe that pleasure is not the only intrinsic good. In fact, some consequentialists regard certain consequences as good apart from their impact on people's welfare. Besides disagreeing about what counts as an intrinsic good, consequentialists disagree about the use of rules. According to act-consequentialism, the right action is whatever action maximizes intrinsic goods. According to rule-consequentialism, right actions are actions that obey certain rules, where the rules have been chosen based on their tendency to maximize intrinsic goods. However, despite their disagreements, consequentialists agree that the point of morality is to maximize intrinsic goods.

4  According to the usual definition, consequentialism seeks to maximize goods or good consequences. However, given our division of goods into intrinsic and extrinsic goods, and our further division of extrinsic goods into instrumental and non-instrumental extrinsic goods, we must specify what kind of goods consequentialism ultimately seeks to maximize. Purely instrumental goods are good only as a means to other goods. Thus, no one, consequentialist or otherwise, is interested in maximizing purely instrumental goods for their own sake. It is less obvious to me that no one would seek to maximize non-instrumental extrinsic goods for their own sake. Nonetheless, consequentialism is generally understood as a moral system whose goal is to maximize intrinsic goods (cf. Anderson, 1993, pp. 30-31: Anderson uses the term “intrinsic value” instead of “intrinsic goodness”, but her point is the same), and I define consequentialism accordingly in this paper. If consequentialism's goal were expanded to include the maximization of non-instrumental extrinsic goods, my main line of argument in this paper would not be much affected.

5  For example, Hurka (1993) advocates a form of “maximizing consequentialism” (p. 55) whose account of what is good in life “should never be expressed in terms of well-being” (p. 17). For discussion and overview see Sinnott-Armstrong 2006.
In contrast, according to deontological ethics, morality is a matter of adhering to duties. For a deontologist, if an action violates a duty, then the action is wrong—even if the action produces intrinsic goods. A deontologist need not believe that duties require no justification. In fact, some deontologists provide sophisticated justifications for duties. For example, Immanuel Kant attempts to derive duties from the very presuppositions that agents make when choosing their actions. Moreover, some deontologists think that, in extreme situations, the need to avoid bad consequences can override duties (Alexander and Moore, 2007). However, to qualify as a deontologist, one must hold that an agent has moral duties that are not justified in terms of their consequences.

What does all this have to do with the *Mahabharata*? In the *Mahabharata*, the concept of *dharma* figures prominently. *Dharma* is a “metaphysically based system of laws, duties, rites and obligations incumbent upon a Hindu according to his class and stage of life” (Dimmitt and Buitenen, 1978, p. 353). The words “order”, “justice”, “morality”, “righteousness”, “virtue”, “custom”, and “ritual” each indicate a part of its meaning (Buitenen 1973, p. xli). Buitenen (1973, p. xli) translates *dharma* as “Law” in his translation of the *Mahabharata*. *Dharma*’s negative counterpart is *adharma*, “non-*dharma*”, which can be roughly defined as violation of *dharma*. (In this paper, I will use the term “dharmic” as an adjective for actions that adhere to dharma and the term “adharmic” as an adjective for actions that violate *dharma*.) We will explore the nature of *dharma* in more detail later in this paper. For now, the following observation suffices. *Dharma* refers at least partly to a person’s “norms of conduct” (Killingley 2003, p. 40), to his duties. Thus, if Krsna advocates adherence to *dharma* irrespective of consequences, then we have reason to classify him as a deontologist. If he advocates dharmic behavior only when, or only because, it produces

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6 A full discussion of Kant’s ethical theory would be out of place here. However, I will provide a brief overview of Kant’s attempt to establish moral duties. According to Kant, I presuppose that I am free whenever I make a choice. Thus, my practical reason—the reason that I use when making choices—must presuppose that my will is free, i.e. not governed by forces outside of it (Kant, 1785, p. 60). If my will is not governed by forces outside of it, then my will must be “autonomous”: it must be governed by laws that it imposes on itself (Kant, 1785, p. 44). But if my will is governed by laws that it imposes on itself, then my choices must all adhere to principles that my will can accept as laws. Or, as Kant puts it, my choices must obey the command “Always choose in such a way that in the same volition the maxims of the choice are at the same time present as universal law” (Kant, 1785, p. 44). Kant seeks to derive all duties from this “categorical imperative”. (To be precise, this is one formulation of the categorical imperative. Kant gives various formulations of the imperative, e.g. “Act in such a way that you treat humanity, whether in your own person or in the person of another, always at the same time as an end and never simply as a means” [Kant, 1785, p. 36]. He claims that these formulations are equivalent to each other.)
good consequences, then we have reason to classify him as a consequentialist.7

4. Krsna and adharmic behavior

In the Bhagavad-Gita, Arjuna faces a dilemma. It is the beginning of the Bharata war. Looking across the battlefield, Arjuna sees his old friends and relatives in the opposing ranks. As he reflects on the oncoming war, he fears that it will produce bad consequences—death, destruction, social collapse, and finally hell for all those involved (Zaehner, 1969, p. 47). However, Arjuna is a warrior, so his dharma includes the duty to fight (Zaehner 1969, p. 50). At face value, this looks like a choice between consequentialism and deontology: on one hand, Arjuna can try to minimize bad consequences by not fighting; on the other hand, he can adhere to his dharma and fight, regardless of the consequences. In response to Arjuna’s dilemma, Krsna urges Arjuna to fight (Zaehner, 1969, pp. 50, 137) without anxiety about the consequences (Zaehner, 1969, p. 51). Thus, as a first guess, we might say that Krsna rejects consequentialism and accepts “a sort of Kantian ethics of duty” (Agrawal, 1992, p. 137), a deontological ethics.

However, this first guess does not work. Throughout the war, the Pandavas repeatedly pursue victory through adharmic means (Sukthankar, 1957, p. 12). In many cases, Krsna is responsible for the Pandavas’ decisions to violate dharma (Matilal, 1991, p. 405). Moreover, at the end of the war, voices from heaven confirm that the Pandavas have killed Bhism, Karna, and others by adharmic means (Goldman, 1997, p. 210). Unfazed by the heavenly voices, Krsna defends the Pandavas’ adharmic actions in the following words:

Ye could never have slain them in battle by fighting fairly! King Duryodhana also could never be slain in a fair encounter! The same is the case with all those mighty car-warriors headed by [Bhism]! From desire of doing good to you, I repeatedly applied my powers of illusion and caused them to be slain by diverse means in battle. If I had not adopted such deceitful ways in battle, victory would never have been yours […] You should not take it to heart that this foe of yours hath been slain deceitfully. When the number of one’s foes becomes great, then destruction should be effected by contrivances and means. The gods themselves, in slaying the [demons], have trod the same way. That way, therefore, that hath been trod by the gods, may be trod by all. (Ganguli, 1883-1896b)

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7 As an aside, I should note here that, in addition to consequentialism and deontology, there is another major approach to ethics in contemporary philosophy—virtue ethics. The term “virtue ethics” covers a variety of different ethical theories that focus on the cultivation of positive character traits or virtues (Hursthouse, 2007). I ignore virtue ethics in this paper. The Mahabharata has a great deal to say on the subject of character and virtue. However, virtue ethics is not centrally relevant to my argument in this paper. In this paper, I argue that Krsna is a kind of consequentialist. As far as I can tell, the main objections to my thesis would rely on passages that suggest that Krsna is a deontologist.
Thus, Krsna clearly believes that adharmic actions can be justified by their good consequences. Therefore, he does not appear to be a deontologist. On the contrary, his defense of the Pandavas’ adharmic behavior seems clearly consequentialist.

At the same time, Krsna’s primary goal is apparently to restore dharmic behavior. In the Gita, Krsna says that he comes to earth “whenever the law of righteousness [i.e. dharma] withers away and lawlessness [i.e. adharma] arises” (Zaehner, 1969, p. 58). Visnu says the same thing in another part of the epic: “Whenever, sage, the Law languishes and Unlaw rears up, I create myself” (Buitenen, 1975, p. 592). (Recall that Krsna is an incarnation of Visnu.) If Krsna’s mission is to restore dharmic behavior, then why does he encourage adharmic behavior?

Here is one possible answer: perhaps Krsna is a “threshold” deontologist (cf. Alexander and Moore, 2007). That is, perhaps he is a deontologist who believes that, in extreme cases, the need to avoid bad consequences can override duties. Suppose that Krsna is a threshold deontologist. Further, suppose that horrible consequences will ensue if the Pandavas lose the war. In that case, Krsna can violate dharma in order to help the Pandavas win the war.

Here is another possible answer: perhaps Krsna values dharmic behavior merely as a means to good consequences. According to the Mahabharata, the rules of dharma are designed to produce good consequences: “Dharma is created for the wellbeing of all creation. All that is free from harm to any created being is certainly Dharma” (Mahabharata, Kama Parvan 69.51, quoted by Khan, 1965, p. 35). Thus, dharmic behavior tends to produce good consequences. In that case, perhaps Krsna has come to earth to restore dharmic behavior, but only because dharmic behavior is a means to good consequences. If so, then nothing prevents Krsna from acting adharmically whenever doing so will produce good consequences.

Both of these proposals have something to be said for them. In fact, perhaps both of these proposals are true of Krsna at different times. I cannot rule out this possibility. The Mahabharata is an epic, not a modern philosophical treatise, and Krsna’s moral viewpoint may not be completely consistent throughout. However, I believe that the text of the Mahabharata suggests another possibility. This possibility makes Krsna a consistent consequentialist, but without reducing dharmic behavior to a mere means.
5. Dharmic behavior as an intrinsic good

According to a widespread Hindu tradition, dharma is one of the purusarthas, or goals of man (Krishan, 1992, p. 53). The other purusarthas are kama, sensual pleasure, and artha, worldly prosperity. Here dharma means not the set of rules called dharma but, rather, adherence to those rules: “As an aim in life, rather than as a rule of conduct, dharma refers to ‘being established in dharma’” (Koller, 1972, p. 131). Thus, according to this tradition, dharmic behavior is one of life’s goals. This tradition appears in the Mahabharata. Moreover, the Mahabharata repeatedly says that dharma is more valuable than kama and artha (Krishan, 1992, p. 62). Thus, at least within the epic, dharmic behavior seems to be the most valuable of earthly goals.

This implies that dharmic behavior is an intrinsic good. If dharmic behavior were good only as a means to other goods, then it would not be one of life’s goals; rather, it would be only a means to those goals. But in the Mahabharata, dharmic behavior is one of life’s goals. Thus, dharmic behavior is not a purely instrumental good. Is dharmic behavior some other kind of purely extrinsic good? That is, does dharmic behavior have value only in relation to other things? This strikes me as unlikely, given the Mahabharata’s claim that dharmic behavior is the most valuable of earthly goals. At any rate, for want of a more plausible proposal, I conclude that dharmic behavior is an intrinsic good.

The Mahabharata’s characters also seem to view dharmic behavior as an intrinsic good. In many cases, they go out of their way to adhere to the letter of dharma. In one passage, the Pandavas trick Drona, a warrior for the Kauravas, into thinking that his son Asvatthaman is dead. At Krsna’s suggestion, they kill an elephant named Asvatthaman and then tell Drona, “Aswatthaman hath been slain” (Ganguli, 1883-1896a). As a result, Drona withdraws from the war to grieve. Now, whether or not the Pandavas had killed the elephant, the outcome would have been the same: Drona would have been tricked into thinking that Asvatthaman was dead. However, truthfulness is a supreme norm in Hindu thought (Buitenam, 1975, p. 177; Goldman, 1997, p. 189; Khan, 1965, p. 204). By killing the elephant, the Pandavas ensure that they are technically speaking the truth when they say, “Aswatthaman hath been slain.”

Why do Krsna and the Pandavas go out of their way to qualify as “truthful” here? After all, their “truthfulness” has no obvious good consequence. A rule-consequentialist might argue as follows: “A rule that requires truthfulness at all times will tend to produce good
consequences. Thus, one should adhere to that rule, even when it is does not appear to have good consequences.” Thus, perhaps Krsna and the Pandavas are rule-consequentialists: perhaps they are always truthful, but only as a means to producing good consequences.⁸ If so, then they view truthfulness as a purely instrumental good. However, I find it implausible that Krsna and the Pandavas view truthfulness as a purely instrumental good. As we have seen, the *Mahabharata* appears to describe dharmic behavior as an intrinsic good. Thus, it seems more likely to me that Krsna and the Pandavas regard the dharmic behavior of truthfulness as an intrinsic good. If they do, then it makes sense for them to go out of their way to qualify as truthful, even when truthfulness has no obvious good consequence apart from truthfulness itself.

