20 Schriften aus der Fakultät Geistes- und Kulturwissenschaften
der Otto-Friedrich-Universität Bamberg

Moral Realism and Political Decisions

Practical Rationality in Contemporary Public Contexts

Edited by Gabriele De Anna and Riccardo Martinelli

University of Bamberg Press

20 Schriften aus der Fakultät Geistes- und Kulturwissenschaften der Otto-Friedrich-Universität Bamberg

Schriften aus der Fakultät Geistes- und Kulturwissenschaften der Otto-Friedrich-Universität Bamberg

Band 20

University of Bamberg Press
2015

Moral Realism and Political Decisions

Practical Rationality in Contemporary Public Contexts

Edited by Gabriele De Anna and Riccardo Martinelli

University
of Bamberg
Press
2015

Bibliographische Information der Deutschen Nationalbibliothek
Die Deutsche Nationalbibliothek verzeichnet diese Publikation in der Deutschen Nationalbibliographie; detaillierte bibliographische Informationen sind im Internet über http://dnb.d-nb.de/ abrufbar.

Herstellung und Druck: Digital Print Group, Nürnberg
Umschlaggestaltung: University of Bamberg Press, Anna Hitthaler
Umschlagfoto:  Dimitry B.

http://www.uni-bamberg.de/ubp/

ISSN:1866-7627
ISBN: 978-3-86309-294-8 (Druckausgabe)
eISBN: 978-3-86309-295-5 (Online-Ausgabe)
URN: urn:nbn:de:bvb:473-opus4-262709

To Prof. Thomas Becker,
in memoriam

Contents

Introduction

Gabriele De Anna and Riccardo Martinelli

Realism has been a central object of attention among analytical philosophers for some decades. Initially focused on problems related to semantics, discussions about realism turned to problems in epistemology, in metaphysics, in theory of action and in ethics. In current debates we can observe a new return to realism, which seeks to overcome the anti-realist implications of representational theories of the mind typical of modern philosophy. The realist trend has become one of the most original contributions of analytical philosophy to contemporary thinking, a contribution which often also purports to offer a philosophical rehabilitation of more ancient ways of thinking (De Anna 2001). Starting from analytical philosophy, the return of realism has spread into other contemporary philosophical traditions and given birth to new trends in current discussions, as for example in the debates about "new realism" (De Caro and Ferraris 2012; Ferraris 2012; Possenti and Lavazza 2013).

The implications of recent debates for political philosophy and political practice have not yet been widely discussed. Generally, political theorists still rely on a framework of practical rationality which pre-dates recent discussions about realism and which postulates that the good is wholly subjective, i.e. relative to either individuals or societies (Rawls 1971 and 1993; Habermas 1981). The hope is that, by assuming a subjectivist view of rationality, clashes between the diverse positions upheld in complex contemporary societies may be prevented. Discussions about policy-making and public decisions in multicultural societies normally start from the assumption of this notion of rationality (Kymlicka 1996 and 2007). This perspective, however, has proved to be deficient from the point of view of fostering convergence of identities into unitary and harmonic societies. It leads to fragmented societies, instead of constructing communities where people may gradually converge on a shared view of what is worth achieving together.

The subjectivist view of practical rationality originated in early modern philosophy and was significant in European history – since it helped to recognize the legitimacy of different cultures within a wider anthropological, rather than metaphysical, intellectual outlook. Yet this ended by fostering idealistic (i.e. strongly anti-realistic) worldviews (Martinelli 2004 and 2010). Nevertheless, it can be argued that cultural relativism does not necessarily imply idealism and that realism does not necessarily deny the legitimacy of cultural diversity.

The essays collected in this volume aim at discussing the framework of practical rationality for policy making which is usually assumed by current political theories, by considering the relevance for practical rationality in the political contexts of current debates on moral and epistemic realism, and on the ethical relevance of recent achievements of biological sciences.

Debates about realism ensue from the work of contemporary philosophers such as Hilary Putnam (1999), John McDowell (1998, 2004), Thomas Nagel (1986), etc. Unlike older, naïve versions of realism, the realism supported by recent analytical philosophers rejects the possibility of an absolute perspective on reality, while maintaining the notion that our cognitive efforts are at least partly constrained by objective reality. The moral upshot is that the good is not merely a subjective or social construction, but it is the result of typically human responses to the demands of a reality that is structured in a certain way, and, due to its structure, has built-in possibilities of perfection. There is no absolute conception of the good, but still features of reality can be criteria for practical rationality and for the aptness of human subjective responses to problematic decisional situations (Putnam 2002 and 2004, Nagel 1979, McDowell 1998).

Discussions about the ethical relevance of recent findings in the biological sciences have contended – among other things – that the results of empirical investigations suggest that there are many homologies between human and animal behaviour, to the extent that it can hardly be denied that morality is deeply grounded on our animal nature, contra many subjectivist claims. This suggests that some moral notions are deeply rooted in our biological nature (Boniolo and De Anna 2006; De Waal 1998; Illies 2006; Hösle and Illies 2005). On the other hand, tran-

scendental considerations suggest that human reasoning can justify the normativity of ethically guided action in humans. Again, this suggests a notion of ethics which is objective and anti-absolutistic at the same time (Illies 2003 and 2006; Nagel 1986 and 2012).

The political upshots of these converging conclusions in epistemology and in ethics are still object of discussion. Most importantly, the recognition that human practical rationality is ruled by what agents conceive as objectively good has important implications for the notions of political authority and consent. On the one hand, against subjectivist views of the good, the new framework purports that arguments about what is good can have a justificatory and legitimating role in the practices of political decision-making and in the formation of consent. On the other hand, against old-style realist views, the new framework denies that there is an absolute conception of the good, and is thereby sensitive to the subjective positions of those who have to consent to political authority: this sets limits to political authority. Breaking those limits would constitute a violation of the humanity of those subject to authority, would progressively undermine their consent, and would hence destroy the very strength of authority and the coesion of the community (De Anna 2012a and 2012b; Besussi 2012 and 2013).

How do recent conclusions about epistemic and moral realism change our ways of conceiving practical reason? And how does the ensuing conception of practical reason change our ways of conceptualising politics, and affect our ways of practicing it? What are the normative implications of this reconceptualisation? These essays intend to address these questions and subsequent issues.

The first four papers of the collection focus on moral realism and jointly offer an account of realism which touch upon foundational issues (e.g, problems concerning the metaphysics of moral reality) and epistemological issues (e.g., problems concerning the character of practical rationality and the origins of normativity).

Riccardo Martinelli's essay, "Realism, Ontology, and the Concept of Reality," focuses on metaphysical realism and the problem of defining reality from within an historical perspective. Quite often, realists adopt a merely negative definition of reality, which is considered "independent of" our mental thoughts, conceptual schemes, or linguistic practices, etc.

This approach possibly overcomes old-style idealism, yet raises several problems. As an alternative framework, Martinelli discusses the traditional definition of reality as "capacity to act," or effectiveness, an argumentative strategy that enables us to solve some of the difficulties with ontological realism.

Salvatore Lavecchia, in "Agathological Realism. Searching for the Good beyond Subjectivity and Objectivity or On the Importance of Being Platonic," combines two aspects of Plato's writings: the claims on the Demiurge made in the *Timaeus* and the analogy of the sun presented in the *Republic*. By explaining the analogy of the sun through the image of an intelligible sphere of light, Lavecchia suggests an interpretation of Plato according to which the idea of the Good is radically self-giving and self-transcendent, in a way that overcomes all dichotomies between subjectivity and objectivity, knowledge and morality, ethics and ontology. Building on Plato's argument, he supports a form of moral realism which meets objections to which modern and contemporary varieties of moral realism are open.

Alexander Fischer and Marko J. Fuchs are co-authors of the essay entitled "'Solidarity at the Time of the Fall:' Adorno and Rorty on Moral Realism." They deploy arguments by Theodor W. Adorno to suggest that Richard Rorty's criticism of moral realism is not quite radical enough. In their view, Rorty's very alternative to moral realism – according to which ethnic groups represent the ultimate measure of moral judgment without any possibility of critique – would be excessively naïve. Adorno's proposal, instead, rejects moral realism in the traditional sense, while still allowing a radical criticism of communities and cultures. Such a criticism is entirely possible, via his negative dialectics which reject metaphysics on the ground that it would reduce to identity the non-identity of individuals. Fischer and Fuchs do not spend time looking at some of the contentious facets of Adorno's negative dialectics, which are very relevant for current discussions on realism: e.g., the issue whether sense can be made of a radical non-identity, given the ways in which we deploy our concepts, which always seem to imply a certain degree of identification of different individuals. The problem, then, is whether metaphysics can be avoided at all. Fischer and Fuchs, however, do stress an important implication of Adorno's arguments for moral realism: he is

committed to a form of moral realism to the extent that he encourages us to take into account that moral thinking is oriented to action and hence must be about particulars. The reality of single individuals, hence, cannot be overlooked by any realist account of morality. In this way, the authors contribute to a full understanding of moral realism, by challenging any account that concentrates solely on the existence of universal values or moral laws.

Mario De Caro and Massimo Marraffa, in their essay "Bacon against Descartes. Emotions, Rationality, Defenses," review recent scientific literature suggesting that emotions are not a natural kind and that human reasoning is not a unitary, normatively regulated faculty. On that basis they claim that the old pyramidal conception of the mind, according to which reason rules the passions and other lower cognitive faculties, is no longer viable. By contrast they suggest that emotions and diverse rational capacities cooperate in constructing an image of reality which answers our pragmatic interests. The upshot of this, they claim, is that empirical reality, normative reality and social and political institutions are on the same level.

A discussion concerning the relevance of moral realism for politics involves a consideration of how practical rationality functions in public contexts. This opens the problem of explaining how pragmatic considerations are relevant to an account of practical reason. The issue emerged particularly in the essay by De Caro and Marraffa. Hence, at this point, the following question presents itself: How does moral realism affect the pragmatic aspects of practical rationality? A second group of three essays addresses this question.

Paolo Labinaz' essay, "Reasoning, Argumentation and Rationality," discusses recent "argumentative approaches" to the study of theoretical and practical reasoning. Philosophical reasons and empirical evidence suggest that reasoning is argumentative in nature, and recent argumentative approaches to reasoning rightly take this into account. However, in Labinaz' view, such approaches fail to draw all the implications from that evidence. After reviewing the main argumentative approaches to reasoning, the author argues that they have a partial view of the connection between reasoning and argumentation, since they focus exclusively on the capacity of reasoning to produce convincing arguments. In this

way they mainly stress the persuasive and therefore instrumental function of reasoning. By contrast, Labinaz supports an alternative argumentative conception of rationality, outlined by Paul Grice and recently developed by Marina Sbisà, which underlines the reason-giving function of reasoning. Labinaz' conclusion suggests that reasoning – including practical reasoning – is intrinsically tied to the relations a cognizer or an agent has with other cognizers or agents, and this suggests that practical reason is inherently connected to the communitarian, political or otherwise, dimension of human existence.

The connections between the pragmatic conditions of social and political argumentation with moral realism are touched upon by Thomas Becker, in his chapter titled "Is Truth Relevant? On the Relevance of Relevance." Becker argues that factual and evaluative statements are on a par with each other insofar as their relation to truth is concerned: in both cases, truth is to be construed as depending on "practical relevance." The author suggests that the demand that an assertion must be practically relevant for the addressee is a precondition of the truth of the assertion and of the demand that the assertion must be based on knowledge held by the asserter. On the basis of this premise, Becker offers an account of the truth of normative statements, based on a realistic image of the world.

Marina Sbisà, in her essay entitled "The Austinian Conception of Illocution and its Implications for Value and Social Ontology," discusses the importance of illocutionary uptake in Austin's theory of speech acts, and its theoretical implications, in particular for the distinction between facts and values, for moral realism, and for social ontology. In her view, illocutionary uptake is the basic source of deontic states and objects. One could expect that this might lead to a form of relativism, but Sbisà stresses that the distinction between the correctness and the incorrectness of verdictives is not merely a matter of intersubjective agreement. Consequently, the assessment of speech is not carried out on one level only, but on two: indeed, in Austin's terms, we can distinguish the felicity/infelicity assessment from the (objective) correctness/incorrectness assessment. Defeasibility concerns cases of infelicity, while error and injustice concern incorrectness, thereby opening the possibility of moral realism. However, since judgments about correctness still depend on our repeated efforts to adjust and improve our relations to the world we

live in, – Sbisà contends – the ensuing moral realism eludes the temptation of assuming that there might an absolute point of view.

The relevance of moral realism for practical rationality and the pragmatic consequences on the social and political level are the topic of the above essays. The next group of two essays turns to political philosophy and political practice, and discusses how the anthropological contentions so far outlined are relevant for our philosophical understanding of politics.

The essay by Christian Illies, "The Relevance of Anthropology and the Evolutionary Sciences for Political Philosophy," address the clash between two opposite approaches to human nature which, in the past decades, have led to contrasting understandings of politics: that according to which our social dimension is totally culturally construed, and that according to which our social dimension is an output of our biological nature. Illies shows that the contrast is somehow artificial, and asks, on the one hand, how we can understand the relation between cultural development and the biological nature of humans, and, on the other hand, how consideration of the interplay between culture and biology may be helpful for political thinking, e.g., in understanding and improving institutions and political decisions. This opens the way to a form of moderate political realism, in that data coming from the natural sciences is given weight in normative discourse, although in a non-reductive form.

Gabriele De Anna, in "Realism, Human Action and Political Life. On the Political Dimension of Individual Choices," draws on an account of human action according to which we are led by reasons, and on an understanding of reasons which is based on a partially realist model, to discuss current ways of seeing political communities and the role of institutions. At the foundations of his understanding of human action and reasons for action, he contends that reference to the good in political contexts is unavoidable. He further claims that reference to the good must be welcome, since an open discussion of different conceptions of the good present in society is the best way to achieve agreement and to attain a peaceful coexistence.

The last group includes two essays which focus on the relevance of realism in the domain of politics for related fields of knowledge: jurisprudence and economics.