Let us consider another example. Arjuna vows to kill anyone who slights his bow. Yudhisthira slights Arjuna’s bow. Naturally, Arjuna does not want to kill his brother. So instead of killing Yudhisthira, Arjuna insults him, because insulting one’s older brother is disrespectful enough to be “like” killing him (Goldman, 1997, p. 190). Because insulting Yudhisthira is in some sense equivalent to killing him, Arjuna is not technically breaking his vow. Why does Arjuna go to such lengths to avoid breaking his vow? Granted, Arjuna refrains from killing Yudhisthira in pursuit of a good consequence, the preservation of Yudhisthira’s life. But Arjuna could have achieved that consequence without insulting Yudhisthira, by simply refraining from killing him. By insulting Yudhisthira, Arjuna suggests that he views the dharmic act of keeping his vow as an intrinsic good.

Again, one could argue that Arjuna is simply being a rule-consequentialist. After all, the rule “Always keep your promises” tends to produce good consequences. Perhaps that is the only reason why Arjuna goes to such lengths to avoid breaking his vow. If so, then Arjuna sees the act of keeping his vow as a purely instrumental good. Again, however, the *Mahabharata* elsewhere seems to describe dharmic behavior as an intrinsic good. Thus, I think it is more plausible to say that Arjuna keeps his vow because he regards the dharmic act of promise-keeping as an intrinsic good.

One might object that dharmic behavior cannot be an intrinsic good in the *Mahabharata*. As we have seen, dharma exists to promote wellbeing: “Dharma is created for the wellbeing of all creation. All that is free from harm to any created being is certainly Dharma”

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⁸ I would like to thank an anonymous referee for pointing out this possibility to me.
(Mahabharata, Kama Parvan 69.51, quoted by Khan, 1965, p. 35). In that case, isn’t dharmic behavior good only as a means to wellbeing? And if it is good only as a means to wellbeing, then isn’t it only an extrinsic good, not an intrinsic good? There is a simple answer to this objection. As we have seen, something can be both an extrinsic good and an intrinsic good. Thus, dharmic behavior can be both an extrinsic good—specifically, a means to wellbeing—and an intrinsic good.

6. Krsna and dharma-consequentialism

Now we can take another stab at understanding Krsna’s moral viewpoint. As we have seen, the Mahabharata’s characters seem to regard dharmic behavior as intrinsically good. If dharmic behavior is intrinsically good, then it is something that a consequentialist would want to maximize. In that case, a consequentialist might violate dharma if doing so would maximize the dharmic behavior of others. After all, a consequentialist might sacrifice his own welfare to maximize others’ welfare. In fact, the upright character Bhisma does precisely that, renouncing sexual activity so that his father can marry a fisher-girl. (For the context of Bhisma’s decision, see Buitenen, 1973, p. 226, and the surrounding passage.) Likewise, if a consequentialist believes that dharmic behavior is intrinsically good, then he might sacrifice his own dharmic behavior in order to maximize the dharmic behavior of others. Thus, I propose that Krsna is a “dharma-consequentialist”, a consequentialist who sees dharmic behavior as intrinsically good.

Interpreting Krsna as a dharma-consequentialist seems to give us everything we want. If the Pandavas lose the war, then adharma will triumph in the world. Thus, as a consequentialist who sees dharmic behavior as intrinsically good, Krsna helps the Pandavas to win the war, even by means of adharmic behavior. Krsna violates dharma for the sake of dharma itself. Thus, his adharmic actions do not conflict with the Mahabharata’s claim that dharma is supremely valuable. Nor do they conflict with his claim that his primary goal is to restore dharmic behavior.

An act-consequentialist may feel inclined to object at this point. If Krsna and the Pandavas are violating dharma for the sake of intrinsic goods, then are they really violating dharma?

9 Does this passage force us to infer that the dharmic action is whatever action will maximize wellbeing? I do not think so. The passage’s literal meaning does not support such an inference. Taken literally, the passage simply says (1) that the rules of dharma are designed to promote wellbeing (hence, we can infer that dharmic behavior tends to promote wellbeing) and (2) that if an action harms absolutely no one at all, then we can rest assured that it is dharmic.
Perhaps Krsna and the Pandavas never actually violate \textit{dharma}. Perhaps \textit{dharma} ultimately commands that an agent do whatever will maximize intrinsic goods. In other words, perhaps the dharmic action is whatever action will maximize intrinsic goods. If so, Krsna and the Pandavas do not violate \textit{dharma} during the war.

I do not think that this suggestion works. Recall that, at the end of the war, \textit{voices from heaven} condemn the Pandavas’ actions (Goldman, 1997, p. 210). Thus, the Pandavas’ actions are apparently adharmic. Yet those actions contribute to winning the war and, thus, to maximizing intrinsic goods. Thus, an action is not dharmic simply in virtue of maximizing intrinsic goods. By winning the war by any means necessary, Krsna and the Pandavas do the right thing from a consequentialist perspective, but they are not thereby doing the dharmic thing.

To understand this point more fully, we must distinguish between Dharma and dharmas. By dharmas, I mean particular duties for particular contexts. The \textit{Mahabharata} refers to many such dharmas. For example, there is a specific \textit{dharma} for warriors, “the Law of the baronage” (Buitenen, 1975, p. 586), which includes fighting (Zaehner, 1969, p. 50), and a specific \textit{dharma} for brahmins (priests), which includes prayer (Buitenen, 1975, p. 586). However, Indian tradition often mentions a single universal Dharma, which deteriorates with the passing of great periods of cosmic time called \textit{yugas} (Creel, 1972, p. 160). According to the \textit{Mahabharata}, this Dharma declines by one quarter with each \textit{yuga} (Buitenen, 1975, pp. 505, 593-594).

What is the relationship between dharmas and Dharma? The concept of \textit{dharma} as a cosmic principle seems to have evolved from the early Indian concept of \textit{rta} (Creel, 1972, p. 157; Khan, 1965, p. 30-34). \textit{Rta} is the cosmic order (Khan, 1965, p. 24). But it has a moral aspect, for people can deviate from the cosmic order: the wicked man does not follow the path of \textit{rta} (Khan, 1965, p. 27). Likewise, in the \textit{Mahabharata}, \textit{dharma} seems

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10 There is some ambiguity here, since Krsna’s divine authority may trump that of the celestial voices. In the \textit{Mahabharata}, Visnu (of whom Krsna is an incarnation) is one of the supreme gods (the other is arguably Siva). Nonetheless, when the voices declare that the Pandavas had acted adharmically, Krsna does not respond by challenging the voices’ understanding of \textit{dharma}. Instead, he simply points out that the Pandavas could not have won by fighting fairly. Thus, it appears that the Pandavas did in fact violate \textit{dharma}.

11 I take this distinction from a lecture delivered by Professor Robert Goldman (South Asian Studies C142, University of California, Berkeley, CA, 9-13 March 2009), which distinguished between “little-d dharma” and “big-D Dharma”.
to be a principle not only of morality but also of cosmic order. As dharma declines, the natural world deteriorates: “The cows will yield little milk, and the trees, teeming with crows, will yield few flowers and fruits” (Buitenen, 1975, p. 587). Thus, it appears that Dharma is a principle of cosmic order, and that the dharmas are the different rules that different people must follow in order to be in harmony with Dharma. As one scholar puts it, “all ordinary human [little-d] dharma is only an aspect of the universal [big-D] dharma, and is justified not in itself, but only in the function of the universal dharma” (Koller, 1972, p. 141). As another scholar puts it, to violate one’s own dharma is “to be out of step with the universe” (Creel, 1972, p. 157).

Now we can explain exactly why Krsna authorizes the Pandavas’ adharmic actions. When Krsna comes to earth, the universe is out of order: demons have incarnated themselves as the Kauravas (Buitenen, 1973, p. 137). To restore the cosmic order—Dharma—the Pandavas must win the war, exterminating the demonic incarnations. Thus, Krsna encourages the Pandavas to violate dharmas when doing so will help them to win the war. By violating dharmas, the Pandavas deviate from the cosmic order themselves, but they help to preserve order in the universe at large.

To grasp this point more clearly, we can use the metaphor of a dance routine. The cosmic order is a huge, coordinated dance routine with many different assigned roles. Demons have started to run amok on the dance floor, interfering with the dance. To save the dance routine from being completely ruined, the Pandavas must stop the demons. But to stop the demons, they must perform actions (e.g. running after the demons) that deviate from their choreography within the dance routine. From a consequentialist perspective, that is exactly the right thing to do: if the cosmic order is intrinsically good, then one should sacrifice one’s own participation in the cosmic order in order to save the cosmic order.

7. Rule-consequentialism in the Gita

However, we should not forget the starting-point of our discussion—the Bhagavad-Gita. In the Gita, Arjuna fears that his fighting will have a negative effect on dharma. If he fights, then the war will proceed as planned. If the war proceeds, then the elders of his family will die. Without the elders, there will be no one to maintain the family’s norms, and its women will mix with men of lower castes. Caste-mixing, in turn, will lead to widespread adharmic behavior (Zaehner, 1969, p. 47). In the situation in which Arjuna finds himself, “the injunctions of svadharma [i.e. individual dharma], therefore, appear […] to be self-
destructive in character” (Santina, 1992, p. 107). Arjuna’s individual dharma demands that Arjuna participate in the war; however, from Arjuna’s standpoint, it appears that the war’s ultimate effect will be to decrease dharmic behavior.

Of course, Arjuna is wrong about this. The battle between the Pandavas and the Kauravas is not a battle between two merely human foes. Instead, it is a battle between incarnate gods and demons. Arjuna’s concerns would be valid if his enemies were mere humans. However, as incarnate demons, the Kauravas must be defeated at all costs. Arjuna is certainly correct in thinking that the war will weaken the social order. However, if the Kauravas are not exterminated, then the social and cosmic order may be utterly destroyed. With his God’s-eye view, Krsna does not encounter any moral crisis (Dubey, 1992, p. 39); he knows what is necessary to maintain dharma. He knows that, contrary to what Arjuna thinks, Arjuna’s fighting will actually help to preserve dharma.

However, this is not quite the argument that Krsna presents to Arjuna. In the Gita, Krsna’s main argument is not that Arjuna’s fighting will help to restore the cosmic order. Instead, Krsna tells Arjuna that he must do the work prescribed by his dharma (Zaehner, 1969, pp. 50, 137) without anxiety over the consequences (Zaehner, 1969, p. 51). This advice sounds deontological. Thus, we face a problem: If Krsna is a consequentialist, as we have argued, then why does he present Arjuna with a deontological-sounding argument?

We can mitigate this problem to an extent by noting that Krsna mentions consequentialist considerations in the Gita. He points out that some of the bad consequences that Arjuna fears—namely, the deaths of his relatives—are outweighed by the intrinsic goodness of dharmic behavior. Krsna reveals that Arjuna is not really killing his relatives when he kills their bodies, for their souls are immortal (Zaehner, 1969, p. 49). Agrawal argues that this revelation makes the deaths of Arjuna’s relatives irrelevant to Arjuna’s decision:

Realizing not only intellectually but deeply, existentially, that the inner self is immortal, Arjuna now feels no grief at the thought of the death of his affectionate and respected ones. […] The result of this new orientation of mind is that certain considerations drop out as irrelevant in determining how to act. Thus, for example, the fact that Arjuna’s dear ones will die in the war becomes irrelevant to the question of fighting a righteous war. (1992, p. 140-141)

I would not go so far. The soul’s immortality does not change the fact that murder is usually wrong. For example, the Mahabharata affirms that the murder of brahmins (priests) is extremely sinful (Buitenen, 1973, p. 134). And, presumably, murder is wrong at
least partly because the preservation of bodily life is good and the loss of bodily life is bad. Thus, the soul’s immortality does not mean that the death of Arjuna’s relatives is morally irrelevant. It simply means that the intrinsic goodness of his relatives’ bodily life is not great enough to outweigh the intrinsic goodness of dharmic behavior. Thus, by adhering to his warrior dharma, Arjuna produces more intrinsic good than he would produce by not fighting. Therefore, when Krsna tells Arjuna to fulfill his warrior dharma without worrying about the deaths that it will cause, he is in fact making a largely consequentialist argument, contrary to appearances.