The essay by Elvio Ancona, "Determining *Ius* according to Thomas Aquinas. A Realistic Model for Juridical Decisions," focuses on the nature of law, and on its relations to reality and human rationality, by considering the contribution of Thomas Aquinas, who – on the topic of law – offered a comprehensive account built on the longstanding tradition of Roman law and natural law. Ancona highlights that, according to Aquinas, the determination of the *ius* (i.e., of what is right), which takes place in legal judgments, emerges from the comparison between the juridical positions of the parties and this gives it a realist connotation. The realist connotation has important methodological implications: dialectics can thereby be proposed as a particular method for legal decisions, i.e. a method which seeks the discovery of rules and principles that are common to different parties, in view of the identification of what is just in the claims of each of them. This method shows a practical way in which a realist understanding of normativity can be beneficial to societies where different conceptions of the good need to co-exist and cooperate.

In "Reason, Morality and Skill," John Stopford draws on Ancient Greek economic thought, including Aristotle's views on the natural limitation of wealth, to discuss the problem of human flourishing in ecologically challenged societies. Some economists have recently argued that current societies must address ecological emergencies by working out ways to live in situations of diminishing economic growth. However, societies with very low levels of growth face issues of social instability due to recessions, unemployment and the decrease of social benefits. Stopford considers the solution to this problem proposed by economic capability theorists, influenced by the work of Sen and Nussbaum: prosperity should be redefined as capability development "within limits." Stopford argues that the new definition of prosperity calls for a reexamination of the role of skill in the development of capabilities. The marginalization of skill has become a typical trait of modern industrial and consumer societies. However, Stopford shows, certain kinds of skill, exemplified in the work of the autonomously productive craftsman, are necessary to a full development of the capabilities that low growth political communities should promote.

The essays collected here represent the result of a common work made by all the authors – together with other colleagues and with

students – during a workshop which took place at the University of Bamberg, in Germany, between the 19th and the 22nd of December 2013. The workshop was part of the project *Moral Realism and Political Decisions: A new framework of practical rationality for contemporary multicultural Europe* (MULTIRATIOPOL), which was funded by the *Deutscher Akademischer Austausch Dienst - DAAD*, in the context of the *Hochschuldialog mit Südeuropa* scheme. The project was presented by the University of Bamberg (Germany) and the University or Trieste (Italy), and it involved also the joint Master Program in Philosophy between the Universities of Trieste and Udine. Students and Faculty members from the three Universities – together with some invited speakers – took part in the event, which included plenary talks, discussions in groups and round tables. The relations between moral realism, practical rationality and political decisions were addressed in many of their facets. The papers here collected are not papers presented in the workshop, but original pieces which were written after the workshop by some of the participants, on the ground of the common work carried out during the workshop. (One exception is represented by the paper by Christian Illies which had already appeared in a slightly different form somewhere else, in German, but which well represents the contribution given by Professor Illies at the workshop). We are grateful to *DAAD* for their financial support for this initiative.

While we were editing this volume, one of the contributors, Professor Thomas Becker, Chair of German Linguistics at the University of Bamberg, unexpectedly and tragically passed away. He had actively participated to the workshop, and showed an eagerness to discuss with philosophers which was uncommon. Philosophers profited much from his generous contribution. In his essay included in this collection, he had started new, interesting paths of investigation. He was looking forward to further develop these thoughts in collaboration with the research group which was formed during the workshop, and all the other participants to the project were counting on his valuable contribution. His tragic departure left an enormous emptiness among this group of researchers, as among his colleagues, his friends and in his family. We dedicate this collection to his memory.

References

Besussi, Antonella, ed. 2013. *Verità e politica. Filosofie contemporanee*. Rome: Carocci.

Besussi, Antonella. 2012. *Disputandum est. La pasione per la verità nel dibttito pubblico*. Milan: Bollati Boringhieri.

Boniolo, Giovanni and Gabriele De Anna, eds. 2006. *Evolutionary Ethics and Contemporary Biology*. Cambridge and New York: Cambridge University Press.

De Anna, Gabriele. 2001. *Realismo metafisico e rappresentazione mentale. Un'indagine tra Tommaso d'Aquino e Hilary Putnam*. Padua: Il Poligrafo.

De Anna, Gabriele. 2012b. *Scienza, normatività, politica. La natura umana tra l'immagine scientifica e quella manifesta*. Milano: FracoAngeli.

De Anna, Gabriele. 2012a. *Azione e Rappresentanza. Un problema metafisico del liberalismo contemporaneo*. Napoli: Edizioini Scientifiche Italiane.

De Caro, Mario and Maurizio Ferraris, eds. 2012. *Bentornata realtà. Il nuovo realism in discussione*. Torino: Einaudi.

De Waal, Frans. 1996. *Good natured. The Origin of Right and Wrong in Humans and Other Animals*. Cambridge (MA): Harvard University Press.

Ferraris, Maurizio, 2012. *Manifesto del nuovo realismo*. Rome and Bari: Laterza.

Habermas, Jünger. 1981. *Theorie des kommunikativen Handelns*. Frankfurt am Main: Suhrkamp.

Hösle, Vittorio and Christian Illies, eds. 2005. *Darwinism and Philosophy*. Notre Dame: University of Notre Dame Press.

Illies, Christian. 2003. *The Grounds of Ethical Judgement. New Transcendental Arguments in Moral Philosophy*. Oxford: Oxford University Press.

Illies, Christian. 2006. *Philosophische Anthropologie im biologischen Zeitalter. Zur Konvergenz von Moral und Natur*. Frankfurt am Main: Suhrkamp.

Kymlicka, Will. 1996. *Multicultural Citizenship: A Liberal Theory of Minority Rights*. Oxford: Oxford University Press.

Kymlicka, Will. 2007. *Multicultural Odysseys: Navigating the New International Politics of Diversity*. New York: Oxford University Press.

Martinelli, Riccardo. 2004. *Uomo, natura, mondo. Il problema antropologico in filosofia*. Bologna: Il Mulino.

Martinelli, Riccardo, ed. 2010. *Philosophical Anthropology: Historical Perspectives*. Monographic section of: *Etica e politica / Ethics and Politics* 12.

McDowell, John. 1998. *Mind, Value, Reality*. Cambridge (MA): Harvard University Press.

Nagel, Thomas. 1979. *Moral Questions*. Cambridge: Cambridge University Press.

Nagel, Thomas. 1986. *The View from Nowhere*. Oxford: Oxford University Press.

Nagel, Thomas. 2012. *Mind and Cosmos. Why the Materialist neo-Darwinian Conception of Nature is Almost Certainly False*. Oxford: Oxford University Press.

Possenti, Vittorio and Andrea Lavazza, eds. 2013. *Perchè essere realisti? Una sfida filosofica*. Milan: Mimesis.

Putnam, Hilary. 2004. *Ethics without Ontology*. Cambridge (MA): Harvard University Press.

Putnam, Hilary. 1999. *The Threefold Cord: Mind, Body, and World*. New York: Columbia University Press.

Putnam, Hilary. 2002. *The Collapse of the Fact/Value Dichotomy and other Essays*. Cambridge (MA): Harvard University Press.

Rawls, John. 1971. *A Theory of Justice*. Cambridge (MA): Harvard University Press, 1998.

Rawls, John. 1993. *Political Liberalism*. New York: Columbia University Press.

Realism, Ontology, and the Concept of Reality

Riccardo Martinelli

1. Introduction

In the last few decades, philosophers have been involved in an extensive and animated discussion about realism. As is well known, the word 'realism' appears in various philosophical contexts, e.g. in semantics, metaphysics, epistemology, ethics, philosophy of mathematics, philosophy of art, political theory, etc.[1] Remarkably, in each of these fields, the word 'realism' assumes different, heterogeneous meanings. Being a realist in ethics, for instance, has little or no influence over one's attitude towards realism in science, and so on. Accordingly, realism cannot be considered an all-embracing philosophical position.[2] To a certain extent, some forms of realism might show a certain "family resemblance," and the various realists possibly use certain specific sets of keywords more frequently than non-realists. Nevertheless, different realisms cannot be unified within a single doctrine. Most of those who are committed to realism within a single sector of the philosophical debate would not consider necessary, or even desirable, to embrace realism in a more general, comprehensive sense. Though this is true, some philosophers still epitomize their own theoretical position as 'realism' – sometimes as 'new realism' – without further specification.[3] This might *prima facie* suggest that they do consider many (or some) forms of realism connected, but this inference would not be correct. Rather, what self-declared realists *tout court* usually mean is that they are realists in metaphysics or – more precisely – in ontology. To put it in a nutshell, ontological realists usual-

[1] See e.g. French, Uehling and Wettstein 1988. The volume provides a survey of many aspects of the debate concerning realism, including moral theory. See also the recently updated entry "Realism" in *The Stanford Encyclopedia of Philosophy* (Miller 2014).

[2] To my knowledge, at least, no one has claimed for a substantial linkage between the above mentioned independent semantic domains of the word 'realism.'

[3] See e.g. Ferraris 2012. De Caro and Ferraris 2012. Gabriel 2014.

ly assume that things that belong to the world "out there" do not depend on our thoughts, mental schemes, categories, or linguistic practices, and so on. From this point of view, the way things occur in the world is fundamentally independent of whatever people may think (or not think) about it. Rather than a philosophical insight, this might seem a commonsensical or uncontroversial tenet.[4] Yet realists insist that many philosophers endorse the opposite view, and therefore that realism needs to be reaffirmed against sophisticated anti-realistic trends in philosophy. These trends are typically represented by idealist or nihilist thinkers.

One of the favorite polemic targets of the new realist wave is Immanuel Kant. However, Kant vehemently and correctly protested against those who tendentiously interpreted his thought as an ingenuous, rather than critical (or transcendental), form of idealism.[5] Although a discussion of Kant's philosophical stance is not part of this work, in § 4 I shall touch upon the fact that Kant never argued for anti-realism in ontology; rather, and more interestingly, he made claim to a philosophy free from ontological presuppositions. As far as nihilism is concerned, the analysis is no less interesting. Obviously, nihilists do not simply assume that nothing exists. More often, they try to challenge our (instinctive or cultivated) belief in the value of metaphysical notions such as truth, reality, goodness, and so on. Nietzsche's verbal vehemence against the idolization of facts – as in his famous sentence "there are no facts, only interpretations" – must be considered within the context of the controversy against positivistic philosophy prevalent at that time.[6]

---

[4] In her insightful book (D'Agostini 2013), Franca D'Agostini argues for the inseparability of the categories of reality and truth, so that (ontological) anti-realism becomes a self-confuting theory. Despite D'Agostini's ample and well-grounded discussion, I believe that reality and truth should be considered separately.

[5] See e.g. Sassen 1997; for a textual survey Sassen 2000. Kant's early critics, Sassen demonstrates, were puzzled by a philosophy that, in Johann Feder's words, "makes objects." As is well known, Kant replies to them with his *Prolegomena* of 1783 and in the second edition of his *Critique of Pure Reason* (1787).

[6] Nietzsche 1980, 7.60: "*Gegen den Positivismus*, welcher bei dem Phänomen stehen bleibt "es giebt nur Thatsachen," würde ich sagen: *nein, gerade Thatsachen giebt es nicht*, nur Interpretationen" (emphasis added). Even the insistence of hermeneutics upon the inescapable circle of interpretation does not seriously challenge the world's existence, unless one considers hermeneutics as a form of ontology – as Heidegger did, yet without

Still, realists are right in assuming that philosophers have often attempted to put a limit on naïve ontological realism. Some very typical problems with the postulates of realism are of the following kind: what is the real meaning of the claim that the things "out there" are independent of us? How are we supposed to know about them? How are we supposed to know about their independence from us? Moreover, what about ourselves? Are we merely part of this world of things "out there?" If we are indeed, what is the world of things independent from? If we are not, what about us as conscious or intentional entities is ontologically different from material things?[7]

In this essay I discuss some of the problems with ontological realism and the concept of reality. I come to the conclusion that, unless a positive and sound definition of reality is provided, ontological realism runs the risk of missing its own target. Claiming that reality "does not depend" on our thoughts, mental schemes, or linguistic practices is intrinsically confusing. Quite paradoxically, this merely negative definition of reality would be acceptable only in a dualistic perspective, that is, whenever one considers thoughts, mental schemes, etc. to be essentially different from the things "out there." A negative definition of reality can be useful in some cases, but it eventually leaves too many questions unanswered.

In the following pages I will discuss some of the arguments in the debate concerning ontological realism (§2). I will then focus on the traditional definition of reality as effectiveness, or capability of acting (§3). Finally, I will attempt to determine to what extent this definition is helpful in the debate concerning ontological realism (§4).

2. Arguments Concerning Ontological Realism

Despite the realists' own intentions, ontological realism in the above described form tacitly posits a dualistic view of the world, in which subjectivity plays a central role. A definition of reality as that which does not

---

denying the existence of the world.

[7] Kit Fine correctly observes that "we appear to avoid the absurdities of skepticism but only by buying in to the obscurities of metaphysics." Fine 2001, 4. As a solution for this dilemma, Fine sets the concept of "ground," which cannot be discussed here.

depend on human thoughts, mental states, etc., eventually makes this dualism inescapable. On this view, things and mental states are poles apart, independent from each other. Ontological realists must necessarily allow for a particular kind of reality of some kind (call it "consciousness," intentionality or anything else), from which things are declared to be independent: otherwise, the negative definition of reality would become inconsistent.