The problem is also mitigated once we realize that the Gita is not just a set of advice for Arjuna. The Gita discusses many subjects in minute detail—subjects only tangentially related to Arjuna’s dilemma. For example, it discusses the Day and Night of Brahma the creator12 (Zaehner, 1969, p. 73), the different afterlives awaiting different kinds of worshippers (Zaehner, 1969, p. 76), the greater difficulty of contemplating an impersonal God as opposed to a personal God (Zaehner, 1969, p. 88), and the theory of the three constituents of reality, “goodness” (sattva), “passion” (rajas), and “darkness” (tamas)13 (Zaehner, 1969, p. 352). The Gita does not simply present moral advice; it presents a cosmology. If the Gita’s author intended the Gita merely as part of the story of the Bharata war, then this degree of complexity would be odd. After all, Krsna’s long-winded sermon hardly helps to move the plot forward, except insofar as it motivates Arjuna to fight. Thus, the Gita’s author probably intends the Gita largely as a message to ordinary people reading the Mahabharata.

Once we realize that the Gita is intended primarily as a message to ordinary people, we can interpret Krsna as consequentialist even in the Gita. As we have seen, the Pandavas often violate dharma during the war. However, in those cases, they have Krsna—God incarnate—nearby to assure them that their adharmic actions will produce good consequences. Ordinary people do not have God at their side to tell them when it is permissible to violate

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12 Brahma is the creator of the universe, although most contemporary forms of Hinduism do not identify him with the supreme being (Visnu and another god named Siva often receive that honor). The Day of Brahma and the Night of Brahma are vast periods of cosmic time. The universe is destroyed and recreated repeatedly during the Day of Brahma. At the beginning of the Night of Brahma, the universe dissolves completely, to remain “unmanifest” until the next Day. The Day and Night follow each other in an endless cycle (cf. Zaehner, 1969, p. 73).

13 Here I follow Zaehner’s translations of the terms sattva, rajas, and tamas (cf. Zaehner, 1969, pp. 16, 140). I enclose the translations within quotation marks to indicate that they are translations of what the Gita treats as technical terms.


**dharma.** Hence, ordinary people would be most likely to produce good consequences if they simply had a policy of adhering to dharma. As we have seen, the Gita’s author intends the Gita primarily as advice for ordinary people. Thus, he has Krsna preach a policy of unwavering adherence to dharma. In preaching this policy, Krsna is being a good consequentialist: by convincing ordinary people to always follow dharma, he is indirectly producing good consequences.

**8. Rule-consequentialism and dharma-consequentialism**

Before concluding this paper, I must address a final issue. One might think that Krsna’s dharma-consequentialism is simply a form of rule-consequentialism. After all, an individual’s dharma consists of a set of rules. So can’t we simply replace the word dharma with “rule” and conclude that Krsna is a rule-consequentialist? In response to this question, I will make two points.

First of all, the term “dharma-consequentialism” is not simply a synonym for “rule-consequentialism”, a synonym that substitutes the word dharma for the word “rules”. A rule-consequentialist selects rules based on the rules’ tendency to maximize intrinsic goods. He then says that actions must obey those rules. In other words, rule-consequentialism is called rule-consequentialism because it says that right actions adhere to certain rules. In contrast, Krsna’s moral system is called dharma-consequentialism because it says that right actions aim at maximizing global adherence to the rules of dharma; this is very different from saying that right actions themselves adhere to the rules. When Krsna breaks the rules of dharma in order to win the war, he adheres to dharma-consequentialism, but he obviously does not adhere to rule-consequentialism.

Secondly, however, I agree that Krsna’s dharma-consequentialism sometimes takes the form of rule-consequentialism. In the Gita, Krsna advocates strict adherence to dharma without anxiety over consequences. As I have argued, that is because the rules of dharma tend to produce good consequences. So, in the Gita, Krsna does advocate a form of rule-consequentialism.

**9. Conclusion**

The Krsna of the Mahabharata holds a complex moral outlook. He urges the Pandavas to violate dharma, to deviate from the cosmic order. But for Krsna, conformity to the cosmic order, conformity to dharma, is intrinsically good. He urges the Pandavas to violate
Only because their adharmic actions will help to restore dharmic behavior in the universe at large. In short, Krsna is a consequentialist, but he holds a peculiar form of consequentialism in which dharmic behavior itself is intrinsically good.

This dharma-consequentialism probably will not find many adherents in the philosophy departments of Western universities. The majority of Western philosophers are neither Hindus nor Indians. Hence, the majority of Western philosophers do not believe in the principle of cosmic order called dharma. Thus, although many Western philosophers are consequentialists, the content of their consequentialism differs from the content of dharma-consequentialism. Nonetheless, the dharma-consequentialism found in the Mahabharata is a coherent moral theory and represents an alternative to the kinds of consequentialism known in the West.

References:


14 However, some Western philosophers—ancient, medieval, and modern—have argued that human ethics is a function of some sort of cosmic principle. For example, the Stoics claimed that a divine fire permeates and organizes the universe, giving each being its characteristic nature (White, 2003, pp. 133-134), and that virtue consists of living according to one’s nature (Schofield, 2003, pp. 242-243). We may wonder whether any Western philosopher would agree with Krsna’s consequentialist approach to preserving the cosmic order. Does any Western philosopher believe that one should deviate from the cosmic order when doing so will help to keep others in harmony with the cosmic order? Answering this question would require a separate essay. If any Western philosopher did hold such a belief, then his moral theory would be structurally similar to dharma-consequentialism. However, it would not be dharma-consequentialism, because its principle of cosmic order would not be the dharma of Hinduism.


To Know is to be Able to Do

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Abstract
In this paper, I articulate a (somewhat) novel conception of knowledge, one that integrates the most important insights of epistemic contextualism and the idea, for which I am indebted to the later Wittgenstein, that to know this or that is to be able to do something. On my conception, S knows that p if and only if p is true and S is able to Φ (where Φ is a variable determined by the context in which the knowledge claim is made). I contrast my conception of knowledge with epistemic contextualism and an account similar to my own put forward by John Hyman. Unlike the conceptions of knowledge I critique, my account allows us to better understand how the word “know” functions in conversation and what our intuitions track in the Gettier cases.

Here I articulate a (somewhat) novel conception of knowledge, one that integrates the most important insights of epistemic contextualism (“contextualism”) and the idea, for which I am indebted to the later Wittgenstein, that to know this or that is to be able to do something. This conception of knowledge, to be spelled out below, offers a better account of how the word “know” functions in conversation and allows us to better understand what our intuitions track in the Gettier cases.

In the first section, I explicate the core thesis of contextualism and give a reason to believe that the contextualist is mistaken about how the word “know” functions in conversation. In the second section, I present and evaluate John Hyman’s attempt to flesh out the idea that knowledge is an ability. I conclude that Hyman’s theory, while interesting, is problematic. Oddly, Hyman’s theory seems to require that we say that the subjects in the Gettier cases know the proposition in question. In the third section, I articulate my account of knowledge as a contextually-specified ability, citing the advantages of my account over the previously-discussed conceptions of knowledge.
I. Epistemic Contextualism

Contextualism is the view that sentences of the form “S knows the p” are not true absolutely, but only true relative to a context.¹ For the contextualist, context determines the epistemic standard by which the truth of a knowledge claim is to be determined. Here I will only be concerned with ascriber-contextualism, the view that the context that matters in determining the truth-value of a knowledge claim is that of the one who ascribes knowledge to others or to himself.²

To illustrate, say A claims to know that B was in B’s office yesterday. For the contextualist, in a context in which A speaks to B’s co-worker, A most likely speaks truthfully when he says “I know that B was in his office yesterday.” The contextualist would say that in this context the epistemic standards are relatively low. However, argues the contextualist, in another context it may be false that A knows that B was in B’s office yesterday. Assume that C claims that A doesn’t know that B was in B’s office because A is unable to rule out the possibility that the person A saw in B’s office was really B’s twin brother. The contextualist would say that relative to the epistemic standards operative in C’s context, it may be true that “A does not know that B was in B’s office yesterday.” For the contextualist, the knowledge claims of both A and C may be true, relative to the epistemic standards operative in the knowledge-ascriber’s context.³

Some contextualists liken “know” to other context-sensitive terms, such as “tall,” “rich,” and “strong,”⁴ while others argue that we should understand the context-sensitivity of “know” on the model of indexicals like “I” or “here.”⁵ Regardless of how one understands

¹ To be clear, contextualism holds that sentences of the form “S knows that p,” can express different propositions relative to different contexts of use. As such, utterances of sentences of this form may differ in truth-conditions. See Stanley (2005), p.16.

² “Ascriber-contextualism,” is a term Wright uses to distinguish the version of contextualism discussed here from what he calls “subject-contextualism.” Wright (2005), p. 237. For a full explication of ascriber-contextualism, see DeRose (2002).

³ To be clear, ascriber-contextualism should not be confused with relevant alternatives theory (RAT), on which one knows that p if one is able to rule out relevant alternatives to the truth of p. See DeRose (1992). See also Stanley (2008), p. 17. I recognize that on RAT the concept of “relevance” can be spelled out in terms of context, but RAT should not be conflated with ascriber-contextualism.


the contextualist’s claim about the nature of the context-sensitivity of “know,” the contextualist, it seems, is committed to the idea that contextualism makes explicit what is implicit in our use of “know”: reference to an epistemic standard.

For the contextualist, just as one may make implicit reference to a class of individuals when one uses “tall” in the sentence “Jim is tall,” (meaning, say, “Jim is tall (for a fifth-grader)”) or to a location in using an indexical like “here” in the sentence “I’m here” (meaning, say, “I’m at your front door”) we make implicit reference to an epistemic standard when we use the word “know.”

A contextualist approach to, say, “tall” would allow us to make explicit the implicit reference to a class of individuals in our use of the word “tall.” Contextualism about “tall” would allow us to understand how the following, seemingly contradictory, sentence could be true: “Jim is tall, but he’s not tall.” The contextualist about “tall” could say that the sentence could be seen as expressing a truth if the speaker’s implicit reference to a class of individuals is made explicit. In uttering the above sentence, the contextualist about “tall” could argue, one could mean something like the following: “Jim is tall for a fifth-grader, but not tall when compared to the kids he will encounter at basketball camp.” This latter sentence is intelligible and not the least bit problematic.

As Crispin Wright points out, one of the main attractions of contextualism is that it allows us to settle the dispute between the skeptic and the anti-skeptic without siding with either view.6 The skeptic claims, for instance, that John does not know that he works for General Motors and John, our anti-skeptic, claims to know that he works for General Motors. For the contextualist, once we make explicit the implicit reference to an epistemic standard in the skeptic’s and in the anti-skeptic’s use of “know”, we are able to see that the dispute between the skeptic and anti-skeptic is only apparent.

For the contextualist, we can understand the skeptic’s statement as follows: “John does not know, relative to the standards operative in a court of law [or, of course, the philosophy classroom], that he works for General Motors.” While we can understand John’s claim as follows: “I know, relative to the standards operative in day to day conversation, that I work for General Motors.” Understood in this way, the contextualist argues, we need not see the skeptic and anti-skeptic as asserting contradictory claims.

6 See Wright (2005).
Also, for the contextualist, we need not see the following sentence as contradictory: “I know that I work for General Motors, but I do not know that I work for General Motors.” It should be obvious at this point why this is true. For the contextualist, we could understand the speaker who uttered this sentence as saying something like the following: “I know relative to the standards operative in day to day conversation that I work for General Motors, but I do not know that I work for General Motors relative to the standards operative in a court of law.” In fact, the contextualist himself is committed to the truth of a statement of this type. The contextualist claims that John knows that he works for General Motors relative to a low epistemic standard, yet does not know relative to a high epistemic standard. In this way the contextualist acknowledges that both the skeptic and John, the anti-skeptic, are correct.

There is, however, a problematic disanalogy between the contextualist’s statement about John’s knowledge and the above sentence which purports to make explicit the implicit reference to a class of individuals in a speaker’s use of “tall.” This disanalogy gives us reason to question the contextualist’s thesis.

In conversation, it would be immediately clear what one means to do with one’s words in uttering a sentence which makes explicit the implicit reference to the context-sensitivity of its terms. In conversation, it would not be immediately clear what one meant to do with one’s words in uttering a sentence which purports to make explicit the context-sensitivity of “know” in a sentence like “I know that I work for General Motors, but I do not know that I work for General Motors.” Thus, we have reason to believe that the contextualist is mistaken about how “know” functions in conversation—mistaken, that is, in holding that we make implicit reference to epistemic standards when we use the word “know.”