To resist this conclusion, the realist may add some positive element to the classical negative definition. Most frequently, realists appeal to perception, claiming that reality emerges from what we perceive. Having nothing to do with conceptual schemes, perception gives us direct access to reality. In this sense, realism also tends to be a reassertion of the independence of sensory data from further mental elaborations of any kind. Perceptions given by the senses – realists say – may be sometimes confusing; yet they cannot be always false. Descartes' well-known doubts concerning the senses in his first Meditation may be attractive for armchair philosophizing, but should nevertheless be rejected, since they finally lead to skepticism about the external world (or, less attractively, to the Cartesian solution).[8]

Be that as it may, the argument of perception has two important functions. In the first place, it softens the negative definition of reality and turns it into a half-negative definition. Ontological realists still believe that reality is independent of our thoughts, conceptual schemes, etc.; yet, they concede, reality is related to another, non-intellectual part of our mental activity, i.e. perception. As a consequence, reality and perception are strongly linked together and, as such, they are independent of abstract thoughts, conceptual schemes, etc. In this form, however, ontological realism potentially clashes with scientific realism. Whether reality is made up of standard-size objects as shown by ordinary perception, or of subatomic particles, is a dilemma that cannot be eschewed.[9] Within the sphere of the

[8] As Descartes points out, we might be dreaming in this very moment, so that all of our representations would be false and deceptive; moreover, even if we are awake, an almighty and malicious god could make us erroneously believe that the world exists. Against Descartes, however, realists can still argue that in most cases what we see, touch, and hear, is actually what is there. See Descartes 1968.

[9] For a survey of some debates concerning scientific realism see e.g. Leplin 1984. A

present discussion, the most striking difference between scientific and ontological realism is that the former positively defines reality, according to what scientific knowledge tells us about it, whereas the latter does not. Thus, unless scientific realism is explicitly embraced, the realistic position remains uncertain with respect to a positive definition of reality.

Secondly, and perhaps more importantly, the perception-grounded argumentation works as a deterrent against any temptation to define reality. Reality – realists assert – has to be perceived, not "defined," as if it were a conceptual construct or a linguistic convention. In a sense, this is an essential part of ontological realism's argumentation. The very act of requiring a definition of reality ultimately reveals an anti-realistic stance; by contrast, arguing against the possibility of a definition of this kind is a typical realist move. In other words, asking for even a preliminary agreement about a conceptual definition of reality is too strong a condition, that can be legitimately rejected by realists. Nevertheless, at some stage realists and anti-realists should find an agreement about the meaning they attribute to this contextually crucial word.

3. The Traditional Definition of Reality

Although it is not likely to solve the hitherto discussed problems, and despite the realist's skepticism about definitions, an investigation into the meaning we should assign to the term 'reality' is a reasonable task within the general discussion concerning realism. As many other related general terms – 'truth,' 'substance' (or 'thing'), 'causality,' etc. – reality has been the subject of innumerable philosophical discussions, which cannot be resumed here. Nevertheless, a quick historical look at some classical definitions of reality turns out to be a helpful tool for our present concern.

Within the modern tradition, 'reality' has been often defined as effectiveness, or capability of acting.[10] In German, the word '*Wirklichkeit*'

discussion of this topic lies beyond the scope of the present essay.

[10] See e.g. Trappe 1971 cols. 829-846. The double usage of the Latin word realitas gives rise, in modern German, to two different words: '*Wirklichkeit*' (a term often related to modal logic, situated between contingency and necessity) and '*Realität*' (829). Remarkably, the entry of the *Historisches Wörterbuch der Philosophie* concerning the reality (*Realität*) of

(meaning reality) and the verb '*wirken*', meaning acting, having an effect on something, share the same root. Germans also use the word '*Realität*' for reality, sometimes with a slightly different meaning.[11] For instance, whereas many nineteenth-century philosophers use '*Realität*' for the subject of our discussion, Hermann Helmholtz talks about the *Wirklichkeit* of the external world. For Helmholtz, things act (*wirken*) on our perceptual system, triggering our various perceptions, according to the specific nature of the perceiving nervous apparatus.[12]

Can the definition of reality as effectiveness solve some of the problems raised by ontological realism? Could an ontological realist adopt this definition, and with what effects? As we shall see, many ontological realists would probably resist the temptation to define reality in terms of effectiveness, since this definition diverts from a static ontology of things. Nevertheless, defining reality as effectiveness or capability of acting has considerable advantages. In the first place, it requires no involvement of intentional entities, so the above mentioned dualistic implications can be avoided. Reality is neither defined negatively as "what does not depend on" a certain intentional action, nor half-negatively as the counterpart of perception, but rather positively as effectiveness. Moreover, the capability of acting does not compel us to limit our attention to ordinary "material" things, that is, to regular-size objects suitable to bring about perceptions in a certain subject.

In a sense, the negative definition of reality can be regarded as a special case within a general phenomenology of effectiveness. In fact, the negative definition identifies real things on the basis of their capability of acting on a certain subject. Things somehow provoke perceptions in the individual, and those perceptions cannot be changed or influenced by the individual's thoughts, conceptual patterns, etc. By contrast, the definition of reality as effectiveness does not entail any limitation concerning the individual upon which the effect is exerted. This has remarkable consequences.

In the first place, under this definition, there is no preliminary ontological distinction between subjects and objects, or perceiver and the perceived. Therefore, effectiveness could pertain to something, regardless of

---

the external world (Grüneputt 1971) begins with Kant's Refutation of Idealism.

[11] See Trappe 1971 col. 829.

[12] Helmholtz 1903 (1878).

its being endowed, or not, with intentionality. With this move, some of the difficulties previously discussed are overcome. Secondly, the clash between ontological commonsense realism and scientific realism is – at least – softened. The inevitable alternative (either standard-size objects or subatomic entities) posed by these two theoretic options tends to fade and to give rise to a unified view. Whenever a certain effectiveness is captured, regardless of how it is captured (e.g., whether through ordinary perception or sophisticated scientific devices), we encounter reality.

These remarks are surely far from offering a comprehensive theory. My intention is simply to draw attention to a relatively neglected aspect of the debate, suggesting that further conceptual clarifications are needed concerning the very basic terms of the debate concerning realism.

4. Conclusive Remarks

Notwithstanding the above mentioned advantages, I suspect that many ontological realists are unlikely to embrace a definition of reality in terms of effectiveness. In many cases, in fact, what is at stake in the debate about ontological realism is not whether one is realist or not about the external world. Most people and most philosophers are indeed realists in this sense. Rather, the debate involves taking a position on ontology and its role within the body of the philosophical disciplines. Should we make preliminary decisions concerning ontology before we make any other philosophical move? From this perspective, the tendency towards a "new realism" actually corresponds to a revival of ontology as general metaphysics, that is, as a set of preliminary decisions about what exists, considered in its fundamental form.

In my view, one can embrace realism without having to subscribe to fundamental ontology. Needless to say, ontology is an important part of philosophy. What should be avoided is the scholastic idea that ontology has some kind of priority over (any or most) other aspects of philosophy. Formal ontology and regional ontologies undoubtedly give many indispensable contributions to phenomenology. By contrast, a general ontology implying dogmatic realism is much less attractive, especially when it is imbued with foundationalist pretensions. With this, I do not mean to

advocate any form of commitment to anti-realism in ontology. Rather, one should subscribe to realism without compromising philosophical inquiries with a preliminary subdivision of the world into kinds or categories (the more so, if this subdivision runs tacitly), or with other fundamental ontological presumptions. My concluding historical remarks concern the Kantian origin of this philosophical stance. Kant famously argues for the replacement of ontology (general metaphysics) with the analytic of the intellect. He famously claimed that "the proud name of ontology" must "give way to the modest one of a mere analytic of the pure understanding."[13] Interestingly, acceptance of this philosophical suggestion can be given independently of adherence to the other issues of Kant's philosophical program. It can be true that philosophy should dismiss ontological presumption, without the second part of the sentence (that a good substitute for ontology is the analytic of pure intellect) being also necessarily true.[14] Recent philosophical debates provide many examples of an ontological modesty totally disjointed from Kantian criticism. Some philosophers argue that the ontological presumption should be tempered by evidence coming from the field of psychology, or of neuroscience. Even those who don't subscribe to this view may develop other strategies, nearer to traditional philosophical investigation. The conceptual analysis of the main terms involved – reality, to begin with – is surely one of the main tools available to us for these strategies.

References

D'Agostini, Franca. 2013. *Realismo? Una questione non controversa*. Torino: Bollati Boringhieri.

De Caro, Mario and Maurizio Ferraris, eds. 2012. *Bentornata realtà. Il nuovo realismo in discussione*. Torino: Einaudi.

Descartes, René. 1968. *Meditationes metaphysicae de prima philosophia*. Vol. 7 of *Oeuvres*, edited by Charles Adam and Paul Tannery. Paris:

[13] Kant 1999, 345 (A 247/B 303).

[14] The problem of presumption and modesty did not come to a conclusion at the time of Kant. See e.g. Wright 1987, 25.

Vrin.
Ferraris, Maurizio. 2012. *Manifesto del nuovo realismo*. Bari; Laterza.
Fine, Kit. 2001. "The Question of Realism." *Philosophers' Imprint* 1.
French, Peter A., Theodore E. Uehling, and Howard K. Wettstein, eds. 1988. *Realism and Antirealism*. Minneapolis: University of Minnesota Press.
Gabriel, Markus, ed. 2014. *Der neue Realismus*. Frankfurt a.M.: Suhrkamp.
Grüneputt, K. 1971. "Realität der Außenwelt". In *Historisches Wörterbuch der Philosophie*, Vol. 8, edited by Joachim Ritter, Karlheinz Gründer, and Gottfried Gabriel, cols. 206-211. Basel: Schwabe.
Helmholtz, Hermann. 1903. "Die Thatsachen in der Wahrnehmung." In *Vorträge und Reden*. Braunschweig: Vieweg. Transl. "The Facts of Perception." In *Selected writings of Hermann von Helmholtz*, edited by Russell Kahl. Middletown: Wesleyan University Press, 1971.
Kant, Immanuel. 1999. *Critique of Pure Reason*, edited by Paul Guyer and and Allen Wood. Cambridge: Cambridge University Press.
Leplin, Jarrett, ed. 1984. *Scientific Realism*. Berkeley: University of California Press.
Miller, Alexander. 2014. "Realism." In *The Stanford Encyclopedia of Philosophy*, ed. by Edward N. Zalta. Winter 2014 Edition. http://plato.stanford.edu/archives/win2014/entries/realism/.
Nietzsche, Friedrich. 1980. *Sämtliche Werke - Kritische Studienausgabe*, Vol. 12, edited by Giorgio Colli and Mazzino Montinari. München-New York: Fischer.
Sassen, Brigit, ed. 2000. *Kant's Early Critics. The Empiricist Critique of the Theoretical Philosophy*. Cambridge: Cambridge University Press.
Sassen, Brigit. 1997. "Critical Idealism in the Eyes of Kant's Contemporaries." *Journal of the History of Philosophy* 35.
Trappe, Tobias. 1971. "Wirklichkeit." In *Historisches Wörterbuch der Philosophie*. Vol. 12., edited by Ed. by Joachim Ritter, Karlheinz Gründer, and Gottfired Gabriel, cols. 829-846. Basel: Schwabe.
Wright, Crispin. 1988. "Realism, Antirealism, Irrealism, Quasi-Realism." In *Realism and Antirealism*, edited by Peter A. French, Theodore E. Uehling, and Howard K. Wettstein. Minneapolis: University of Minnesota Press.

Agathological Realism.*
Searching for the Good beyond Subjectivity and Objectivity
or
On the Importance of Being Platonic

Salvatore Lavecchia

1. Integrating the Self with the World

Any reflection concerning moral realism could be unsatisfactory if it concentrates solely on the notion either of objectivity or of transcendence. In the following discussion I will suggest the possibility of developing a moral realism which avoids such univocal connotation. This possibility will be indicated through focusing on one of the most essential notions in any moral discourse: on the notion of *good*. My thesis is based on two seminal passages from Plato's works – *Timaeus* 29e-30a and *Respublica* 506d6-509c. I will reflect on the possibility of configuring a notion of good which integrates in itself universality/objectivity as well as individuality/subjectivity, immanence as well as transcendence.[1] In other words, the intended notion of good

* The term *agathological* does here not primarily refer to the domain of ethics or practical philosophy, but rather to a thinking which, transcending any separation of practical from theoretical domains, perceives a supreme Good (*agathon*) as both ultimate origin and reason (*logos*) of its autonomous activity as well as of being in general. *Realism*, in turn, intends here simply to indicate an ontological consistency independent from the relation with a perceiving or knowing person.

[1] My argument as it follows is not necessarily best understood as an attempt to give an exposition of Plato's moral realism. For a valuable and stimulating exposition of this subject see Rist 2012. However, differently from Rist, I regard chronological concerns as not relevant for my considerations. According to the crucial (and reliable) testimony of Dionys. Halicarn. *de comp. verb.* 25.32-33, Plato reconsidered and revised his works throughout his life, which makes impossible any trustworthy hypothesis concerning their chronology. Additionally, in contradistinction to Rist – who does not exploit the possibility of integrating *Respublica* 506d6-509c with *Timaeus* 29e-30a (Rist 2012, 142-146) – my primary concern

should refer not only to a *telos* originally perceived as external, as purely objective and transcendent in relation to the knowing and acting self – that is to individual, personal consciousness –, but also to a reality which can be immediately experienced by the self as belonging to its own authentic nature as well as to its acting as a knowing person.

Concentrating on Plato and evidencing the importance of his suggestions, I will be expressing not merely archeological, but primarily heuristic concerns, attempting to indicate a perspective in which realism is capable of being genuinely *realist* not only with regard to the *world* or to the so-called moral *facts* experienced by the self, but also with reference to the *self*, that is, to the *consciousness* and *self-consciousness* experiencing itself and the world,[2] as well as to the *conscience* making moral choices in the world. This form of realism is able to counter two possible criticisms made of realism. On the one hand, realism is accused of problematically affirming the objective reality of an outer world – that is of a transcendent *being* – founding moral facts. On the other hand, realism is accused of overlooking the profound evidence concerning the *reality* and *uniqueness* of a person's inner life and self – ignoring, for instance, the epistemically unconfutable transparency of self-*consciousness*.[3] The variety of realism that I propose is able, I claim, to answer to both this critiques.

Certainly, many responses to the aforementioned reproaches can be given. They could either be oriented towards naturalistic positions willing to eliminate the self by considering it an illusion emerging from biological processes or social contexts; or they could result in the assumption of spiritual perspectives absorbing the professed autonomous reality of the self in the dazzling light of an

---

will consist in emphasizing the self-givingness of the Good rather then its connotation as *telos*, thus liberating Plato's moral realism from the univocal objectivistic nuance characterizing its current expositions.

[2] A valuable attempt at delineating a realist approach with regard to consciousness and subjectivity can be found in Nagel 2012, although Nagel perceives his attempt as immanent to a naturalistic, while non-materialist, perspective, which differentiates his approach from that presented in the following discussion.

[3] This unconfutability is affirmed also in the context of eliminativistic positions. See the exemplary disquisition contained in Metzinger 2003 (with further bibliography).

undifferentiated Absolute or One. In both cases, however, realism would be inevitably compelled to postulate an insurmountable chasm, a *dualism* between *being* and *consciousness*, *objectivity* and *subjectivity*, *self* and *world*. I am not convinced that such form of realism would be able, ultimately, to authentically harmonize with the aspirations which orient the majority of persons living at the present time. This explains my interest for realistic positions which, in the field of both metaphysics and practical philosophy, do not assume the aforesaid gap as the ultimate destiny of mankind. Among these positions Plato's perspective may be regarded as paradigmatic. It is in fact focused on a notion of good which, transcending any separation or dualism between ontology and ethics, could offer significant impulses towards a moral realism leading to the experience of reciprocal integration between being (world) and consciousness (self).

2. Plato's Notion of Good. Good as Unrestricted Self-Givingness and Self-Transcendence

Plato delineates explicitly the nature of being good only in *Timaeus* 29e-30a,[4] a passage illustrating the cause of the Demiurge's impulse to produce the physical universe. According to this passage this cause consisted in the goodness of the Demiurge, where being good is intimately connected with being *aphthonos* (*Timaeus* 29e1-2):[5] being good involves being absolutely free from envy and, therefore, inclination to the highest form of generosity, which disposes for an unrestricted self-givingness. Unrestricted self-givingness is, more precisely, the motivation by which the Demiurge gave life and form to our cosmos: the Demiurge was willing to render everything as similar to himself as possible, that is, to render it *good* (*Timaeus* 29e2-3,

[4] I attempted a more general account of the implications contained in Plato's notion of *good* in Lavecchia 2010 and Lavecchia 2012, 12-31. The scantiness or absence of references to other interpreters of Plato in the following pages is due to the fact that the implications intended here have until now not been adequately evidenced and investigated.

[5] The intimate association between being good and being *aphtonos* is very well emphasized in Milobenski 1964, 27-58, although Milobenski does not investigate the important implications that can be derived from it with regard to Plato's notion of good.

30a2). In brief, on the basis of his goodness the Demiurge was willing to unrestrictedly endow another being with the most essential quality characterizing his own nature. In summary: he was willing to originate an *image* – an *eikôn*, that is something which is similar (*eoike*) to its own origin – of himself (see *Timaeus* 92c7).

In the light of the above passage the good consists in an unconditional impulse to self-manifestation, through which the good being shapes a ground for the existence and manifestation of another good being, that is for an *image* of itself.[6] The unconditionality characterizing this impulse is demonstrated through the fact that the activity of the Demiurge is absolutely *free* and *autonomous*, therefore not determined by any factor: neither by any need or necessity, nor by any opposition to something bad, nor by a striving for self-assertion, nor by any norm or law, nor by any imperative or commandment, nor by any past experience or expectation regarding the future. In other words, the impulse we are delineating involves the unrestricted openness for the autonomy of another being. Not surprisingly, according to *Timaeus* 34b6-8, the activity of the Demiurge results in generating a cosmos characterized by complete autonomy – it needs, in fact, nothing external in order to maintain its own existence – and self-consciousness (*gnôrimon ... auton hautô*). This is indeed the logical consequence of the unlimited generosity characterizing a good being: if a good being would not be inclined to endow another being with its own freedom and autonomy, as a result its manifestation would be limited by some internal or external factor, that is it would be unable to be absolutely free from envy and hence unable to be unrestricted in its generosity.

In this perspective the good implicates absolute gratuity, thus transcending any opposition between the *self* and the *other*. The good *consists* namely in its manifestative character, that is, in the most generous form of *relationality*, which involves unconditionally being open to and for the self-manifestation of another being. In sum, the good would not be the good if it did not implicate the most profound

[6] For the positive connotations Plato associates with the notion of *image* (*eikôn*), with special reference to his notion of good, see Lavecchia 2006, 199-202; Bontempi 2009, 210-224; Lavecchia 2010, 11-16.

form of self-transcendence:[7] if it did not immediately transcend any opposition between identity and difference.

3. The Analogy Between the Sun and the Supreme Good. The Supreme Good as Origin of Being and Consciousness

Plato illustrates the eminently manifestative character of the good through the famous analogy between the sun and the origin of every being (*Respublica* 506d6-509c). This origin Plato identifies with the supreme Good.

For the following reason the sun appears as an absolutely convincing analogon of the supreme Good: in the same way that the sun is unconceivable as separated from its manifestation through light, so the supreme Good is unconceivable as separated from its manifestation through being. Consequently, in *Respublica* 508d5 the light generated by the sun is presented as analogous of *truth* (*alêtheia*) and *being*, thus evidencing the immediate unity of the Good with its manifestation, beyond any opposition between immanence and transcendence.[8] In this context we should therefore take at face value the etymology of *aletheia* – *a- privativum* plus the same root of *lanthanô* and *lêthê* –, which points at the quality of being unhidden: truth – *alêtheia* – is the unhiddenness of the Good. As a result, in accordance with the literal meaning of *idea* – originally designating *what can be seen* (*idein*) with regard to a certain being –, in Plato's analogy of the sun we should interpret the association of the term *idea* with the supreme manifestation of the Good (for example in *Respublica* 505a2, 508e2-3, 517b8-c1) as indicating that the Good makes itself unconditionally knowable, visible, manifest through its *idea*. That is to say, the *idea tou agathou* (the Form of the Good), that is the supreme form of being, has to be intended as the unrestricted *visibility* or as the *unhiddenness* (*alêtheia*) of the Good resulting from its

[7] With regard to self-transcendence as intrinsic characteristic in Plato's notion of good see Lavecchia 2013a.

[8] Concerning this characteristic of the supreme Good see Ferrari 2001, 14-15, 18, 22-24, 26-27, 36-37; Lavecchia 2010, 43-55.

unconfined self-givingness.[9] The unrestrictedness of this visibility involves, in turn, the highest autonomy of being from its origin, that is: the inherence of autonomous consciousness in the highest form of being. The analogy between the Good and the sun indicates, in fact, that at its supreme level of manifestation being does not presuppose any separation from consciousness. As Socrates explains, the relation connecting the sun with sight (with the eye) and the visible beings is namely analogous to the relation connecting the Good with the highest intellect (*nous*) and the intelligible/noetic beings (*Respublica* 508b12-c2). This implicates that the Good manifests itself in its supreme form – in the form of intelligible/noetic reality – as *unity* of (we could say) *objective* being and *subjective* consciousness (intellect), in the same way as the sun manifests itself as *objective* visibility as well as *subjective* activity of perception (seeing). This corresponds entirely to the notion of being good explicated basing on the *Timaeus*: the being good of the Demiurge consists in an unrestricted self-givingness generating a being which is not only an *objective* image of the Demiurge (92c7), but also an autonomous *subjectivity*, that is a *self-consciousness* (34b7-8) capable of perceiving and knowing the origin of its generation.

4. Explicating the Unity of Being and Consciousness in the Supreme Good: the Infinite Sphere of Intelligible Light

On this platonic perspective, as illustrated through the analogy between the Good and the sun, the supreme Good does not generate a merely objective being: the being supremely manifesting the Good is an autonomous self, an autonomous consciousness, that is an intellect (*nous*) able to immediately perceive and manifest the intelligible, objective light of the Good. Plato does not offer any conceptual explication for this unity of being and consciousness in the supreme manifestation of the Good. However, we can attempt an explication

[9] On the appropriateness of differentiating the *idea tou agathou* (the supreme manifestation of the Good) from the Good *beyond its manifestation* (*agathon epekeina tês ousias Respublica* 509b), already considered by Schelling, see Lavecchia 2005; Lavecchia 2006, 110-118; Lavecchia 2010, 43-55.

based on some clues which he gives in connection with the analogy between the Good and the sun. The first clue consists in the fact that Plato perceives the Good as generator not only of intelligible reality, but also *of visible light* as well as *of the sun* (*Respublica* 508b12-13, 517c3-4). This implicates that we have to consider the notion of intelligible/noetic light – which permeates the analogy between the Good and the sun (*Respublica* 508d4-6) – not as a mere metaphor based on the experience of visible light, but as indicating the *true* light, that is the spiritual (intelligible/noetic) light of the highest being emanating from the Good.[10] Of this light visible light has therefore to be regarded as an authentic image. Consequently, the Good reveals itself – in accordance with its unconditional, infinite impulse to self-manifestation – as an original *center* emanating intelligible light, that is light transcending space and time.

If we now closely consider the Good as an original center of intelligible light, we will be capable of finding an explanation for the unity of being and consciousness denoting the supreme manifestation of the Good. An original center of intelligible light implicates immediate identity with an infinite sphere of light, which that center generates instantly because it transcends time and space. An original center of intelligible light *is* therefore its own instant *exteriorization* in an infinite sphere, which implicates the fact that the center does not precede the sphere or vice versa. The just indicated exteriorization, in turn, does not result in an *indefinite* sphere. In fact, if we concentrate on the *infinity* characterizing its impulse to self-manifestation, at infinity the exteriorization of the original center manifests a limit consisting in its *reversion*, that is in an *interiorization*. In other words, the instant, spherical and infinite self-manifestation (exteriorization) of the original center (of the Good) results in an immediate interiorization, which constitutes the plurality of points building the circumference of the infinite, but *definite* sphere generated by the original center. This reversion can be explained through the fact that the exteriorization, the *objectivation* of the original center (of the Good) is unrestricted and

[10] With regard to Plato's notion of intelligible light see Beierwaltes 1957, 37-98 for an exposition which is still unsurpassed.

unconditional. As a consequence, it is completely undetermined by its identity, by its being exteriorization and objectivation, hence manifesting itself immediately as *unity with its opposite* – with interiorization, subjectivity and consciousness.

In this context the points building the circumference of the intelligible sphere have to be considered as autonomous centers of intelligible consciousness manifesting the Good as the original center of intelligible consciousness, that is, as supreme intellect. Considering the strict analogy between the activity of the sun regarding sight and the activity of the Good regarding intelligible consciousness (*Respublica* 508b12-c2), the aforementioned centers of intelligible consciousness correspond to the centers of sight generated by the light of the sun, that is to the eyes. The faculty of sight and, accordingly, the essence of the eye, is characterized by Plato this way – and this is the second clue to the explanation we are attempting – as generated through the *interiorization* of the light *exteriorized* by the sun (*Respublica* 508a9-b11). Following the analogy with the Good, this process has to be perceived as mirroring the dynamic generated by the Good through its manifestation as original center of intelligible light: it is, in fact, the visible equivalent of the intelligible manifestation originated by the Good and consisting in the polarity of intelligible subject (intellect) and intelligible objects.[11] This equivalence implicates the congruity of the explications here attempted with reference to the infinite sphere of intelligible light – notwithstanding the fact that Plato does not refer explicitly to that sphere[12] –: just as the exteriorization of the sun reverses and interiorizes itself in the faculty of sight, generating a plurality of eyes, so the

[11] See the strict analogy between *nous kai ta noumena* and *opsis kai ta horômena* in *Respublica* 508b12-c2.

[12] This absence of explicit reference could explain why nobody has until now attempted to integrate into the explication of the analogy of the sun an interpretation of the sphere of intelligible light. In any case, the integration proposed here is legitimized by the fact that Socrates declares his having omitted many things during the explication of the analogy (*Resp.* 509c9-10). One of these many things is exactly the explanation concerning the unity of being and consciousness to which the analogy clearly points. Without reference to the sphere of intelligible light this aspect of the analogy would remain simply incomprehensible.

exteriorization of the Good reverses and interiorizes itself instantly in a plurality of centers characterized by autonomous intelligible consciousness and perception. Further, in the same way that the sun can be perceived as generating a visible sphere of light whose circumference is constituted by the eyes, the Good can be perceived as instantly generating an infinite intelligible sphere of light whose circumference is built by autonomous centers of intelligible perception, that is, by autonomous centers of consciousness.

5. The Life of the Intelligible Sphere as Supreme Paradigm of Morality

Examining the sphere of intelligible light with special regard to the dynamic connecting its components to each other, we will discover some stimulating implications to which Plato's notion of supreme Good could be pointing.

Since intelligible light transcends space and time, the components of the sphere generated by the Good cannot be considered as *separated* from each other through the presence of something residing *between* them. Therefore, in the intelligible sphere every point building the circumference is not separated from the original center, so that every point belonging to the circumference *is* center and the whole sphere is constituted *only* by the points building its circumference: the center is everywhere and the circumference nowhere.[13] However, the hereby presupposed unity of the original center with every other point of the sphere is not to be intended as a static, mathematical coincidence, which would imply a spatial connotation of it. On the contrary, this unity has to be perceived as a dynamic reciprocal transparency instantly and immediately connecting each other all components of the sphere.[14] The

[13] This formulation is attested in *Liber XXIV Philosophorum* II (*Deus est sphaera infinita cuius centrum est ubique, circumferentia nusquam*), which contains the first explicit reference to the aforementioned property characterizing the infinite sphere. Concerning the history of this image see Mahnke 1937; Hedwig 1980.

[14] The notion of reciprocal transparency is explicitly related to the intelligible beings in Plotinus *Enn.* V 8 (31), 4, 6-7, where it is associated with the self-transparency of intelligible

resultant relation subsisting among those components can be imagined as *rhythm* and *harmony* deriving from an eternal (*id est,* non-spatial and non-temporal) *pulsation*, through which every component, by manifesting its self-consciousness, immediately manifests the self-conscious transparency of every other component.