It is clear what a parent would mean to do in saying to a coach, “Jim is tall for a fifth-grader, but not tall when compared to the kids he’ll encounter at basketball camp.” Here the parent would (likely) mean to express her worry that Jim will be overshadowed or intimidated by the kids he’ll encounter at basketball camp. I take it that the same is true for utterances of sentences which make explicit the implicit reference to contextual standards in our use of “fat,” “flat,” “rich,” and “strong.” Additionally, this pattern holds in the case of indexicals. It would be immediately clear what one meant to do in uttering “I, John Smith, promise to clean the office once a week” or “We’re here! In the parking lot, that is.”

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7 I take the notion of doing something with one’s words to be a relatively simple one. We do many things with our words. For example, we use our words to warn others, express doubt, express excitement, inform, and congratulate.
On the other hand, consider one who utters “I know relative to the standards operative in day to day conversation that I work for General Motors, but I do not know that I work for General Motors relative to the standards operative in a court of law.” I claim that there is no conversational context in which one could utter the above sentence and in which it was also immediately clear to one's interlocutor what one means to do with one's words. This is so because to specify a context in making a knowledge claim is to qualify one's claim. But if one takes it that one's knowledge claim should be qualified or discounted in some way, one would not (typically) claim to know. One cannot claim to know and qualify one's knowledge claim and have it be immediately clear to one's interlocutor what one means to do with one's words.

To see this, imagine a conversational context in which one would need to claim to know one's place of employment. Imagine that John has been in a bad car accident and has a slight case of amnesia. The nurse asks John if he can give her any information that would allow her to discern his identity. In response to this question, John utters the above sentence. It would not be immediately clear to the nurse what John means to do in uttering this sentence. John seems to make a knowledge claim and then qualify it. But if John were uncertain about where he worked, it seems that he would simply say “I think I work at General Motors, but I'm not positive.” And if John were certain that he worked for General Motors, he would not make a qualified knowledge claim, but would simply assert that he works for General Motors. In this conversational context, it would not be immediately clear what John wished to express. The nurse's response to John's statement would likely be to ask for clarification. She would likely question John: “So, what are you telling me? Do you work for General Motors or not?” It would not be immediately clear what John means to do with his words in this context.

Now one could object that all my argument shows is that we should not understand the context-sensitivity of “know” on the model of terms like “flat,” or “tall,” but on that of the indexical. For the most part, sentences that make use of indexicals can only reference one context. While one can intelligibly say “Jim is tall for a fifth-grader, but not tall when compared to the kids he'll encounter at basketball camp,” it makes little sense to say “I, John Smith, promise to clean my (Tom Brown's) office once a week” or “We are here, in the

8 I qualify this claim because one can intelligibly say “Put the couch here (pointing to the corner) and not here (pointing to the opposite room)."
parking lot, that is, and it is hot out here, in the Sahara desert, that is.” If “know” is context-sensitive in the way that indexicals are context-sensitive, then the sentence, “I know that I work for General Motors, relative to the standards operative in day to day conversation” should be immediately intelligible in conversation just as “We’re here! In the parking lot, that is” is immediately intelligible in conversation. But this is not the case.

Recall the above context in which John would need to claim to know that he works for General Motors. To the nurse’s question, John responds “I know that I work for General Motors, relative to the standards operative in day to day conversation.” It still seems that what John means to express would not be immediately clear to the nurse. The nurse would wonder why John felt the need to seemingly qualify his knowledge claim. She would wonder, I think, whether John thinks that there is anything else she should consider before accepting his knowledge claim. The nurse would also wonder why, if John was not positive that he worked for General Motors, he would not simply say “I’m pretty sure I work for General Motors, but not certain.” Thus, even if we model the context-sensitivity of “know” on that of the indexical, we have reason to believe that the contextualist is wrong about how the word functions in conversation.

II. Hyman’s Theory of Knowledge as Ability

John Hyman believes that both Gettier’s attack on the true justified belief definition of knowledge and the lack of philosophical consensus on what species of belief knowledge could be give us reason to opt for an alternative approach to understanding knowledge. He urges that we should view knowledge as a species of ability.9

In “How Knowledge Works,” Hyman develops a generalized theory of what he calls “personal propositional knowledge,” or the factual knowledge possessed by individuals. For Hyman, “knowledge is the ability to act, refrain from acting, to believe, to desire or doubt for reasons that are facts.”10 To be clearer, for Hyman, S knows that p iff S is able to take p as a reason to act, refrain from acting, believe, desire or doubt. On this theory, if one is able to, say, set one’s alarm clock for 6am because one has a meeting in the morning, one knows that one has a meeting in the morning. Similarly, on this theory, if one is able to doubt that one’s friend will show up to the meeting on time because the friend is usually

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late for meetings, one knows that the friend is usually late for meetings. In each case, the knower is able to take a given true proposition as a reason to act or believe.

Hyman contrasts the ability to act for reasons that are facts with the ability to act for reasons that are beliefs. Hyman says that the difference between one who knows that George Washington was the first U.S. President and one who merely believes that Washington was the first president is that in explaining the actions of the former, we must cite the fact that Washington was the first president, whereas in the second case, we only need to cite the belief that Washington was the first president.11 One could take the belief that Washington was the first president as a reason to act even if it were not the case that Washington was the first president. But one could not act because Washington was the first president unless it is true that Washington was the first president. Hyman's account preserves our intuition that one can only know p if p is in fact true, but identifies knowledge of p with the ability to take p (as opposed to the belief that p) as a reason to perform any of a range of actions.

Hyman's theory is also supported by an account of reasons. For Hyman, and others, reasons are premises that can figure into practical and theoretical reasoning. Also, reasons are facts or truths (as opposed to, say, mental states or requests).12 For Hyman this latter condition for something’s being a reason is supported by the fact that explanations involving reasons are factive. That is, “A Φed because p” (where p is taken to be a reason) implies that p. Additionally, according to Hyman, we can see that requests and mental states cannot be reasons by noticing that requests and mental states cannot complete sentences which purport to specify a person's reasons for acting. Take, for example, the following request: “John's request that A Φ.” For Hyman, it makes no sense to say “A Φed because John’s request that A Φ” (or “A Φed because A’s belief that p” for that matter). Hyman contends that we must instead say “A Φed because John requested that he Φ,” and here we take “John requested that he Φ” as a fact, not a request.

Again for Hyman, S knows that p iff S is able to take the truth of p as a reason to do any of a number of things.

11 Ibid, pp. 444-446.
12 Ibid, pp. 442-443. I note that this contention, that is, that reasons are facts, makes it hard to understand why Hyman defines knowledge as the ability to act for reasons that are facts. What other types are reasons are there? Perhaps Hyman simply wishes to distinguish a person's acting because p from action because the person simply believes that p.
a. Hyman's theory of knowledge and the Gettier problem

As stated above, Hyman tells us that the inability of belief-centered definitions of knowledge to deal with the Gettier problem counts as a reason to prefer his account. But his account of knowledge no better deals with the Gettier problem than those theories he critiques.

Consider a version of the Gettier counterexample. Say Henry is watching the Wimbledon men's finals on television and the television shows that McEnroe beats Connors. Henry infers from this that McEnroe is this year's Wimbledon champion. Unbeknownst to Henry, the cameras at Wimbledon have ceased to function and the television shows a recording of last year's men's final, in which McEnroe beats Connors. But McEnroe has beaten Connors and is this year's men's champion. Thus, Henry has a justified true belief that McEnroe is this year's Wimbledon men's champion, but it does not seem that Henry's belief amounts to knowledge.13

On Hyman's account, it seems, we must say that Henry knows that McEnroe is this year's Wimbledon champion. This is so because Henry is most likely able to take this fact as a reason to believe, say, that McEnroe will receive the prize money which is awarded to the Wimbledon champion. Hyman's account is not able to explain what may be going wrong in the Gettier counterexamples.

Hyman takes it that his account does not commit him to the view that persons in the Gettier cases know the proposition in question. In explaining why Henry believes that McEnroe will receive the prize money, Hyman claims, it would be a mistake to cite the fact that McEnroe is this year's champion. Instead, Hyman says, we should cite the fact that Henry believes that McEnroe is this year's champion in explaining why he believes that McEnroe will receive the prize money.14

However, it is not clear why Hyman takes this to be the case. It is clear why it would be wrong to cite the fact that Thomas Jefferson was the 14th President to explain why one, say, gave the answer “Jefferson” to the question “Who was the 14th President?” This is so because it is simply not true that Jefferson was the 14th President. Likewise, it is clear to see why it would be wrong to cite the fact that the Pittsburgh Steelers are the winners of

13 This version of the Gettier counterexample appears in Dancy (1985), p. 25.
the next Superbowl as one’s reason for betting that they will so win. Even if the Steelers will win the next Superbowl, that the Steelers won Superbowl XLVI is not a fact that can be known at this point. In each case, the agent’s action is properly explained by citing the agent’s beliefs, not the facts believed.

But, in the Gettier cases, there is a fact that can be known in play. We usually explain one’s action by citing a belief rather than a fact to indicate that what is believed is not true, or that its status as true is in question. (For example, assume the party starts at 12pm. A: Why did she come so early? B: Because she believed that the party started at 8pm).

In the Gettier cases, however, there is no need to indicate that what is believed is not true or that its status as true is in question in explaining Henry’s action. A third party explaining Henry’s action, presumably, knows that McEnroe is this year’s champion and knows that Henry believes this because Henry believes that he (Henry) watched McEnroe win this year’s championship. It is not clear why one would need to cite Henry’s belief, and not that fact that McEnroe is this year’s champion to explain why Henry believes that McEnroe will receive the prize money.

To see this, imagine the following conversation in the following situation. A knows that Henry believes that McEnroe will receive the prize money. A also wants to know if she should so believe. B knows how Henry came to his belief. A asks: “Why does Henry think that McEnroe will receive the prize money?” B responds: “Because McEnroe is this year’s Wimbledon champion.”

Of course, one could cite Henry’s belief instead of the fact in question in this case in explaining Henry’s action, but to do so, in this context at least, would be to give one’s interlocutor a reason to think that what Henry believes is not (or may not be) true.

But, clearly, explaining the actions of persons in Henry’s position is not something that we often have reason to do. It is just not the case that we often find ourselves in a position in which we must explain the actions of another involved in a Gettier-type situation. If we did find ourselves in such a position, and wished to inform our interlocutor that there is something suspect about the way in which Henry came to his belief, I think the appropriate thing to do would be to simply explain how Henry came to his belief and not simply to cite his belief, instead of the fact believed, in explaining Henry’s action(s).
Thus, Hyman is just wrong to think that it would be wrong (or inappropriate) to cite the fact that McEnroe is this year’s champion in explaining Henry’s action(s). One could cite Henry’s belief instead of the fact believed, but one is not forced to do so by any rules of propriety or any fact about the world. Thus, Hyman does not give us a good reason not to conclude that persons in Gettier-type situations know the facts in question given his theory of knowledge.

Of course, Hyman is free to say that our intuitions about the Gettier cases are just mistaken, that we are just wrong to think that Henry does not know that McEnroe is this year’s champion. But something is certainly amiss in these cases and most people are able to pick up on this, concluding as a result that Henry does not know. Hyman’s theory suffers to the extent that it does not explain what our intuitions are tracking in the Gettier cases – that is, why our intuitions are as they are. Given our intuitions, we have reason to seek an alternative account of (personal propositional) knowledge – one that either matches our intuitions about the Gettier cases, holds that our intuitions are mistaken and explains why this is the case or, at least, provides a plausible explanation of what are intuitions are tracking in these cases.

III. Knowledge as a Contextually-Specified Ability

Like Hyman, I was inspired to explore the idea that knowledge may be a type of ability by a remark of Wittgenstein’s in the *Philosophical Investigations*. At § 150 Wittgenstein remarks that “…the grammar of the word ‘knows’ is apparently closely related to that of ‘can,’ ‘is able to.’” Hyman takes it that with this remark Wittgenstein sets a task for future philosophers – that of specifying which ability or abilities knowledge consists in. However, my view, to be spelled out below, is closer to the spirit of Wittgenstein’s remark. For Wittgenstein does not say that knowledge *is* a type of ability, but that the grammar of the word “knows” is closely related to that of “can” and “is able to.” I take Wittgenstein to mean here that one who claims to know can also be understood, in many circumstances, as claiming to be able to do something. And, when we inquire into whether someone knows, we inquire into whether that person can perform certain tasks.