Commensurate with these considerations, Plato's notion of supreme Good points to the fact that the being immediately manifesting the Good cannot be considered as an abstractly universal, impersonal reality, but should be perceived as a dynamic, harmonious *community*: as a *cosmos* of intelligible beings, in which every individual being manifests instantly *the whole* community as well as *every* other individual by transparently manifesting its own autonomous individuality and consciousness. Certainly, the 'cosmos' as I understand it here is very far from the picture currently delineated by exegetes of Plato with regard to the intelligible world, according to which picture Plato's Forms are purely abstract, universal entities not characterized by autonomous consciousness and morality.[15] This current picture is indeed problematic in twofold respect: on the one hand it does not take seriously enough the relation intimately connecting the Forms with the Good, which – being the origin of the Forms as well as the supreme Form – has unquestionably to be perceived as endowing the Forms with its own qualities, that is with its own impulse to unconditional relationality; on the other hand it takes into little or no account the fact that in *Respublica* 500c2-5 the intelligible world is in fact characterized as the supreme paradigm of justice and *kosmos*, that is as a perfectly harmonious and ordered complex of relations, which reveals it as the supreme expression of virtue (see also *Phaedrus* 247d5-6). In addition, interpreters assuming as valid the current picture are until now incapable of satisfactorily explaining away the identification of the Demiurge with the supreme noetic (intelligible) being attested in *Timaeus* 37a1-2. If taken seriously (and why should we not take it seriously?) this identification – that is,

light. Although Plotinus does not mention explicitly the intelligible sphere of light, the aforementioned passage can be explained entirely through reference to it.

[15] On the necessity of attributing self-consciousness to the Forms see the brilliant exposition in Schwabe 2001 (with further bibliography).

the identification with the Form of the Good[16] – would document clearly the inherence of consciousness and morality in the intelligible world, revealing the intelligible world as the highest manifestation of the identity between being, consciousness and morality implicit in Plato's notion of supreme Good and manifested by the analogy of the sun.[17]

On this basis the explication of the infinite sphere offered above (§ 4.), combined with Plato's perception of the supreme Good as well as of the intelligible world, could help to delineate a coherent picture. In the resultant picture the supreme Good appears – because of its unconditional relationality – on the one side as transcending any notion of unity and plurality,[18] of universality and individuality, of objectivity and subjectivity, of identity and difference, on the other side as originating a reality characterized by the most intimate unity of being and consciousness. This reality, in turn, manifests itself immediately as a cosmos, that is as a complex of harmonious, transparent relations

[16] The identification of the Demiurge with the Form of the Good – which in the perspective delineated here would imply the identification with the supreme intellect – is affirmed, for example, in Stumpf 1869, 232-243; Zeller 1889, 507-518; Wood 1968; Benitez 1995; Seifert 2001; Lavecchia 2005, 14-19; Lavecchia 2006, 216-222 (with further bibliography). The importance of this identification with reference to some seminal problems arising from Plato's philosophy is rightly acknowledged in Rist 2012, 232-235 and 252, although according to Rist – who does not attribute adequate significance to *Timaeus* 37a1-2 – for Plato the identity of the Demiurge with both the supreme intellect and the Form of the Good remains only conjectural.

[17] The identity of Demiurge and highest intelligible being obviously involves the identity of the Demiurge with the model of his activity, that is, with the intelligible world – since the highest noetic being embraces in itself all other noetic beings (*Timaeus* 30c7-8). In turn, this implicates that the relationality peculiar of the intelligible world has to be intended as unrestricted also *ad extra*. This is not contradicted by the fact that Plato often emphasizes the transcendence of the intelligible world with regard to the visible universe, since he never characterizes this transcendence as hindering an impulse to self-givingness.

[18] In this perspective the two supreme principles of being attested in the so-called *agrapha dogmata* – the One and the Indefinite Dyad – could be interpreted as explicating the fact that the Good is supreme principle both of unity and plurality, whereas the Good transcends every form of both unity – that is the One – and plurality – the Indefinite Dyad. If this interpretation is right, Plato could not be considered as progenitor of the neoplatonic *henology*, which, in turn, would in this case depend on an univocal interpretation of Plato's protology. Regarding these subjects see Lavecchia 2010; Lavecchia 2012, 23-31; Lavecchia 2013.

between autonomous centers of intelligible consciousness. This spiritual cosmos is, according to Plato, supreme paradigm and source of both individual and public morality (*Respublica* 500b7-501c3).

In consonance with this background, morality results solidly anchored in the ultimate origin of being. In the supreme Good are, in fact, anchored on the same level, a configuration of being immediately manifesting morality as well as the consciousness and conscience capable of autonomously revealing that configuration. This anchorage can be vividly illustrated through the infinite sphere of intelligible light, of which the Good is the original center. The unity of being and consciousness characterizing this sphere can be perceived, in reality, as immediately manifesting morality, since that unity instantly reveals itself as a transparent complex of harmonious relations between autonomous centers of intelligible consciousness, whose life supremely manifests the self-givingness of the Good. In other words, an immediate and conscious relation with the Good can be perceived, in this perspective, as the substance of intelligible/noetic life. Being consciousness intrinsically manifesting intelligible life, intellect (*nous*), in its both divine and human instantiations, should therefore not be regarded as a faculty exclusively producing abstractions or formalisms. On the contrary, the authentic nature of its activity, that is, of thinking, resides, according to this perspective, in autonomously generating relations manifesting the Good through a direct insight into the Good self.[19] As a consequence, in this activity every gap separating knowledge and morality is definitely transcended, since true knowledge consists for Plato in the acquaintance with *and* in the manifestation of the Good.

True knowledge resides, from Plato's point of view, beyond the polarity of theory/contemplation and practice/application,[20] in the same way that the life of the intelligible sphere resides beyond the polarity of *self* and *other*. In other words, true knowledge is an *activity* imagining and generating new instantiations of the transparent, eternal *rhythm and harmony* constituting

[19] Plato evidences the intrinsic relation with the Good as characterizing the nature of intellect, for example, in *Phaedo* 97c5-6, 98a7-b3, 99a7-b2 and c1-6; *Respublica* 508b12-c2; *Philebus* 67a10-12.

[20] For an exemplary take on this aspect of Plato's philosophy see Festugière 1950, 373-447 and Krämer 1959.

the life of the intelligible sphere,[21] in which every center of consciousness generates itself through being unrestrictedly open to the transparency of and communion with every other center of consciousness. In the aforementioned, eminently moral activity consists the genuine nature of *thinking*, which, according to the dynamic which characterizes the intelligible sphere, originally manifests itself as production of the *sphericity*, that is of the unconditional relationality building that sphere. On Plato's perspective human persons are capable of generating autonomously and intentionally that – both intellectual and moral – activity if they connect themselves consciously with the authentic essence of their being. The unshakeable confidence in this potentiality explains why Plato perceives authentic morality as presupposing a constant orientation towards the activity of intellect, through which that essence manifests itself in the supreme form. This orientation, in turn, does not implicate the abstract intellectualism often attributed to Plato's or Socrates' ethics. It points, conversely, to the self-givingness which led Socrates to sacrifice his life because of encouraging his fellow citizens to become persons autonomously, that is *consciously* manifesting the Good.[22]

6. Manifesting the Good as Experience of Genuine Freedom. Harmonizing Individuality and Community

In consonance with our previous considerations Plato's notion of good cannot be intended as primarily referring to the concept of end or goal (*telos*), which solely implicates a reference to a being or a state/condition external to the person striving for attaining the good. In Plato's perspective *good* indicates, rather, primarily the fundamental, constitutional attitude of a self capable of consciously actualizing the most generous relation with regard to another self or to a plurality of

[21] Not surprisingly, in *Leges* 689d *sophia* is strictly connected with the concept of *symphônia*, indicating the harmonious integration of many voices. For a general exposition concerning Plato's notion of *sophia*, with particular attention to its relation with the supreme Good, see Lavecchia 2009.

[22] Concerning Socrates' self-givingness, that is Socrates' absence of envy, see the significant passages in *Euthyphro* 3d6-8 and *Apologia* 33a6-b3.

selves, enabling another self or a plurality of selves to manifest unconditionally and autonomously their genuine nature. Of course Plato intends the good *also* as telos, as some seminal passages in his dialogues clearly indicate.[23] However, this *telos* does not consist in a merely passive state of contemplation related to some irrevocably transcendent *object*. On the contrary, the philosophical itinerary proposed by Plato culminates in a productive *union* with the supreme reality, which results in *activity* autonomously generating new instantiations of morality and knowledge (*Symposiun* 212a3-5 and *Respublica* 490b1-7).

The radical transcendence of the supreme Good with regard to every form of being, evoked in *Respublica* 509b8-10 – the Good is *epekeina tês ousias* – does not contradict this perspective just delineated. Conversely, if the Good did not transcend every form of being, then it would follow that the self-givingness of the Good would be determined and limited by the coincidence with a form of being. This coincidence, in fact, would make it impossible for the Good to endow another being with real autonomy, which implicates real *alterity*, that is independent ontological substantiality on the side of the being originated by the Good. In sum, transcendence results in this context as prerequisite of freedom, both for the Good and for its manifestation. On this basis the manifestation of the Good cannot be intended as *reflection* or *reproduction* of some identity, but reveals itself as generation of *new* forms of autonomy, that is as *creativity*.[24] And this pertains not only to the supreme manifestation of the Good self, but also to the activity of every self intending to manifest the Good. In order to realize its intention, that is, in order to directly experience and reveal the Good, that self has to transcend every form of being, becoming thus capable of manifesting a *really* new form of being, not deducible from other forms of being. The self willing to manifest the Good has, in other words, to re-generate in a new form the unrestricted freedom of the Good.[25] Nevertheless, the thus attained freedom has nothing to do with

[23] See, for instance, the explicit assertions in *Gorgias* 499e7-500a1 and *Respublica* 505d11-e1.

[24] For an attempt at illuminating Plato's notion of good in reference to the notion of *creativity* see Lavecchia 2012a.

[25] From this point of view it becomes comprehensible why Plato portrays the authentic philosopher as manifesting the highest form of freedom (*Theaetetus* 172d3-176a1).

arbitrariness, but consists in infinite openness to the most generous relation with regard to and for the autonomy of other beings or selves. This freedom implicates, in sum, primarily freedom from one's own self. This freedom is the most radical form of self-transcendence. It cannot therefore be intended as unilateral subjectivity; on the contrary, this form of freedom is unconditionally receptive to the most transparent manifestation of *alterity*. In fact, it gives to another self, to other persons, and, in general, to other beings – as already mentioned – the possibility of entirely revealing their genuine nature.

To the same source of freedom refers the passage of the *Politicus* (294a6-b6) evidencing the superiority over any norm or law with regard to the person who has achieved true knowledge. This superiority, in fact, does not implicate any sort of anomic attitude, but the capacity of actively generating harmonious relations with the world and with other persons, drawing the substance of those relations from the supreme source of any law and rule as well as of any being, that is from the supreme Good. The passage from the *Politicus* points, accordingly, to an eminently situational ethics, which, basing on a direct experience of the supreme Good, considers as prime concern the individuality of the context in which the good has to be manifested.[26] However, this does not involve striving for anarchy, since Plato's ethics lives in intimate relation with an ontology which, originated in the experience of the supreme Good, gives autonomy and individuality a preeminently relational, that is *moral,* connotation. In the light of this ontology autonomy and individuality actually manifest themselves authentically through showing the same self-givingness characterizing the Good, that is the reality which, on Plato's account, ultimately originates their very being. On this basis Plato's ethics can be perceived as *per se* harmonizing free individuality and community: if free individuality actualizes itself through manifestation of self-givingness, in consequence its nature reveals itself as intrinsically generating *communion*, that is as intrinsically creating harmony within a community.

The point of view just characterized implicates that the good cannot be manifested exclusively *based on the past*, ie. through exclusive instantiation

[26] In contrast, no norm or law is capable of mirroring that individuality, since it is always based on generalizations (see 294a10-c6), that is on abstractions.

of exterior or interior norms deduced from past experiences. This form of proceeding would bias the encounter with the individuality of persons as well as with the specificity of situations. Conversely, in this perspective the good can become most originally manifest *starting from the future which can be initiated* through unprejudiced and competent observation of the present: through *creative formativity*,[27] not through the monarchy of formalized procedures. The contrary would implicate here both annihilating any form of true knowledge and making life unlivable, as the brilliant depiction of degenerate normativity in *Politicus* 294d4-297b4, 297e8-299e effectively emphasizes. Authentic manifestation of the good, that is, genuine morality and virtue, involves, in other words, the willingness to bring a *new birth* into the world (*Symposium* 212a2-5), in the same way that, as indicated by Socrates' acting as midwife, a new birth is presupposed in order to attain true knowledge (*Theaetetus* 149a-151d3).[28] In this context Socrates' midwifery reveals itself as exemplary with regard to the achievement not only of epistemic truth, but also of *moral* truth. This is not surprising, since every act of true knowledge consists, from Plato's viewpoint, in a direct or indirect relation with the supreme Good – with the origin of every truth (*Respublica* 508e1-4) –, thus manifesting itself as eminently moral act.

In consonance with this perspective, both epistemic and moral acts have ultimately to be based on unrestricted *confidence* in the individuality of the acting person(s) as well as of their context.[29] This is the same unconditional confidence required by the event of a birth, where, notwithstanding her expertise, the midwife is never able to *deduce* from past experience the singularity and uniqueness either of the *new*born, of the mother, and of the actual situation concomitant with the birth. In accordance with Plato's notion of supreme Good, this confidence appears as the ultimate ground of genuinely *good* choices. In other words, the supreme Good can never be authentically manifested on the

[27] On the possibility of connecting Luigi Pareyson's concept of *formatività* (Pareyson 1988) to Plato's notion of the good, see Lavecchia 2012a.

[28] For a valuable introduction to the context presenting the characterization of Socrates' midwifery see Sedley 2004.

[29] Stimulating considerations on Plato's notion of confidence can be found in Bontempi 2013.

basis of fear with respect to *personal* autonomy and responsibility, delegating freedom and responsibility to formal or bureaucratic procedures. Manifesting the supreme Good presupposes, on the contrary, the courage of *imagining* genuinely unrestricted, *creative* freedom: the courage of realizing that very unconditional generosity through which the Good originally gave birth to beings intrinsically endowed with autonomous consciousness and personal responsibility.

7. Agathological Realism

The implications contained in Plato's notion of supreme Good could enable a configuration of realism capable of transcending any sterile opposition not only between subjectivity and objectivity, but also between ontology and ethics. In accordance with these implications, moral and ontological reality cannot, in fact, be separated, since in the light of the Good the original nature of being manifests itself as autonomous consciousness characterized by acting through unrestricted self-givingness, that is, by acting in an eminently moral form. As a consequence, ontology does not prevail over ethics or vice versa: both are anchored on the same level in the unconditional relationality of the Good. In sum, the here emphasized unity of ontology and ethics, of being and morality, neither involves a predetermination of being through an univocally prescriptive morality nor implies an original delimitation of morality through an univocally objective being. In the light of the Good *both* being and morality are intrinsic manifestations of a consciousness which, because of its unrestricted self-givingness, generates the highest form of freedom and creativity, concomitantly generating the most harmonious form of relation and communion. On this perspective thinking is originally the activity which, on the one side manifests, and on the other side perceives the generativeness just indicated as well as the relations and the harmonious order produced by it. In other words, thinking transcends the Kantian distinction between

practical and *pure* (*theoretical*) *reason*.[30] Being anchored in the Good, conceptual activity reveals itself therefore as both *productive imagination* and *active contemplation* of good relations: it concretely perceives the reality as well as the ultimate origin of those relations, at the same time being immediately capable of generating new instantiations of that reality.[31]

In accordance with these considerations, conceptual and moral realism[32] could persuasively attain a common foundation based on the important suggestions derivable from Plato's notion of supreme Good. This common foundation of conceptual and moral reality could give a solution to the many *aporias* resulting from the separation between theoretical and practical philosophy as well as between ontology and ethics. Plato's notion of supreme Good, in fact, transcends that separation, since it grounds both knowledge/perception and morality in

[30] Obviously, distinction does not mean opposition or dualism, as Kant's constant attempt to achieve a synthesis between these two dimensions of reason demonstrates. In the light of the foregoing discussion concerning the unity of being and consciousness in the Good, an unprejudiced investigation of Kant's so-called *Opus Postumum* could be extraordinarily stimulating and illuminating. Dieter Henrich's masterly considerations regarding Kant's concept of ethical autonomy (Henrich 2001, 6-42) properly affirms the impossibility of returning, after Kant, to an interpretation of morality univocally based on the concept of *telos-entelecheia*. This interpretation would namely incorrectly bypass Kant's intense consideration of the fact that only a *real presence* of the good *in* the morally acting consciousness/self (*bonitas solae voluntatis*) on the one hand, and only the possibility of founding the relation with the good *in* that consciousness/self on the other hand, is capable of authentically grounding ethical autonomy (Henrich 2001, 40-41). According to Henrich, this connects Kant with perspectives peculiar of Plato's philosophy (Henrich 2001, 41-42). This is in general true, if we only except the fact that Kant always – including his latest elaborations – formulates his concept of authentic moral action by ultimately recurring to the notion of law (*Gesetz*). In Plato's agathological perspective, on the contrary, the primary concern of supremely moral action does not reside in the possibility of its being *universalized*, but in its impulse to creatively configuring relations which are able to manifest the *singularity* of every situation.

[31] Consequently, this perspective has to be differentiated from Kenneth Gergen's social constructivism as well as from the resulting concept of *relational being*. According to Gergen the self is, in fact, a whole that is equal to the sum of the relations in which it is embedded (Gergen 2009, 55), not a creator of authentically *new* relations.

[32] A recent valuable attempt at grounding a conceptual realism can be found in Mulder 2014.

the very same gesture of self-givingness. To this assertion could be certainly objected through many more or less stringent arguments. Nevertheless, no objection is capable of obliterating the phenomenal experience we can observe in association with our activity of perceiving and knowing: on the one hand we would perceive and know no really *other* being if we would not generate an unlimited space of manifestation for its reality, that is if we would not be unconditionally open for its *birth* in our perception and knowledge; on the other hand no perception or knowledge would be possible if being would not be in a certain way unconditionally open for the *birth* of our perception and knowledge. This points to a *real* reciprocal self-givingness connecting ourselves with the world or with other selves. Without that self-givingness I would remain confined in my interiority, and the world in its exteriority:[33] were myself as well as every other being incapable of manifesting a certain level of self-givingness, no form of *real* perception or knowledge would be possible. On this perspective, that is, on a platonic perspective, authentic morality reveals itself as the most conscious and active form of perception and knowledge, of which every other form of perception and knowledge can be considered a more or less authentic image. This does not imply a subordination of morality to knowledge, since in this same perspective true perception and knowledge, in turn, can be actualized solely because of the *moral* constitution peculiar of being. Summing up: in this agathological perspective morality and knowledge reciprocally generate their reality, thus instantiating that creative unity of interiority and exteriority, of being and consciousness, of individuality and community, of freedom and responsibility, which is immediately implied in the ultimate origin of every reality, that is in the supreme Good. Accordingly, neither morality nor knowledge could be authentically founded on the basis of a realism univocally concentrating either on moral or on conceptual realities. This would indicate the necessity of an *agathological* realism, willing to consider the *reality* of the good as *the* primary concern of philosophy, on which the possibility of a both moral and conceptual

[33] For an introduction to the concept of perception and knowledge as transcending the opposition of exteriority and interiority see Scheurle 2013.

realism does depend. As the foregoing discussion hopefully indicated, this willingness, in turn, would imply the courage of thinking and experiencing the good as originally transcending many reapresentations we currently associate with it. Plato's notion of supreme Good may give us valuable help on the way of attaining that courage: the courage leading Socrates to sacrifice his life for helping others to generate authentic knowledge and morality.

References

Beierwaltes, Werner. 1957. *Lux Intelligibilis. Untersuchung zur Lichtmetaphysik der Griechen*. München: UNI-Druck Novotny und Soellner.

Benitez, Eugenio E. 1995. "The Good or the Demiurge. Causation and the Unity of Good in Plato." *Apeiron* 28: 113-140.

Bontempi, Milena. 2009. *L'icona e la città. Il lessico della misura nei dialoghi di Platone*. Milano: Vita e Pensiero.

Bontempi, Milena. 2013. *La fiducia secondo gli antichi. "Pistis" in Gorgia tra Parmenide e Platone*. Napoli: Editoriale Scientifica.

Ferrari, Franco. 2001. "La causalità del bene nella Repubblica di Platone." *Elenchos* 22: 5-37.

Festugière, André-Jean. 1936. *Contemplation et vie contemplative selon Platon*. Paris: J. Vrin.

Gergen, Kenneth. 2009. *Relational Being. Beyond Self and Community*. Oxford: Oxford University Press.

Hedwig, Klaus. 1980. *Sphaera Lucis. Studien zur Intelligibilität des Seienden im Kontext der mittelalterlichen Lichtspekulation*. Münster: Aschendorff.

Henrich, Dieter. 2001. *Selbstverhältnisse*. Stuttgart: Philipp Reclam jun.

Krämer, Hans Joachim. 1959. *Arete bei Platon und Aristoteles. Zum Wesen und zur Geschichte der platonischen Ontologie*. Heidelberg: Winter.

Lavecchia, Salvatore. 2005. "*Idea tou agathou-agathon epekeina tês ousias* Überlegungen zu einer platonischen Antinomie." *Bochumer Philosophisches Jahrbuch für Antike und Mittelalter* 10: 1-20.

Lavecchia, Salvatore. 2006. *Una via che conduce al divino. La homoiôsis*

theô nella filosofia di Platone. Milano: Vita e Pensiero.

Lavecchia, Salvatore. 2009. "Selbsterkenntnis und Schöpfung eines Kosmos. Dimensionen der *sophia* in Platons Denken." *Perspektiven der Philosophie* 35: 115-145.

Lavecchia, Salvatore. 2010. *Oltre l'Uno ed i Molti. Bene ed Essere nella filosofia di Platone*. Milano-Udine: Mimesis Edizioni.

Lavecchia, Salvatore. 2012. "Agathologie. Denken als Wahrnehmung des Guten oder: Auf der Suche nach dem offenbarsten Geheimnis." *Perspektiven der Philosophie* 38: 9-45.

Lavecchia, Salvatore. 2012a. "Creatività come agatopoièsi. L'esperienza della formatività nella filosofia di Platone." In *Rethinking Creativity*, edited by Alessandro Bertinetto and Alberto Martinengo, 11-25. Roma: Aracne.

Lavecchia, Salvatore. 2013. "La cura di sé come agatofania. Esperienza del Bene e autotrascendimento nella filosofia di Platone." *Thaumazein* 1: 149-163.

Lavecchia, Salvatore. 2013a. "Agathologie oder Henologie? Platons Prinzipienphilosophie jenseits von Monismus und Dualismus." In *Platons Hermeneutik und Prinzipiendenken im Licht der Dialoge und der antiken Tradition. Festschrift für Th.A. Szlezák zum 70. Geburtstag*, edited by U. Bruchmüller, 363-382. Hildesheim: Georg Olms.

Mahnke, Dietrich. 1937. *Unendliche Sphäre und Allmittelpunkt. Beiträge zur Genealogie der mathematischen Mystik*. Halle an der Saale: Niemeyer.

Metzinger, Thomas. 2003. *Being No One. The Self-Model Theory of Subjectivity*. Cambridge Mass.: MIT Press.

Milobenski, Ernst. 1964. *Der Neid in der griechischen Philosophie*. Wiesbaden: Harrassowitz.

Mulder, Jesse Merijn. 2014. *Conceptual Realism. The Structure of Metaphysical Thought*. Utrecht: Department of Philosophy, Utrecht University Press.

Nagel, Thomas. 2012. *Mind and Cosmos: Why the Materialist Neo-Darwinian Conception of Nature is Almost Certainly False*. Oxford: Oxford University Press.

Pareyson, Luigi. 1988. *Estetica. Teoria della formatività*. Milano: Bompiani.

Rist, John M. 2012. *Plato's Moral Realism. The Discovery of the Presuppositions of Ethics*. Washington D.C.: Tha Catholic University of America Press.

Scheurle, Hans Jürgen. 2013. *Das Gehirn ist nicht einsam. Resonanzen zwischen Gehirn, Leib und Umwelt*. Stuttgart: Kohlhammer.

Schwabe, Wilhelm. 2001. "Der Geistcharakter des 'Überhimmlichen Raumes.' Zur Korrektur der herrschenden Auffassung von *Phaidros* 247c-e." in *Platonisches Philosophieren. Zehn Vorträge zu Ehren von H.J. Krämer*, edited by Thomas Alexander Szlezák, Karl-Heinz Stanzel, 181-331. Hildesheim: Georg Olms.

Sedley, David. 2004. *The Midwife of Platonism. Text and Subtext in Plato's* Theaetetus. Oxford: Oxford University Press.

Seifert, Josef. 2001. "The Idea of the Good as the Sum-Total of Pure Perfections. A New Personalistic Reading of *Republic* VI and VII." in *New Images of Plato. Dialogues on the Idea of the Good*, edited by Giovanni Reale and Samuel Scolnicov, 407-424. Sankt Augustin: Academia Verlag.

Stumpf, Karl. 1869. "Verhältniss des platonischen Gottes zur Idee des Guten." *Zeitschrift für Philosophie und Philosophische Kritik* Neue Folge 24: 83-128, 197-261.

Wood, Richard James. 1968. "The Demiurge and his Model." *The Classical Journal* 63: 255-258.

Zeller, Eduard. 1889[4]. *Die Philosophie der Griechen in ihrer geschichtlichen Entwicklung* II.1. Leipzig: O.R. Reisland.

"Solidarity at the Time of the Fall:" Adorno and Rorty on Moral Realism

Alexander Fischer and Marko J. Fuchs

Einer fragte Herrn K., ob es einen Gott gäbe.
Herr K. sagte: "Ich rate dir, nachzudenken, ob dein Verhalten
je nach der Antwort auf diese Frage sich ändern würde.
Würde es sich nicht ändern, dann können wir die Frage fallenlassen."
(Bertolt Brecht. *Geschichten von Herrn Keuner*)

1. Introduction

Current discourse in practical philosophy has seen so-called moral realism re-emerge as a controversial topic. Moral realism is here defined as positing the existence of eternal and universal moral values, independent of the discretion of a moral agent. This has not always been a controversial topic. In particular, Friedrich Nietzsche's philosophy aimed to put an end to the thesis of the existence of timeless values in favor of the increased life of the individual, and to establish a relativistic vitalism instead of a moral realism. Today, however, we see attempts to defend moral realism against this Nietzschean attack, but these attempts are not without their own fierce criticism.

One of the most prominent representatives of today's criticism of realist positions within Ethics is Richard Rorty, who in many ways draws on Nietzsche's philosophy. One of his much-discussed, and also criticized, general theses is the following: instead of eternal and universal values it is *solidarity* with members of one's own ethnic group that should serve as guide for what is to be understood as good behavior. Thus conventions supersede universal moral values, and respectively concrete conventions in one's lived life are, through Rorty's approach, to

be saved from the hubris of a metaphysical grounding of morality, which shifts the scale of moral action into an afterlife.

This paper will not make another attempt to defend moral realism against Rorty's critique. It rather confronts Rorty's position with arguments by Theodor W. Adorno, noting that Adorno also follows the Nietzschean critical attitude towards the assertion of eternal and universal values. In this regard, Rorty and Adorno are connected via similar starting points. By turning these two philosophers against one another, however, it not only becomes clear how diverse relativistic moral critiques can be; we also gain interesting insights into Rorty's critical design, which, in turn, also enables a new understanding of Adorno's critique. Adorno also refers to the actual present life world as a reference point for moral action. However, for him this reality is not unquestionable and also not our ultimate reference for choosing an action, such as it seems to be for Rorty. Adorno rather scrutinizes this reality and its norms of actions.