Inspired by Wittgenstein, I now articulate an account of knowledge that integrates the contextualist’s insights and is able to explain what may be going wrong in the Gettier

15 Wittgenstein (2001), § 150.
cases. In many cases, we would do better to understand knowledge as follows: S knows that p iff p is true and S is able to Φ (where Φ is a variable determined by the context in which the knowledge claim is made). In the remainder of this section I attempt to make clear what this conception of knowledge amounts to through an analysis of several imagined situations (contexts) in which one would make a knowledge claim or inquire into whether another knows this or that.

Imagine that a friend and I are trying to figure out if we have enough time to set up for our friend’s surprise birthday party before he returns home from a football game. I say: “Well, I know the game starts at seven, so he’ll probably be home at around 10:30.”

On my theory, what I say is correct (that is, I know that the game starts at seven) if the game will in fact start at seven and I am able to do something specified by the context in which I make my knowledge claim. In this context I take it that I only know that the game starts at seven if I am able to give my friend reasons, appropriate to the situation, to believe that the game starts at seven. If my friend asks: “How do you know that?” I should be able to respond with a situation-appropriate answer. I could say “I checked the schedule this morning” or “My coworkers are going to the game as well and they were making a big fuss today about being able to leave work in time to make the seven o’clock kickoff.” If I am unable to give such reasons, my friend should conclude that I don’t really know that the game starts at seven, but am likely simply assuming the game starts at seven.

Recalling Wittgenstein’s remark, while, in the example, I claimed to “know” that the game starts at seven, I could have just as easily, and with the same effect, said: “I can assure you that the game starts at seven.” In this way, we see that the grammar of “know” is closely related to that of “can” and “is able to.” In the case in which I claim to know and the case in which I claim to be able to give you assurance, I commit myself to the truth of the claim that the game starts at seven and to being able to give reasons to believe that I am correct.

16 I don’t take myself to have here provided a definition of knowledge. I don’t think such a definition exists. I claim only that we would do better, in many circumstances, to understand knowledge as I suggest.

17 Notice too that I am not simply endorsing an internalist view about epistemic justification. This so because 1) it may be the case, on my view, that one does not know this or that, but is aware of what facts justify one’s belief. In some context, knowing is constituted by being able to recall one’s grounds for justification when asked. And because 2) it is not the case that in every context one must be aware of one’s grounds for belief to count as knowing.
Imagine now that you and I are driving away from a park at which we have spent most of the afternoon. I realize that we have driven off without your dog. I alert you to this fact. You remark: “Don’t worry. I’m only five minutes away at 456 Main Street and he knows where I live.” Again, your dog knows where you live if you do in fact live at 456 Main Street and the dog is able to do something specified by the context in which you make the knowledge claim. Here your dog must be able to find his way back to your house to count as knowing where you live. Here, you could have, to the same effect, said: “Don’t worry. He can find his way home.”

With this third and final example, I hope to tie my account of knowledge to a conception of knowledge we find early on in the Western philosophical tradition. Recall that Socrates famously remarks in the Apology that he is the wisest man in Athens not because he knows many things, but because, unlike his compatriots, he knows that he does not know, while his fellow Athenians take themselves to be knowledgeable.18

It is not immediately clear, however, what conception of knowledge Socrates relies on in this case. In many of the Socratic dialogues, Socrates concludes that his interlocutor is not wise, not as knowledgeable as was originally supposed, because the interlocutor is unable to provide an unproblematic definition of a contested concept. I contend that in this context Socrates relies on a conception of knowledge as ability – namely, the ability to give a satisfactory account of a particular concept (piety or truth, for instance). For Socrates, one knows what piety is if there is in fact something picked out by the term “piety” and one can provide a definition of piety that can withstand critical reflection. For Socrates, to know is to be able to do something.

On my account of knowledge as ability, the ability that is taken to constitute knowledge varies from context to context. In the first example, the knower must be able to provide reasons to believe that the football game will start at seven. In the second, the knower (your dog) must be able to find his way back to your house. And in the third, one must be able to provide a satisfactory account of a particular concept to count as knowing. One cannot specify a priori which abilities constitute knowledge. In order to determine what abilities constitute knowledge in a given instance, one must look closely at the situation in which the knowledge claim is made and determine what the speakers take themselves to be saying in claiming to know or in claiming that others know. Only then will one be able

to determine who knows what.

a. My account of knowledge and the Gettier problem

I mentioned above that my account of knowledge is better able to explain our intuitions about knowledge in the Gettier cases than that of Hyman. In this section I explain why this is the case.

According to my account, we cannot determine whether Henry knows that McEnroe is this year’s Wimbledon champion until we stipulate a context in which Henry’s knowledge would be at issue. Only then will we be able to specify the ability (or abilities) that should be taken to constitute Henry’s knowledge. I will now specify a context for the question “Does Henry know that McEnroe is this year’s Wimbledon champion?”

Say you and I are trying to figure out who won this year’s Wimbledon championship. You say to me: “Henry watches the tournament every year. Does he know who won?” I know that Henry has only watched a recording of last year’s final and believes that McEnroe is the champion on this basis. I respond to your question: “Yes, Henry does watch the tournament every year, but the camera’s at Wimbledon weren’t working this year. Henry only watched a recording of last year’s final. He believes that McEnroe won, but he doesn’t know who won.”

Here Henry’s knowledge consists in his ability to provide a reason to believe that McEnroe is this year’s champion other than the one he currently relies on. Thus, in this context, Henry knows that McEnroe is this year’s champion if he is able to cite, say, the fact that this morning’s newspaper reports that McEnroe is this year’s champion as the reason for his belief.

Note, too, that in another context, it would be correct to say that Henry does know that McEnroe is this year’s champion. Say our friend, Jenna, dislikes McEnroe very much and throws a fit every time he wins a tennis tournament. Assume too that Henry plans to visit Jenna. Concerned for Henry’s safety, you ask me: “Does Henry know that McEnroe is this year’s Wimbledon champion?” I respond: “Yes. He knows.”

Here Henry’s knowledge consists in his ability to structure his activities around the fact that McEnroe is this year’s champion. In saying that Henry knows in this context, I say that he visits Jenna with the awareness that she will likely be upset and that he is able to
brace himself for Jenna's behavior. Here, that Henry is involved in a Gettier-type situation is neither here nor there.

My conception of knowledge does not require that we say that subjects in all Gettier cases either know or do not know the proposition in question. I hold that what we should say about the subjects of these cases turns on contextual factors. My conception of knowledge does, however, provide a plausible explanation of our intuitions about these cases. When we claim to know, we claim to be able to do something. Our intuitions track the abilities that we take to constitute knowledge in the Gettier cases.

IV. Conclusion

We have seen that contextualism is problematic because “know” does not seem to function as the contextualist imagines. In conversation, it would be immediately clear what one means to do with one's words in uttering a sentence which makes explicit the implicit reference to the context-sensitivity of terms like “tall,” or “rich.” But this pattern does not hold for utterances of sentences which purport to make explicit the implicit context-sensitivity of “know.”

We have seen also that Hyman's theory of knowledge as an ability is problematic because it does not allow us to explain what goes wrong in the Gettier cases. Adopting Hyman's view seems to commit us to the claim that subjects in the Gettier cases know the proposition in question.

I proposed that we understand knowledge as a contextually-specified ability. On this conception, S knows that p iff p is true and S is able to Φ (where Φ is a variable determined by the context in which the knowledge claim is made). Integrating the insights of contextualism and Hyman's view, my view allows us to better understand what it is we do in claiming to know (or that others know) and allows us to understand what our intuitions track in the Gettier cases.

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ON THE RESCUING OF RIGHTS IN FEMINIST ETHICS: A CRITICAL ASSESSMENT OF VIRGINIA HELD’S TRANSFORMATIVE STRATEGY

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Abstract
The following paper focuses on Virginia Held’s account of human rights. First, I provide an exegetical account of the feminist critique of rights. I then draw out and consider some of the tensions, differences, and challenges that exist between an ethics of care and an ethics of rights. Finally, I critically assess Held’s response to the feminist critique. Held’s contribution to an ethics of care signifies one noteworthy strategy for rescuing rights. Her transformative strategy is compelling, but her limited conceptualization of rights inclines her to opt for an approach that ‘fits’ rights within a framework of care. I argue that Held’s attempt to rescue rather than abandon rights by narrowly characterizing rights as a subset of care weakens the potential role of rights. A rescue effort that reclaims rights as moral practice embodying the values of care and justice would better serve Held’s transformative strategy.

“Feminism is a revolutionary program, since it is committed to overthrowing the deepest and most entrenched hierarchy of all – the hierarchy of gender. It does not seek to substitute women for men in the hierarchy of domination but to overcome domination itself. The care that is valued by the ethics of care can – and to be justifiable must – include caring for distant others in an interdependent world, and caring that the rights of all are respected and their needs met. It must include caring that the environment in which embodied human beings reside is well cared for. The ethics of care will strive to achieve these transformations in society and the world nonviolently and democratically but with persistence.”

(Virginia Held, The Ethics of Care: Personal, Political, and Global)1

1 Held 2006, p. 66.
Introduction

Feminist ethicists have advanced one of the most important and sustained critiques of contemporary human rights. Narrowly defined liberal rights continue to reflect masculine interests and reinforce patriarchy, yet the potential of a more substantive moral conception and practice of rights that helps transform oppressive attitudes and institutions has inspired many feminists to rescue rather than abandon rights. Virginia Held's work has focused on the relations between justice and care and her contribution to the development of an ethics of care signifies one noteworthy strategy for rescuing rights.

In the following paper I focus on Held's account of human rights by specifically asking whether she effectively responds to the feminist critique. Care ethics is a promising and powerful corrective to traditional moral theory. With her work Held seeks to accommodate, while critically interrogating, an account of rights meant to fit within a globalized ethics of care. Out of sympathy with her transformative strategy I argue that her limited characterization of rights weakens the potential role of rights in contributing to her transformative vision. A rescue effort that reclaims rights as far-reaching moral practice embodying the values of care and justice, rather than one that limits rights to the procedural domain of state law, would better serve Held's transformative strategy.

The Feminist Critique of Rights

Rights are central to the language and issues of justice though sometimes rights and justice are characterized as conflicting ideals. Rights-based approaches to justice help connect our understanding of these concepts by making equality of rights a primary requirement of any just order. How rights are conceived to empower individuals directly informs the requirements we place on political institutions to achieve and reflect the demands of justice. Rights can be thought of as protections, entitlements, and/or claims, and can be negative or positive, legal or moral. There is a vast philosophical literature on rights that features many different and competing understandings of the concept of rights (for a very small representative sample see, for example, Edmundson, 2004, Gewirth, 1996, Gewirth, 1982, Gorman, 2003, Griffin, 2008, Held, 1998, Orend, 2002, and Talbott, 2005). While my present aim is critical, briefly stipulating my own understanding of rights will help define my terms and demarcate what I take to be a more substantive conception from the more narrowly defined liberal rights feminists primarily and rightly criticize.
A comprehensive theory of rights focuses on the most important questions concerning their application, content, justification, meaning, and relations to other values. (Gewirth, 1982, p.ix) As a first approximation, rather than a detailed systematic account, I offer a brief working conception of rights in terms of what justifies rights, how rights are defined, and how we ground the specific content of rights. Rights are justified by an ethical argument about the valued capabilities of individuals and should entail, as well as emphasize, the interdependence of civil and political liberties and economic and social rights (for the capabilities approach upon which my account is based see, for example, Nussbaum, 2006, Sen, 2009). As an underlying starting point, fundamental assumption, or primitive diagnosis of value I claim that since there is an inherent value and dignity to life, irrespective of one's nationality, race, sex, or species membership, each individual is fundamentally entitled to the opportunity to live a life worthy of that value and dignity. Having a right means having a fundamental entitlement to a certain level of capability to function. That is, having a right means being entitled to be empowered with the genuine opportunity to live a life of dignity by being able to do certain things and by being able to be a certain way, above a minimum threshold. As fundamental entitlements rights are prepolitical moral claims, not merely artifacts of laws and institutions. The contents of rights are grounded in our reasoned judgment of a species’ moral value generally and, more specifically, in our best determination of what basic capabilities must feature in an individual life so that we can reasonably say her actual life is sufficiently dignified. In my view, securing a right is an affirmative task, not simply a matter of negative liberty where rights are regarded as secured if the state – or anyone in a position to help – refrains from interference on the matter. To properly respect rights is to value the realization of rights such that the responsibility to defend, secure, or uphold rights falls on whoever is in a reasonable position to do so. This focus on the central moral importance of rights, including their immediate practical significance for individuals, their cosmopolitan flavour, their explicit connection to responsibility and well-being, and their inclusion of non-human animals within the sphere of justice is what makes them a powerful and integral ally to an increasingly global ethic of care, not just a limited and subordinate formal resource. It also has the distinct advantage of emphasizing the expression of a plurality of values in the very practice of rights.