The purpose of this paper now is to demonstrate that Adorno fundamentally confronts Rorty's position. Rorty's criticism of moral realism does not reach far enough and itself ends up at a rather naive moral realism, in which the ethnic group functions as the ultimate measure of moral judgment, thus without any possibility to criticize this premise itself. By contrast Adorno offers a figure of thought by which even without the assumption of a moral realism in the traditional sense, such a criticism is entirely possible. At the end this paper will finally suggest that Adorno's philosophy could be described as a kind of enlightened moral realism.

In order to achieve these goals the paper first depicts Rorty's position. This is followed by the reconstruction of Adorno's philosophy and a comparison of the two positions, which will show how Rorty's standpoint cannot withstand Adorno's critique.

2. Rorty: Solidarity rather than Objectivity

The idea of moral realism arises from the context of a philosophy that must be understood as a fundamental science, the science of the

general, unchangeable and necessary, by means of abstraction. Rorty set himself the goal to bid farewell to this idea of philosophy, in order to lead the discipline out of its – as stated by Nietzsche – "loss of reality." Instead, a "postmetaphysical culture" (Rorty 1989, xvi) became an objective in working against the separation of philosophy from life's reality, which bids farewell to the assumption of "permanent truths of reason and temporary truths of fact" (Rorty 1991 I, 176). The fundamental accusation of a "life-distance" can also be applied to the requirements of a metaphysico-objective morality, which is demanded within the argumentative frame of moral realism and suggests an attitude of escape from the contingencies of life. Showing that this is impossible became one of the main focuses of Rorty's philosophy, who, following philosophers like the already mentioned Nietzsche, William James, and John Dewey, tried to introduce a pragmatic turn to philosophy, with which philosophy and life praxis could close ranks. Thus Rorty argues for the disavowal of the "belief that there are, out there in the world, real essences which it is our duty to discover and which are disposed to assist in their own discovery" (Rorty 1989, 75). With this in mind, it is pointless to seek for the essence of anything, including morality, if only because our reality constantly alters, and because of this an essence (if such a thing even existed) would be subject to constant change, too. Plato's distinct different spheres are no longer available with Rorty, nor is the idea of a morality as *the* morality.

But in order to approach the phenomenon that we call "morality" (escaping our vocabulary is only conditionally possible) we have to – in a pragmatic sense – focus on social practices, because "there is nothing deep down inside us except what we have to put there ourselves, no criterion that we have not created in the course of creating a practice, no standard of rationality that is not an appeal to such a criterion, no rigorous argumentation that is not obedience to our own conventions" (Rorty 1982, xlii).

Thus it is necessary to lift the veil of our commonly used terms and to become aware of social practice as a constitutive variable. The same applies to morality. Morality can be understood as a result of social practice, which implies a constant and always contextually embedded change:

> If we are inclined to philosophize, we shall want the vocabulary offered by Dewey, Heidegger, Davidson, and Derrida, with its built-in cautions against metaphysics, rather than that offered by Descartes, Hume, and Kant. For if we use the former vocabulary, we shall be able to see moral progress as a history of making rather than finding, of poetic achievement by "radically situated" individuals and communities, rather than as the gradual unveiling, through the use of "reason," of "principles" or "rights" or "value" (Rorty 1991 I, 188-189).

Although Rorty obviously polemicizes against metaphysical principles of philosophy, he also adheres to a principle, which can be associated directly in the sphere of morality: solidarity. This term can serve as an example of how Rorty's understanding of a moral principle in a specific context of life is supposed to work. Rorty's view of solidarity is an alternative to an understanding of solidarity that is dependent on objectivity (which traditionally depends on the belief of the Humane), as the so-called realists construct it. Rorty claims that such realists necessarily demand implausible additional assumptions, as they

> have to construe truth as correspondence to reality. So they must construct a metaphysics which has room for a special relation between beliefs and objects which will differentiate true from false beliefs. They also must argue that there are procedures of justification of belief which are natural and not merely local. So they must construct an epistemology which has room for a kind of justification which is not merely social but natural, springing from human nature itself, and made possible by a link between that part of nature and the rest of nature (Rorty 1991 II, 22).

According to Rorty these necessary assumptions cannot be designed convincingly. He therefore considers it preferable to focus on the concrete life context to illustrate solidarity. This depends on identification-categories with which we calculate the proximity of a person to us, in order to develop a sense of solidarity. Even though this is a psychological (and intuitive) and not a systematic argument, Rorty applies it against the notion of universal moral principles. Specifically, he applies his ar-

gumentation against humanism: identification with the humane is not enough to motivate solidarity, claiming that "'because she is a human being' is a weak, unconvincing explanation of a generous action" (Rorty 1989, 191). A thus-constructed ethical universalism therefore ignores the fact that we feel closer to people, with whom "imaginative identification is easier" (Rorty 1989, 191).

Of course, Rorty is aware of the fact that such thinking does not come without presuppositions, but rather depends on an age-old ethical discourse that recognizes human solidarity as a value. It hence becomes clear that Rorty cannot get away from a specific vocabulary, which is the product of an indubitable ethnocentrism (Rorty 1991 II, 23, 29). Rorty here agrees with Putnam (a well-known colleague in the criticism of moral realism), that we can only obtain a better view of morality whilst speaking of a tradition (with its echoes of the Bible, philosophy, democratic revolutions and so on), instead of proclaiming a supposedly ahistorical position, as moral realists do. This leaves us with a simple formula for the definitions of our moral values: those beliefs are "true [...] which he or she finds good to believe" (Rorty 1991 II, 24) – and this cost-benefit calculation is always embedded in different contexts of history, life circumstances etc. A realist will tend to interpret this type of view as another positive theory about the nature of truth, that is, as a theory according to which the truth is only a respective opinion of an individual or a group. "But the pragmatist," Rorty says, "does not have a theory of truth, much less a relativistic one. As a partisan of solidarity, his account of the value of cooperative human inquiry has only an ethical base, not an epistemological or metaphysical one. Not having *any* epistemology, *a forteriori* he does not have a relativistic one" (Rorty 1991 II, 24).

The accusation of being a relativist can thus be read as a projection of the realists, "for the realist thinks that the whole point of philosophical thought is to detach oneself from any particular community and look down at it from a more universal standpoint" (Rorty 1991 II, 30), but those who think they can see axioms are just victims of a "Cartesian fallacy of seeing axioms where there are only shared habits, of viewing statements which summarize such practices as if they reported constraints enforcing such practices" (Rorty 1991 II, 26).

Ultimately Rorty's critique of metaphysics culminates in an argument promulgated by Nietzsche, who demands we renounce the metaphysical ghost constructions and dive into the "real:"

> [the] traditional Western metaphysico-epistemological way of firming up our habits simply isn't working anymore. It isn't doing its job. It has become as transparent a device as the postulation of deities who turn out, by a happy coincidence, to have chosen *us* as their people. So the pragmatist suggestion that we substitute a 'merely' ethical foundation for our sense of community – or, better, that we think of our sense of community as having no foundation except shared hope and the trust created by such sharing – is put forward on practical grounds (Rorty 1991 II, 33).

3. "Solidarity at the Time of the Fall:"[1] Metaphysics and Ethics in Adorno

Rorty's accomplished anti-metaphysical and pragmatist turn in favor of an emphasis on solidarity can, on the one hand, be seen as a demand to free actually lived morality from the claims of moral realism, which urges people to follow the supposedly morally higher sphere of timeless values instead, a sphere separated from actual life. On the other hand, the difficulties of such a conception are particularly evident when one's own ethnocentric standpoint becomes a subject of critical assessment, because Rorty cannot provide any sort of standard against which his theory can be proven. However, as noted earlier in the introduction, this section of the paper is not supposed to go further into the development of a transcendental argumentation, but instead wants to ask: Does Rorty's supposedly enlightened critical attitude, with which he rejects moral realism in favor of the fullness of lived morality, go far enough to deserve the name of profound criticism? Or is Rorty's pragmatism to be characterized as mere opportunism, compared to a standard of criticism that will be introduced in the following?

[1] Adorno 1992, 408: "There is solidarity between such [i.e. negative dialectical] thinking and metaphysics at the time of its fall."

The figure of thought that will be consulted for this exam is Adorno's critique of society. Like Rorty within his concept of pragmatism, Adorno refuses to use metaphysical arguments for the discussion of the question of the successful life. If moral realism is to be understood as a concept that postulates or tries to prove the existence of timeless values that, in the end, tell us what we should do, and prove the quality of moral goodness or define moral obligations, then Adorno is no more a realist than Rorty is. However, the motive that leads Adorno to such a decline is slightly different to Rorty's – in general, it can be named "Auschwitz."

For Adorno, Auschwitz is the bankruptcy of any metaphysics that either tries to transcend the finite world altogether or claims to deduce some meaning of finite being from a transcendental world. "After Auschwitz, our feelings resist any claim of the positivity of existence as sanctimonious, as wronging the victims; they balk at squeezing any kind of sense, however bleached, out of the victim's fate" (Adorno 1992, 361). This metaphysical thesis of the significance of finite being implicitly sanctions the horrors of the concentrations camps, instead of making it explicit and thus become an ally to fascism. However, the absurdness that Auschwitz has brought to light is the radical nullity of individuals that suffer a mechanized and industrialized death in the gas chambers:

> The administrative murder of millions made of death a thing one had never yet to fear in just this fashion. There is no chance any more for death to come into the individual's empirical life as somehow conformable with the course of that life. The last, the poorest possession left to the individual is expropriated. That in the concentration camps it was no longer an individual who dies, but a specimen—this is a fact bound to affect the dying of those who escaped the administrative measure. Genocide is absolute integration. It is on its way wherever men are leveled off—"polished off," as the German military called it—until one exterminates them literally, as deviations from the concept of their total nullity. Auschwitz confirmed the philosopheme of pure identity as death (Adorno 1992, 362).

If we take a close look at this quote, several aspects become clearer which show us why metaphysics is no longer an option in the face of the

Holocaust. First of all, every thought refuses to grant the mass murder a metaphysical sense. Secondly, the industrialized killing and dying destroys one of the fundaments of traditional metaphysics, the retrospective dependence of metaphysical speculation on the experience of the single person that was established by the personal fear of one's own death. Death now faces the individual in a mechanized form and proves the nullity of the individual: the nullity of its existence at all, the nullity of its own individuality. This becomes clear when the individual, as a mere copy of a type or race, i.e. a general disposition, suffers the same automated death with several other individuals. Thirdly, there is, in Adorno's opinion, an even deeper structure that causes the failure or "fall" of metaphysics. This is, again, due to the fact that Auschwitz is not only a failure of a particular form of metaphysically impregnated philosophizing, but also a failure of culture, to which this metaphysical philosophy belongs as a part and an expression of itself. Therefore "[a]ll post-Auschwitz culture, including its urgent critique, is garbage" (Adorno 1992, 367). This diagnosis by Adorno, namely that metaphysics should not just be regarded as a superfluous counter model to, but rather as the very expression of a failed culture itself, profoundly subverts Rorty's opposition of metaphysical speculation (at least for morality), on the one hand, and seemingly the healthy, life-world rooted reality of actions on the other. "That this could happen in the midst of traditions of philosophy, of art, and of the enlightening sciences says more than that these traditions and their spirit lacked the power to take hold of men and work a change in them. There is untruth in those fields themselves, in the autarky that is emphatically claimed for them" (Adorno 1992, 366-7). That means that the dreadful kind of thought that finds its manifestation in the concentration camps is also at work in philosophy and science in a clandestine way. This thought even functions as a basis for the highest forms of culture – such as philosophy, art, and science – and it essentially neglects the special and singular features of the particular being in favor of the identical aspects this being has in common with other things. It is this tendency to neglect and to level what is special and non-identical which is essential to theoretical and metaphysical thought and which becomes reality in the fascist genocide. Thus it becomes clear, that for Adorno, metaphysics (which is deeply based on the deluded

principle of identification and the conceited preponderance of the universal), cannot present a remedy for a horrid reality that is constituted by the same principles and of which it is a part.

Now, one might be inclined to turn Adorno's considerations in a way that might lead one to admit that the Holocaust was just one breakthrough of barbarism with roots specifically in Western European culture and its cultural forms. One then could call for a different way of thinking that takes the non-identical more strongly into account and for a philosophy that also gives us the consolation that thought will develop in such a way that we will never let Auschwitz happen again. By this Auschwitz would somehow get a meaning, namely just that we would have now been placed in a position, once and for all, to learn from our mistakes and to change our thinking and living. Furthermore, one could think that it is exactly Rorty's undogmatic approach that answers to the non-pragmatic but metaphysical based Western European thought that lead to Auschwitz.

That this is no option for Adorno has been made clear before. But why this is so becomes clearer whilst understanding how far reaching Adorno's diagnosis is. First of all, Adorno would disagree with the thesis that the barbaric logic of identification, that is the very texture of Auschwitz, is just a past Western European phenomenon that could be eliminated by decision. The reason for this gives a second point, which is that none of the forms of high culture (philosophy, art, science) are autonomous regions, which only accidentally come into contact with society. On the contrary: All three of them are essentially connected with society, which enforces its fixed constants and structures of thought upon them. Thirdly: The very essence of this kind of thought, which is substantiated as society and the forms of life imposed by it, consist in identifying and making the unequal equal. In Adorno's eyes, this is true not only for Western European culture but also for North American capitalism – in which Adorno sees as nothing else but the totalitarian completion of Western European culture. Thus, Adorno's diagnosis which concerns European culture also concerns North American capitalism; both are deeply rooted within the logics of identification.