Rights have been highly criticized from many perspectives. Feminist critiques of rights have in particular been some of the most probing and extensive. There are a wide range of feminist criticisms of the meaning, nature, and use of rights, and the following section
offers a brief summary of the major recurring themes that emerge from these otherwise varied and diverse criticisms. Held characterizes the feminist critique of rights as twofold. The feminist critique of rights emerges from skepticism about traditional rights-based moral theories and demonstrates the manner in which actual legal systems utilize rights to reinforce patriarchy and oppressive power structures. Mainstream liberal rights have come under the heaviest criticism for their emphasis on impartial justice, individual autonomy, and the separateness of persons. The feminist critique of rights regards the traditional liberal understanding of rights as overly individualistic, as obfuscating the real political issues, and as isolating people from one another. Fiona Robinson maintains:

Rights-based ethical theory is based on untenable assumptions about human rationality and the universality of human nature; it is an abstract impersonal, rule-oriented morality which obfuscates the social and political dimension of global moral problems, and which can tell us remarkably little about who or what is responsible for ensuring that the claims of rights-holders are met. (1998, p.60)

Mainstream rights theories, it is argued, remain too general and impractical, restricted to a limited range of abstract moral problems, void of contextual details and often restricted to negative obligations of non-interference (Brennan, 1999, pp.262-264). Catherine MacKinnon argues that by encouraging a detached, procedural, and legalistic account, dominant rights discourse promotes an ideological commitment to the external rules of authority and with it a defense of patriarchy:

In the liberal state, the rule of law – neutral, abstract, elevated, pervasive – both institutionalizes the power of men over women and institutionalizes power in its male form … [M]ale forms of power over women are affirmatively embodied as individual rights in law … abstract rights authorize the male experience of the world. (MacKinnon, 1989, pp.238-248)

Peterson and Parisi (1998, p.144) argue: “The masculinist state institutionalizes and sustains gender hierarchy – which denies women equal ‘human’ rights – both directly and indirectly.” By equating the practice of rights with obedience to the rule of law we risk authorizing and reinforcing conventional morality and the traditional power structure. By equating moral rights with rational calculation, dutiful conformity to principle, and the illusion of autonomous moral action free of dependency and power imbalances we also risk adopting a self-interested atomistic and adversarial outlook detached from others as related possessors of moral value. In Nel Noddings’s (1984, 47) words, if we “come to rely almost completely on external rules [we] become detached from the very heart of morality: the sensibility that calls forth caring.” Feminist critics have argued that thinking in terms of rights reinforces this divisive tendency to think of ourselves as separate from
and in conflict with others (Brennan, 1999, p.267). As Carol Gilligan (Gilligan, 1982, p.22) has suggested, “a morality of rights and noninterference may appear frightening to women in its potential justification of indifference and unconcern.” Coupled with the tendency of traditional rights theory to overlook or neglect large domains of women’s experience, including mothering and care giving, moral theories of rights may also appear to exist to benefit and reflect the interests of men: “Most feminist critiques of human rights focus on this androcentrism and argue that, ostensibly, human rights are in actuality men’s rights. As a consequence, exclusions, constraints and abuses more typical of women’s lives are neither recognized nor protected by human rights instruments.” (Peterson and Parisi, 1998, p.132) In this sense human rights are argued to express male bias, privileging male power and experience while neglecting women’s oppression and downplaying women’s concerns. This privileging in turn reinforces a public/private dichotomy that relegates women’s moral concerns to the private realm while valuing what is male as important and public, rendering women’s moral concerns separate from and secondary to the broad requirements of justice and public morality.

**The Ethics of Care and Human Rights**

The ethics of care has developed, in part, out of dissatisfaction with traditional moral theory and is often juxtaposed with an ethics of justice. Whereas the justice approach is characterized as an impersonal and impartial morality based on abstract universal principles such as rights, the care approach acknowledges the existence of relationships of dependency, emphasizing the importance of caring for, helping, and expressing concern for others. As Brian Orend (2002, p.173) notes, “[c]are for others means sympathizing with them and supporting them, helping them develop their skills, being committed to a personal connection with them based on trust and mutual respect, taking on responsibility to do what one can to ensure their well-being.” Since we are not all equal, independent, autonomous, adult, rational agents of traditional moral theory, such theory is unhelpful in addressing practical moral issues that arise within the context of relationships, especially relationships of dependency involving unequal vulnerability. Traditional moral theory contributes to the view that women are morally deficient according to the scale of moral development developed through empirical interview-based study by Lawrence Kohlberg (see Kohlberg, 1981). On Kohlberg’s scale the indifferent and impartial autonomous rational man is placed at the top: “The morality of responsibility which women describe stands apart from the morality of rights which underlies Kohlberg’s conception of the highest stages of moral judgment.” (Gilligan, 1977, p.509) Gilligan famously criticized this
traditional model for largely disparaging and excluding the concerns and experiences of women. She argued for an alternative model that characterizes women's conceptions of self and morality in a different feminine voice than an ethic of justice modeled on male moral judgment:

The moral imperative that emerges repeatedly in the women’s interviews is an injunction to care, a responsibility to discern and alleviate the ‘real and recognizable trouble’ of this world. For the men Kohlberg studied, the moral imperative appeared rather as an injunction to respect the rights of others and thus to protect from interference the right to life and self-fulfillment. Women's insistence on care is at first self-critical rather than self-protective, while men initially conceive obligation to others as negatively in terms of noninterference. Development for both sexes would seem to entail an integration of rights and responsibilities through the discovery of the complementarity of these disparate views. (1977, p.511)

Gilligan’s view has been criticized for suggesting that moral development rests on gender-specific differences, lending itself to an essentialist view of men and women. Gertrud Nunner-Winkler (1993) reinterprets Gilligan’s position as establishing two different types of moral duties within one morality, contesting the view that there exists a distinct male and a distinct female ethical approach. Michele M. Moody-Adams (1991) argues that the great strength of Gilligan’s work is in its defense of considerations of care as morally important, but questions a strictly bimodal approach to moral thinking that frames the justice versus care issue along gendered lines.

My own interest is in the development of an integrated moral theory. In agreement with Joan C. Tronto (1993, p.241), I regard the ethics of care as an important intellectual concern for feminists, but feel that “debate around this concern should be centered not in discussion of gender difference but in discourse about the ethic’s adequacy as a moral theory.” Specifically, the focus should be on what care ethics contributes to moral theory and practice and how it can be further developed, strengthened, and advanced. The ethics of care should be regarded as a vital component of, not simply as a necessary corrective to, moral discourse. Otherwise it will be treated as functional to the improvement of a specifically public morality and, to the extent that it remains associated with privatized women’s morality, secondary and supplemental to impartialist views (Tronto, 1993, p.247). Instead of siding with an impartialist view of the domain of morality that denies the existence of conflict between justice and care, I agree with the advocates of care that both rights and responsibilities are central descriptive and normative features of moral
practice, public or private. Dominant liberal rights discourse prioritizes justice, stemming from what has sometimes been referred to as the stranger model of morality. Care ethicists such as Held (1999, p.294) regard such moral theories as poor models for relations between persons, pointing out that the relational care central to our interdependent society is absent from such models and that they are demeaning when applied to domains of experience in which care is the primary value. Annette Baier (1994, p.29) has argued: “Liberal morality, if unsupplemented, may unfit people to be anything other than what its justifying theories suppose them to be, ones who have no interest in each others’ interests.” Absent a sense and recognition of care, rights-based liberal morality appears to lend itself to a cold unfeeling vision of moral judgement and behaviour. The question for care ethicists, given their compelling insistence that care is as important for morality as justice, is how best to conceptualize this integrated view by looking critically at the promises and problems it presents.

Held maintains that most feminists recognize the important role rights continue to play in achieving feminist aims, from substantive equality rights for child care and maternity leave to the use of rights in combating racism and violence against women. Feminists have also emphasized the centrality of rights arguments in movements for social change, including the struggle for global justice. Rights may be unsuitable for dealing with particular moral issues arising in relationship contexts, where an ethic of care may be more appropriate. In other instances, however, a discourse of care separated from an emphasis on rights has been used to justify colonial domination. Uma Narayan (Held, 1998, p.506. See Narayan, 1995) has powerfully advanced this point, recalling “the colonialist project of denying rights to the colonized in the name of paternalistic concern for their welfare.” Feminist reconstructions of rights see opportunities for reformulating existing schemes, reworking the concept of rights, or limiting the reach of legal rights. Importantly, Held notes that,

Rights are not fixed but are contested, and political struggles are effectively organized around the indignation widely felt over clear denials of rights and persuasive reasons to recognize new rights. Among the strongest arguments women and minorities and colonized peoples have made are that they have not been accorded even the minimums of equal respect supposedly guaranteed by law. The basis for many of the most substantial advances made by disadvantaged groups has been composed of justice, equality, and rights; of course this discourse should not be abandoned. (1998, p.507)

For these reasons both care and justice must be regarded as essential to a substantive moral theory.
**Held’s Account: A Critical Assessment**

In their otherwise well-aimed criticisms, care ethicists sometimes equivocate between the dominant discourse and practice of rights and the philosophy of rights. Put another way, they sometimes equivocate between the concept of rights as defended in traditional liberal theories and rights per se. By granting their critical interpretations of either the dominant discourse or the mainstream liberal theories as the correct view of what rights are, the otherwise contested concept goes undisputed and is then dismissed prematurely or shown to be limited and in need of supplementation. However, we should be cautious about restricting or dismissing the concept of rights based on the way mainstream liberal theorists and states conceive and utilize rights. My own worry is that human rights scholarship has undergone an ideological perversion wherein the rights once employed to positively transform the social and political landscape are now used to insulate dominant institutions from criticism. Held’s account strangely reinforces this worry, though she might object by insisting her very point is to develop an ethic of care, not rights, to facilitate her transformative strategy. By tending to focus on the insulating role rights can play, the feminist critique sometimes neglects the transformative potential a more substantive integrated moral theory might have. While rights can be and are used as weapon-like instruments to insulate existing systems of power, historically rights have not been the predictable and logical products of states. Rather, they have been bitterly fought for and hard-won in an on-going struggle to pry open and make more accountable, democratic, and humane dominant institutions like the global market and the global system of states. (Chomsky, 1998, Hunt, 2007, Ishay, 2004) It remains an open question whether anything resembling the current global market and global system of states is ultimately compatible with a sufficiently rights-respecting world. Care ethics, in my view, presents as strong a case for reclaiming the concept in this manner as it does for seeking to transform the moral and political landscape with the cultivation of care. I argue, however, that Held’s own approach to rescuing rights is misguided, aimed at reconciling rights with care by demarcating limits on the role rights can play in moral practice. Despite stressing the contested nature of rights, Held’s account is limited by her own reluctance to strive for a more inclusive rights theory embodying care. In this sense Held’s account is not an effective response to the feminist critique of rights, nor is it postured as one, which, as I argue, is its biggest weakness. The feminist critique of rights powerfully exposes the unsavory flaws of traditional theories and dominant discourses and practice. The motivation behind my own critical assessment of Held’s account of rights stems from my view that a burgeoning theory of care is well situated to respond to, not simply advance,
that critique by reclaiming a conception of rights.

Held’s transformative strategy involves developing a feminist morality that cultivates what might be called the art of moral practice. She seeks to provide guidance in resolving actual moral problems and considers the implications care has for restructuring cultural practices and social and political institutions. She envisions a more caring society as providing more accountable and democratically run services, decreased expenditures on legal remedies for illegal actions, reduced influence of the realm of law, increased participation in and creation of culture, and increased global concern and awareness (1997, pp.153-154, 165, 2006, pp.75, 130). She has clearly and consistently rejected a view that would regard the value of justice as most appropriate to the public sphere and the value of care as most appropriate to the private one (1990, pp.334-337, 1998, p.509, 2006, pp.68-69). Importantly, she has always maintained an integrative, albeit limited, approach aimed at rescuing rather than dismissing rights:

The criticism of rights from the perspective of care may perhaps best be seen as a criticism of the conceptually imperialistic role that law has played in moral thinking. It is not directed at overthrowing rights in the domain of law, but at limiting legal interpretations to the domain of law rather than supposing them to be suitable for all other moral problems as well. Once the framework of justice and rights is understood as a limited one rather than as the appropriate way to interpret all moral problems, other moral arguments can become salient and social and political organization can develop around other aims than those of justice, law, and rights. (1998, p.509)

The problem with Held’s account here, however, is that she allows her criticism of the legalistic use of rights by states to inform her restriction and discouragement of a more substantive conception of rights. While acknowledging the problematic way rights can be used by states she is too willing to concede the moral territory of rights to the domain of law. Inadequate, abusive, or imperialistic state practice should compel us to employ our entire arsenal of intellectual self-defence, including rights advocacy, to combat such moral failings.

Held’s most recent and detailed account of the ethics of care also features this underestimation of the progressive moral power of rights, focused as it is on discerning the value of care in apparent response to Tronto’s (1993, p.248) advice that, “[o]nly when care is assessed in its relative importance to other values can it begin to serve as a critical standpoint from which to evaluate public life. Such an assessment will require a full-
fledged moral and political theory of care.” We see Held (1999, p.302) working out the relative importance of other values when she states: “I am coming to the view that care and its related considerations are the wider framework – or network – within which room should be made for justice, utility, and the virtues. This perspective does not mean that all other values, points of view, or the institutions or practices they recommend can be reduced to aspects of care. Reduction does not seem like the right approach.” Held insists that care is both a practice and a normative moral value. While her account lends itself to the development of a more integrative approach, her focus on the value of care too often characterizes the motive of care as dichotomous with and having normative priority over the motive of justice, and this inhibits the role rights can play. Instead of developing an approach that integrates rights and care, rights are juxtaposed with a commitment to care and argued to entail different considerations. Rules, laws, and fairness underlie rights commitments while meeting needs, concern with well-being, or even the development of civil society is grounded on care (Held, 2006, p.40-41). By equating rights with justice and juxtaposing the value of justice with the wider moral framework of care into which justice should be fitted, Held appears to adopt the very notion of rights feminists primarily criticize, perhaps explaining her limited effort at rescuing them.

In her defense, Held sometimes moves beyond the either/or approach by repeatedly emphasizing the importance of both the values of care and justice. She is also explicit in reminding readers that her critique of rights concerns the mainstream liberal approach, at least leaving the door open for a more substantive conception of rights. She objects to the view that care should completely replace justice as the central concept of morality, insisting that rights, when viewed in the context of social practices, have a role to play in addressing discrimination and inequalities along with empowering women (Held, 2006, pp.62-63, 67).

As a distinctively moral notion, human rights have obtained global status in at least the rhetoric of world affairs. The public discourse of rights serves as a reminder that people have justified and urgent claims to be treated in a dignified way irrespective of what society and the world have actually done about it. It highlights the great importance and role of the things rights represent, as commonly expressed in lists, laws, charters, and declarations. Rights language also emphasizes the importance of choice and the requisite preconditions that must exist to make such choices meaningful. Finally, the language of rights establishes a minimum threshold of basic entitlements and a sense of the terrain of
agreement about that minimum. Certainly rights continue to be debated and are subject to abuse, but the language and concept of rights demands a broad consensus concerning the core idea that individuals have rights that demand our protection. While the language of rights plays a powerful moral role in contemporary political discourse, human rights remain conceptually ambiguous and continuing theoretical confusion and disagreement serves as a barrier to what might be called the human rights project. Held’s rescuing of rights involves embracing the powerful role the language of rights has. In seeking to limit the dominance of that morality she nonetheless concedes the conceptual terrain to traditional mainstream liberal theory and practice. Pragmatically, she appears convinced by the power of rights rhetoric but fails to assertively reclaim rights as a powerful moral practice that transcends legalistic power politics.

In her attempt to mesh care and justice, Held considers assigning moral minimums and constraints to rights, “a floor of moral requirements beneath which we should not sink as we avoid the injustices of assault and disrespect. In contrast, care deals with what is above and beyond the floor of duty,” informing our vision of the good life (Held, 2006, p.71). Held thinks this solution, however, is unclear, noting that there also exist necessary minimums of care such as responding to the basic needs of children, which arguably set constraints on justice. For this reason she answers the question of how justice and care and their related concerns fit together by arguing that “caring relations should form the wider moral framework into which justice should be fitted. Care seems the most basic moral value. As a practice, we know that without care we cannot have anything else, since life requires it.” (Held, 2006, p.71)

Surprisingly absent from Held’s account is any explicit acknowledgment or exploration of a conception of rights that expresses both values simultaneously. As Brennan (1999, p.271) insightfully argues, “[s]ometimes what it is to care for a person is to take on concern for their rights. Concern for the rights of a loved one does not mean that one cares only for an abstract moral concept. One can be concerned about rights because of a direct love for the other person.” A commitment to rights sometimes just is an expression of care. Rights-based practices often provide practical avenues to effectively channel our care for others. Although Held’s account hints at this, her ordering and division of justice and care as concerning related but different considerations obscures this perspective and the concomitant conceptual and practical opportunities it entails. Consider the way Brian Orend’s (2002, p.175) view mirrors Held’s suggestion: “the ethics of rights is designed
to secure the floor and foundations, whereas the ethics of care is better thought of as constructing the ceiling, for the structures of our shared social life.” In Held’s haste to emphasize the limitations of a rights-based morality she adopts, like Orend, the assumption that rights embody one value, justice, distinct and separate from, and morally unequal to, care. Contra Orend, she simply reorders the values such that care underlies a rights-based approach rather than rights establishing the minimum upon which the aspirations of care are built. Instead of working within the realm of rights to articulate an alternative account of the content, practice, and motivation of rights, Held limits the role and meaning, not just the scope, of rights, leaving the development of rights in the hands of mainstream moral theory and practice (Brennan, 1999, p.272). Held’s strategy resembles what Joy Kroeger-Mappes (1994) has called the necessary-base thesis in which care is the necessary base for an ethic of rights. This strategy rests on the view that, when taken alone, rights represent an extremely inadequate moral guide for human behaviour. This leads Held to focus on the limitations, and thus duly limit, a narrowly defined conception of rights. Held (1999, p.302) often highlights the view that, “although there can be life without justice, there cannot be life without the care that has value,” repeating that, “[w]ithout care, however, there would be no persons to respect and no families to improve. Without care, there would be no public system of rights – even if it could be just.” (2006, p.72) She argues that rights entail a presumption of care but that such care has normative priority over rights. The evident tension, or inconsistency, that follows from her account is that a functioning conception of rights is necessarily care-laden, yet the notion of rights she employs to construct her ethics of care is limited to the legal realm of procedural justice because it is void of such value. Rights both do and do not embody the value of care.

Focus on the fundamental importance of care need not force care ethicists to prioritize care over rights by limiting the meaning and moral practice of rights. Care and justice are too important as allies in the struggle for a better world to allow the conceptual tensions and competing values they can occasion to unduly restrict our efforts. As Hilary Putnam (2004, p.4) says, “the function of ethics is not, in the first instance, to arrive at ‘universal principles.’ The primary aim of the ethicist … should not be to produce a ‘system,’ but to contribute to the solution of practical problems.” Held aims to make such a contribution and the practical import of care ethics is part of what makes it so attractive, highlighting the importance of allying rights with care in a manner that builds upon Held’s increasingly global account. The constructive approach I recommend avoids the false dilemma between care and rights not by denying existing tensions or by assigning normative priority to one or the other, but by insisting on the potential of a more integrated approach. This
requires further exploration. Just as knowledge and enactment of rights, however
defective or incomplete, emerges cross-culturally through the apparently universal idea
of social protection against standard threats, so too a working knowledge of care, neglect,
and abuse appears to exist in all cultures. Indeed, practices of direct personal care and
support may be necessary conditions for cultural survival (Drydyk, 2006, p.73, 79, 84).
While the expressions and requirements of care can be exemplified differently within and
between cultures, “when it comes to identifying the most important types of protection,
and probably even to ranking the worst cases of neglect and abuse, there is remarkable
convergence. As a resource for moral understanding, this convergence is bedrock.”
(Drydyk, 2006, pp.70-80) A double convergence, in which care and rights converge
within cultures to establish social protections and these social protections converge cross-
culturally to inform an increasingly global perspective on what constitutes a caring rights-
respecting order, would appear to underlie what Jay Drydyk (2006, p.78) calls a global
public sphere of moral deliberation. To the extent that this begins to accurately describe
the dynamic relationship between care and rights globally, the moral practice of rights
appears less adversarial and more integrated with care than Held suggests.

Just as rights without care are inadequate in the extreme, so too is care without rights.
Admittedly, Held frequently stresses this and nowhere denies it and I am hard pressed to
actually disagree with Held’s account. However, by too often associating rights with the
value of justice, she maintains that without care there will be no human beings in a way
that this is not true of a world absent rights (2006, pp.125, 132-134). This strikes me as a
conceptually confused position, separating the practice of caring from an implicit respect
for the right to life, concerned and committed to securing a life entitled to a dignified level
of well-being. The problem is that the world is sorely lacking in respect for and realization
of rights, yet I can scarcely imagine, nor do I care to, a world without rights. I am thus
inclined to find fault with her account not for what it does wrong but for its focus, excluding
from consideration the development of a richer conception of rights informed by care.
Offered as constructive criticism, what is missing is an in-depth historical understanding
and nuanced account of rights that recognizes the role rights play as an expression of care,
along with their potential for realizing Held’s transformative vision by helping reshape
a cold, uncaring world. A relational account of rights, coupled with a focus on moral
character, represents one such approach, noted but unexplored by Held (see Nedelsky
2006, Brennan 1999). Held might fairly object to this criticism by claiming that she has
left the development of a relational account of rights, which she continues to support, up
to others. Such a relational account rejects the traditional dichotomy between care and rights and a view of rights as merely individualistic and abstract principles, noting that moral rights are at play in our personal as well as impersonal relationships. Accounts of nonabsolute rights can directly attend to moral context (Brennan, 1999, pp.262-264, 271). Nedelsky (2006, p.100) insists that, “what rights in fact do and have always done is construct relationships – of power, of responsibility, of trust, of obligation.” Such accounts also emphasize the importance of caring about self and others by caring about, recognizing, and respecting your own rights and the rights of others, be they close relations or distant strangers. Brennan argues that,

As feminists we will want to reject theories of rights that have built-in assumptions of complete independence and separation, but it is open to us to develop accounts of rights based upon a relational account of the self. Obviously further work is required in this area, developing such relational accounts, but there is no good reason to throw out rights along with ‘autonomous man.’ (1999, p.266)

It is one thing to criticize Held for characterizing the role rights can play in too limited and unimaginative a light. It is quite another thing to begin to supply the more substantive account I demand of care ethics. How might a burgeoning theory of care respond to the feminist critique by rescuing rights? A relational account that acknowledges and builds upon our interconnectedness, our vulnerability, and the plethora of existing power imbalances and inequalities that exist in our increasingly global world rejects the central problematic assumptions of traditional rights theory. We probably should not, and for the most part do not, restrict our concern for the rights of others to hyper-rationalistic calculations about our own autonomy and individual advantage. Indeed, a relational, pluralistic, care oriented, capability-based conception of rights like the one I have very briefly sketched offers, among many other advantages, the prospect of more accurately reflecting what is decent about our everyday moral practices. It also highlights the transformative potential rights have to foster the kind of caring social relationships we correctly fault traditional rights theory for ignoring or discouraging:

[O]nce rights are conceptualized in terms of the relationships they structure, the problem of individualism is at least radically transformed. There will almost certainly still be people who want the kind of relationships of power and limited responsibility that the individualistic liberal rights tradition promotes and justifies. But at least the debate will take place in terms of why we think some patterns of human relationships are better than others and what sort of “rights” will foster them. (Nedelsky, 2006, p.101)
We need an account of rights that further cultivates the art of moral practice, that embodies the value of care without limiting or subordinating the potential role of rights, and that advances a practical integrative approach in line with Held’s transformative vision, if not her strategy. Instead of pursuing this project Held largely relegates rights to the domain of law, collapsing a morality of rights into the descriptive practice of statehood, seeking to limit the conceptually imperialistic role that law has played in moral thinking. Held (2006, p.145) rescues rights by seeking to contain and reform them rather than reclaim them with a richer and more relational account. Held’s particular vision is limited by her own reluctance to reclaim rights from their ‘autonomous man’ heritage. As noted earlier, sometimes the fault is not with the concept of rights but with the dominant discourse and practice. Held’s account of rights concedes authority to this dominant discourse and practice and I remain at pains to see why we should grant this.

Conclusion

An advantage of adopting the kind of evaluative approach that capability theorists recommend is that it situates rights within a broader concern for human development and well-being, thereby challenging a limited view of rights as belonging solely to the domain of law and solely concerning the value of justice. Indeed, a capability-based conception of rights in which rights are fundamental entitlements to capability to function appears to be a promising theoretical approach that captures the central role and value of care that care ethicists like Held see as lacking from traditional rights theories while offering a substantive alternative to dominant liberal conceptions of rights feminists rightly criticize as too narrow. Held’s account focuses too much on the differences between care and rights, stemming as it does from the feminist critique of rights, to effectively respond to that critique with the provision of a more substantive account of rights focused on the positive integration of the values of justice and care. Certainly rights can be used by the powerful to entrench and reinforce their dominance, but such abuse highlights the importance of pressing for and defending rights rather than limiting consideration of rights to an emphasis on their practical faults or failings. Rights should be fought for and a conception of rights reclaimed and shaped by a shared commitment to care and justice. Held’s account concedes too much to authority and involves too little focus on the gulf that still exists between a substantive theory of rights and the existing political order. Held’s ethics of care includes in its aim the cultivation of care for one’s own and others’ rights and I share her view that a rights-based morality includes a presumption of care. A rescue effort that reclaims rights as moral practice embodying the values of care and justice would better
serve Held's transformative strategy.

Acknowledgements: An earlier version of this paper was presented at the annual Philosophy Graduate Student Association conference at York University in Toronto, Canada, on April 30th, 2010. I would like to thank Amanda Porter, Tracy Isaacs, Craig Roxborough, Mark Schranz, Jason Breen, Susan Dieleman, and Lorraine Code for their assistance, feedback, questions, and comments on earlier versions of this paper. I would also like to thank Jean Mueller and Hichem Naar, Editors of Praxis, and the two anonymous referees for their thorough and very valuable comments and suggestions.

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University Press.


Since the title of the series is ‘Philosopher X: A Guide for the Perplexed’ the aim of the series ought to be to make that particular philosopher look less perplexing. In a recent addition to the series, ‘Descartes: A Guide for the Perplexed’, another book on Descartes is added to the torrent of literature on his work. What we can ask, as an initial question, is whether or not this book achieves the series’ aim: does ‘Descartes: A Guide for the Perplexed’ make Descartes and his philosophical views look less perplexing? One important point to notice is that this series is not intended to be for academics or perhaps even for postgraduate students. Rather the series is intended as a companion to those students working through the relevant philosopher for the first time. Taking all these facts together should therefore serve as the backdrop from which the book is assessed.

Skirry begins the book with some biographical information on Descartes and how he was one of the first modern philosophers to “make a break with the traditional Aristotelian philosophy and science that had dominated the schools of Europe for centuries” (p. 3). According to Skirry, Descartes’ “radical break” (p. 3) with this tradition is due to his rationalism and his acceptance of innate ideas. The second important reason for this break was that, unlike the Aristotelians, Descartes wanted to explain material objects and events within a mechanistic framework. Skirry writes that the Aristotelians “explained physical phenomena through the powers that those things possess” (p. 3). For example, the Aristotelians would have explained how opium puts people to sleep by deference to the “nature of opium” (p. 4). Instead, Descartes relied upon material properties such as size and weight in order to give “mechanical” explanations (p. 4) of the powers of those objects.

All of this information is useful for those of us who want to know more about, or be reminded of, the development of natural science and philosophy. But one question we
might ask is how this is relevant to Descartes in particular. Wouldn't an exposition of the incompatibility of Descartes' and Plato's views, for example, have been just as useful? If not, what explains the focus on the Aristotelians, the Scholastics and Descartes' relation to them? This question is never given a clear answer, and for this reason the relation between Descartes and the Aristotelians looks rather tangential, as mention of them is recurring throughout the text looks unmotivated. In fact, there are places in the text where Skirry appears to contradict his initial diagnosis of Descartes' break with the Scholastic-Aristotelian tradition. The first instance of contradiction is his explanation of how Descartes does not accept the Platonic thesis about universals. He writes:

> [F]or Descartes, universals exist only as ideas in the mind and universal or general words have meaning only because they refer to these abstracted ideas (p. 59).

And,

> Descartes is here rejecting the Platonic notion of universals where universals were thought to exist all by themselves in a non-sensible but intelligible realm of their own (p. 59).

Now, the Aristotelians and the Scholastics also rejected the Platonic conception of universals as forms. These philosophers often accepted either the nominalist or the conceptualist theory of universals, which is interesting because Skirry writes that "Descartes falls into [the] conceptualist camp with his own theory of abstraction" (p. 58). This leaves us wondering how far apart Descartes really is from the Aristotelian-Scholastic tradition. Another instance of this occurs at the end of Chapter 3 on Descartes' metaphysics, where Skirry discusses Descartes' "causal-principle". According to Skirry, Descartes "causal-principle" incorporates the distinction between "formal reality" and "eminent reality". He writes that the concept of "formal reality stems from the scholastic conception of a form, which was the principle by which the potential for a reality is actualized" (p. 63, my emphasis).

Again, Skirry here indirectly admits that Descartes is trading on Scholastic-Aristotelian concepts within his own metaphysical framework. The reason I raise this issue is because I wonder whether Skirry's initial claim that Descartes was one of the first philosophers to break away from the Scholastic-Aristotelian tradition is premature. Of course, it is well known that Descartes was the source of several novel philosophical views. But often this is not sufficient to declare that a philosopher is independent of some other philosophical
tradition. In general, it seems it would have been more accurate to just highlight Descartes’ similarities and differences to the Scholastic-Tradition without making the more robust claim that he made a complete departure from it.

I now want to concentrate on how Skirry’s exposition of Descartes’ philosophical views commences. One thing that Skirry does, which is quite novel, is that he tries to capture or otherwise recreate the holistic approach Descartes was after in his Meditations and his Principles in a concise volume. Skirry begins by presenting Descartes’ views as tree-like: the planting of the ‘seed’ is Descartes’ method (Chapter 1), the ‘seed’ his cogito argument (Chapter 2), the ‘roots’ his metaphysics (Chapter 3 & 4), the ‘trunk’ his epistemology (Chapter 5), and his physics the ‘branches’ of the tree (Chapter 6), growing outwards to his theory of human nature (Chapter 7) and morality (Chapter 8) (p. 4). Chapter 1 is on Descartes’ methodology, and what is worth highlighting about this chapter is that Skirry does not just focus on Descartes’ famous method of doubt, but also on his geometric method, his thesis about deduction and intuition, and his critique of the syllogism.

These other methodological views of Descartes play important roles in his wider philosophical views (such as in his metaphysics and epistemology), but these methodologies are often obviated from the undergraduate textbook or classroom discussion. In lieu of the latter, Skirry’s book will serve as a good introduction to Descartes’ other methodological views. Chapter 2 is on Descartes’ theory of mind and the self. More specifically, this chapter highlights how Descartes’ ‘Cogito’ argument functions as the foundation for the rest of his metaphysical and epistemological views. One important critical point to make here is that Skirry’s discussion of Descartes’ argument for the distinctness of mind and body – a hallmark of Cartesian philosophy – is at first rather thin, as it comprises only a page worth of text and consists in paraphrasing Descartes’ original statement of the argument (cf. p. 34). The remainder of the discussion of this argument commences much later in the book, in Chapter 7 (from pp. 131 - 134 of Chapter 7). One thing that Skirry ought to have provided the reader information about is why the discussion of that argument commences towards the end of the book. The discussion of that argument in particular, unlike the other arguments he discusses, does not trade on the concepts discussed between Chapter 2 and Chapter 7. So the question arises: why did he wait to explain the argument in detail?

Chapter 3 is concerned with Descartes’ metaphysics. In general, this chapter serves as the stage-setter for Descartes’ argument for the existence of God, which starts in Chapter 4. However, this Chapter also has some virtues in its own right because it explains Descartes’
many difficult distinctions in a clear and concise format. One important distinction for anyone studying Descartes is that between substance, mode, and attribute. But what Skirry gives us is something more than an exposition of this distinction: he gives us Descartes’ theory of distinction (pp. 45-49) which aims at explaining how Descartes arrives at those various distinctions, and how he proceeds from there. Chapter 4 is centered on Descartes’ argument for the existence of God, but Skirry also covers Descartes other theological views such as his view about the immortality of the soul (pp. 83 - 84) and the Eucharist (pp. 85 - 90). What is good about this chapter, and in particular the section on Descartes’ argument for the existence of God, is that Skirry is careful to examine this argument in detail, but also to connect this argument back to the previous discussions of Descartes’ methodology and metaphysics from the previous chapters. Chapter 5 is titled ‘Knowledge’, which for some will be misleading because the main focus of this chapter is “why [according to Descartes] people make mistakes, how to avoid them, and how God’s existence and non-deceiving nature guarantee the truth of what is clear and distinctly perceived” (p. 91). Perhaps a better title would have been ‘Error.’ What would have made this chapter more relevant to traditional epistemological questions is a more thorough discussion of the Cartesian Circle.

On page 106, Skirry begins an argument for the thesis that Descartes’ reasoning in his Meditations was not circular. That is:

[...] the Meditator acknowledges that the deceiving god scenario provides a very slight reason for doubt, and that anything subject to this doubt cannot be known until he discovers that God exists and cannot be a deceiver. This implies further that there may be some truths that do not depend on this, namely ‘I think, therefore I am.’ This observation hints at a resolution of the Cartesian Circle. Anything that is a precondition for the deceiving god scenario is itself beyond doubt and is, therefore, absolutely certain (pp. 107 - 108).

Skirry then adds that “[...] this is not the place to explore this speculation any further” (p. 108). What I want to know is this: if it is true that the brief paragraph Skirry provides us with could serve as an interpretation of Descartes where his reasoning is not circular (as Skirry seems to think), then why is it not the place to “speculate any further” on the matter? One obvious answer is that this is a guide to students working through Descartes’ philosophical writings. If something like that is the reason, why did Skirry express his view in the first place? Why not discuss more of the charges of circularity to Descartes’ reasoning from his contemporaries in the Objections and Replies section of the Meditations instead?
The final chapter is titled ‘Sensations, Passions, and Morality’, where the “branches” of Descartes’ “tree” are examined. Now, this chapter is interesting because we are introduced to Descartes’ moral “code” (see pp. 160 - 163), which is something most students who learn about Descartes will never encounter. The hallmark of Descartes’ moral theory is his acceptance of the tenets of Roman Catholicism, and several maxims that should be followed “when engaged in the project of methodological doubt” (p. 161). These maxims are “provisional” because once we complete our methodic doubt, we will arrive not only at a firm foundation for human knowledge, but also at “an absolutely certain moral code” (p. 161).

The next question is ‘what are these provisional maxims?’ The first maxim is that we should live a moderate life. But how do we live a moderate life? According to Descartes’, we ought to follow the laws and customs of our land (including the customs of other moderate people). The second maxim is to be “as firm and decisive in action as possible” (p. 160). The final two maxims are that we should master ourselves, and “review the various professions and choose the best” (p. 61). Each of Descartes’ maxims stems from his methodological, epistemological, and metaphysical doctrines. For example, the ‘maxim’ that we should be master of ourselves stems from “[Descartes’] realization that all that is in his control are his own thoughts and nothing else”, which means, according to Skirry, “that just about everything else is out of his control”(p. 162). On this view, one should desire only what is in one’s power to attain (p. 162). I mention Skirry’s discussion of the lesser-known Cartesian theories here in order to highlight how his book is consistently in line with the aim of being holistic.

Finally, Skirry’s book is certainly a joy to read, and it could well serve as a good guide for students working through Descartes difficult philosophical texts. But there is one caveat here. Since Skirry’s guide is a holistic guide, one cannot simply open the book to a chapter after Chapter 1 and expect not to be perplexed. For this reason, if one is just focusing on some aspect of Descartes’ thought for a class paper, it might be more worth their while to find another companion to Descartes. But for the more dedicated reader, Skirry’s ‘Descartes: A Guide for the Perplexed’ ought to make its way onto their shelves.