Auschwitz, thus, is not a break-in of barbarism into the enlightened capitalist society, but the realization of its very structure. This is the rea-

son why the end of the concentration camps is not the end of the spell of identification. It rather subsists within capitalist societies and takes over all spheres of life. That is why "there is nothing innocuous left" (Adorno 2005, 25). The seemingly innocent affable small talk is doomed by the spell of identification and implicitly sanctifies the existing order. "Even the blossoming tree lies the moment its bloom is seen without the shadow of terror" (Adorno 2005, 25). Every human and interpersonal relation is determined by this leveling, identifying, that is thought and form of existence and life at the same time. This has severe consequences for Rorty's position. The selfsame living environment that according to Rorty serves as a corrective against metaphysical ideas, which are out of touch with the real world, is, according to Adorno, nothing else but a monstrous structure of repression itself.

Things get even worse for Rorty's concept. The spell of identification, that haunts society, tends to conceal itself. It is a universal context of deception and a ban that does not release its subjects but deludes them by making them think of themselves as free persons whilst they are ruled and compelled. This context of deception affects all regions of culture and thus also philosophy. For example: a philosophy that promotes the liberalistic conception of a human society promotes a society constituted by autonomous selves, who use instrumental rationality to pursue their own interests and to maximize utility. In Adorno's eyes, such a philosophy indeed is a mere reproduction of the solipsist way of existence which is imposed upon people by a repressive society in order to make them subjects of control using the delusion of freedom of choice (an argument that, again, Nietzsche already developed). Thus, this philosophy sanctions, as a theory, the selfsame structures of power that make the people submissive to the mechanisms of capitalist society. From this perspective, Rorty's theory does not appear to be an enlightened position which restores the immediate ethical substance of everyday life but an unconscious affirmation of the machinery of power.

Although thinking and philosophy are enmeshed within the spell of identification and power, and unable to get out of it, Adorno does not vote for a retreat from culture, thought, and philosophy for a return to rural life. This retreat again would simply sanction the power of society and its immanent logics that would finally creep up again upon the retreater. Ra-

ther, we must think in a way that keeps the basic structure of identification – that rules every thought – conscious, in order to overcome its own barbaric tendency to level the non-identical and, in particular, in this self-reflexive manner. In other words: It is selfsame thinking that is cause and cure of the problems at the same time by thinking "against itself" and its brutal tendency of identification. The utopian aim of such thinking is to unlock the non-identical and release it from its forced deformations, to let it show itself and to give it a language of expression without imposing leveling and identifying categories upon it. Such thinking would then not come to postulate some positive contents as examples of "the non-identical," but would consist in a constant negative dialectical criticism, which, in its process, would try to retrieve the non-identical out of the context of deception. This is the reason why such a negative dialectics is able to offer a certain potential consolation without being urged to name and strictly determine the consoling utopia; even less it is forced to evoke a belief in transcendental eternal values in order to find some "metaphysical comfort" against which Rorty so eloquently polemicizes. At the end stands a comfort that is only negative; it consists "in the gaze falling on horror, withstanding it, and in unalleviated consciousness of negativity holding fast to the possibility of what is better." (Adorno 2005, 25) In this figure of negative dialectical thought Adorno is able to find his own idea of solidarity, which is, as quoted above, solidarity with metaphysics "at the time of its fall."

4. Conclusion

We can conclude that Adorno's approach goes far beyond the boundaries of Rorty's criticism without restoring a simple naive moral realism of a metaphysical kind. However, does this mean that we finally have to dismiss moral realism altogether? This does not seem necessary. At second sight one could indeed see a certain kind of "moral realism" in Adorno's philosophy. This, however, is not the moral realism Rorty attacks. It rather is a moral realism that recurs on something "real," i.e. the non-identical that serves as the measure of a thinking, that tries to

break the ban of identification without being so naive to think that the mere intention is the deed.

This realism would be a moral one insofar as the negative dialectical movement of thought follows the intention to let the non-identical to be free in its otherness and dissolve it from its forced transformations. This is not realism because it claims the existence of eternal values; it is realism because it aims at a change of reality; it is realism because the non-identical is "real" as much as it can be freed from the spell of identification by negative dialectical thinking.

References

Adorno, Theodor W. 1992. *Negative Dialectics*. New York: Continuum.

Adorno, Theodor W. 2005. *Minima Moralia. Reflections from Damaged Life*. London and New York: Verso.

Rorty, Richard. 1982. *Consequences of Pragmatism (Essays: 1972-1980)*. Minneapolis: University of Minnesota Press.

Rorty, Richard. 1989. *Contigency, irony, and solidarity*. Cambridge: Cambridge University Press.

Rorty, Richard. 1991 I. "The priority of democracy to philosophy." In *Objectivity, Relativism, and Truth. Philosophical Papers Volume 1,* 175-196. Cambridge: Cambridge University Press.

Rorty, Richard. 1991 II. "Solidarity or Objectivity." In *Objectivity, Relativism, and Truth. Philosophical Papers Volume 1,* 21-34. Cambridge: Cambridge University Press.

Bacon against Descartes. Emotions, Rationality, Defences

Mario De Caro and Massimo Marraffa

Introduction

According to the "pyramidal" conception – which is historically associated with the hierarchical conception of cerebral functions dating back to the 19th Century – the architecture of the mind consists in a gradual ascent from "lower" psychological levels (instinctive drives, tensions, animal automatisms and, more recently, "reptilian" anatomical structures) through increasingly "higher" psychological levels, up to a vertex that is able to impart order to this hierarchy of functions, and above all that is able coherently direct the "noblest" functions that define rational self-consciousness (cf. Oatley 1978). This "Victorian"[1] picture of the neurocognitive architecture is still very popular – for instance, it underlies the "dual-system view," which has guided much research on human emotion over the past decades (cf. De Oliveira-Souza, Moll, and Grafman 2011).

It will be argued here, however, that this picture should be rejected.

The main problem with the pyramidal conception of the mind is that it misleads us in positing the existence of increasingly "higher" psychological levels that reach a hypothetical *vertex* on which everything depends. Today, we have sufficient evidence that this vertex does not exist. A large amount of neurocognitive data offer robust evidence against the hypothesis that, in some area of the mind-brain, there is a place where "it all comes together" – some sort of central executive system coordinating all the cognitive operations (Dennett and Kinsbourne 1992). Actually, a "modularist" conception of the mind-brain has loomed large in psychology and neuroscience since the 1980s. In contrast with the pyramidal view, which sees the mind as a homogeneous and hierarchically-

[1] 'Victorian Brain' is a phrase coined by Reynolds (1981).

ordered field ruled by consciousness and rationality, Chomsky and Marr famously envisioned a much less unitary, homogeneous, and hierarchical mind with a largely modular architecture, comprising a swarm of neurocomputational subsystems that perform highly specific functions independently of each other (cf. Carruthers 2006). Along the same lines, the Global Neuronal Workspace Theory (see, e.g., Dehaene and Changeux 2004) sees the neurocognitive architecture underlying the unity of consciousness as a distributed computational system with no central controller.

Furthermore, a Cartesian epistemology is part and parcel of the pyramidal conception of the mind. According to Descartes, rational consciousness can fail only because of the influence of emotional and affective motions that originate from the opacity of the bodily machine. However, today some research programs in cognitive sciences adopt a "Baconian" logic instead. In the *Novum Organum* Bacon sees the errors of judgment and conduct as *naturally* produced by the conscious and rational mind. The famous *idola*, constant factors of deception, are, in this philosopher, human knowledge's habitual way of operating: "Human understanding is like a false mirror, which, receiving rays irregularly, distorts and discolours the nature of things by mingling its own nature with it," Bacon famously writes (1620, Bk I, 41). In current terms, he sees the mind's errors, illusions, and self-deceptions as inherent to the very mechanisms of "high" cognition.

We think that Bacon's criticism of rational consciousness should be a fixed point for the sciences of mind and brain. In the following pages we examine some of its ramifications in three research areas – the study of emotions, psychology of thought and the literature on the interpersonal and social dynamics – to finally draw a moral for the psychodynamics of defences.

1. The Heterogeneity of the Emotions

If we give up Descartes' theory of error, and thus cease to divide the mind into lower and upper floors, the folk concept of emotion breaks apart, being replaced by a diversified, articulated, disparate and even

heterogeneous field, which, contrary to the traditional ideology, is part and parcel of the wider universe of all psychological events. In other words, the folk concept of emotion turns out to be not a *natural kind*, i.e., a real category in nature tied together by a causal homeostatic mechanism that underlies projectibility and inductive reasoning (cf. Boyd 1991).

The claim that emotions do not form a natural kind has been made by Griffiths (1997, 2004, 2013), based on a large amount of evidence from ethology, psychology, neuroscience and anthropology. According to Griffiths, the folk concept of emotion is a cluster of at least three different classes of psychological phenomena: basic emotions, complex emotions, and disclaimed action emotions. Let us examine them in turn.

Paul Ekman's psychoevolutionary theory of emotions aims to offer a unitary account of a number of "basic" emotions by positing an underlying causal mechanism. That is, these emotions are characterized by specific physiological, neurobiological, expressive, behavioural, cognitive, and phenomenological responses to events in the environment; and these responses are assumed to be automatically elicited and coordinated by a computational mechanism called the "affect program" (Ekman and Cordaro 2011, 365). According to Griffiths (1990), the computational psychology of these affect programs is modular in a sense very close to that popularized by Fodor. Basic emotions are fast and mandatory responses, which are controlled by subsystems that draw on a limited database, are triggered by information coming from an extremely limited range of perceptual inputs, and work independently of more conceptual processes, such those underlying action planning. In Fodor's words, they are "informationally encapsulated" and have "limited central access." In emergency conditions, facing serious danger, the modular features permit the affect program to work as a fail-safe system, which seizes behaviour when, having little time, it is crucial for the agent immediately to do the right thing, even at the price of trusting quick and dirty knowledge.

It is important to make clear that, in a research program that aspires to be scientific, basic emotions should not be designated by such folk terms as 'anger,' 'fear,' 'disgust,' 'happiness,' and 'sadness.' These folk categories do not designate basic emotions in the sense of the psychoev-

olutionary theory: indeed, some of these categories lack those physiological, neurobiological, expressive, behavioural, cognitive, and phenomenological features that Ekman regards as the markers of a basic emotion. And yet some members of the 'anger,' 'fear,' 'disgust,' 'happiness,' and 'sadness' categories *do* meet Ekman's criteria – one example is the kind of fear produced by sudden loss of support (cf. Öhman and Mineka 2001). Consequently, as an alternative to the use of folk terms, we could coin neologisms (e.g., 'threat-coping system'), or use modified versions of the folk categories, making it clear that what is referred to is not the whole folk category, but only a part of it (e.g., fear$_b$ or fear$_{basic}$) (cf. Scarantino and Griffiths 2011, 449).

Their mandatory, fast and passive character makes affect programs candidates for reference of some folk emotion concepts. However, folk psychology also recognizes other types of emotion which are much more cognitively complex than basic emotions. These are the complex emotion episodes that figure in folk-psychological narratives about mental life, episodes involving guilt, resentment, envy, shame, jealousy, loyalty, embarrassment, etc. There are good reasons to hold that, contrary to what some evolutionary psychologists (e.g., Tooby and Cosmides 1990; Pinker 1997) have claimed, such complex emotions rest on psychological mechanisms that are different from the affect programs. For the latter have a number of salient features that the complex emotions lack, and vice versa. On the input side, complex emotions are sensitive to a much wider range of information than the encapsulated affect programs. Thus they cannot be triggered as one would predict by assimilating them to affect programs.[2] Moreover, on the output side, complex emotions are responses that fail to display stereotypical physiological effects, persist longer, and are much more integrated with cognitive activity such as long-term planning.[3]

[2] "If Othello's sexual jealousy had been an affect program or a downstream cognitive effect of such a program, he would have had to catch Desdemona in bed with Cassio, or at least have seen the handkerchief, before his jealousy was initiated." (Griffiths 1997, 117).

[3] This is a central aspect in Frank's (1988) sociobiological theory of moral emotions: here complex emotions are short-term irrational responses designed to keep the agent rational in the long term. E.g., loyalty would often be conducive to long-term cooperation rather

However, the general category of emotion subsumes a third kind of psychological state: disclaimed actions modelled on emotion. James R. Averill's defines an emotion as "a transitory social role (a socially constituted syndrome) that includes an individual's appraisal of the situation, and is interpreted as a passion rather than as an action." (1980, 312) A *social role* is a characteristic pattern of behaviour found in a particular social context. One example is the social role that a person plays after being elected to Parliament: members of Parliament enter a network of social practices in which they play a particular role. The role that they play is relatively *enduring* and *overt*, in the sense that everyone agrees that being a member of Parliament means being treated in a certain way. But in the case of the socially constructed emotional states the social roles become *transitory* and *covert*. These roles are *transitory* because people play them exclusively in short-lived and stressful situations. They allow a behaviour that would be unacceptable in other circumstances – i.e., in these cases the passive character that is ordinarily ascribed to strong emotions and to sudden passions (love or aggressive) is exploited to avoid responsibility for the action. The individual "disclaims" his or her action and the emotional state – being experienced as an objective rather than a subjective event, i.e. something that is not produced by the mind but that simply "happens" – is imputed to casual bodily accidents or is perceived as an effect of being "possessed" by some force or entity that comes from the outside. Moreover, such roles are *covert* in the sense that they take shape only insofar as society does not recognize either their function or the social practices including these roles. A paradigm example of a socially constructed state is a state like *amok,* a violent frenzy found in southeast Asian cultures.

Thus, disclaimed action emotions differ from basic and complex emotions not only because they are culturally local, but also by virtue of their psychological mechanisms. They are unconscious attempts to take advantage of the special status usually accorded to emotions because of their passivity. This means that their etiology involves the mechanisms that subserve social cognition rather than the perceptual mechanisms

---

than short-term defection in social interactions that have the structure of an iterated prisoner's dilemma.

underlying basic emotions or the conceptual mechanisms that subserve complex emotions.

To sum up, the folk concept of emotion is a cluster concept, which does not pick out a natural kind that can be used to ground inductions or projections across the range of emotions. The collection of features we think characterize emotions are explained by various causal mechanisms in different cases. Basic emotions are psychological states involving isolated modules; complex emotions are special adaptations of higher-level cognition. Building a theoretical category based on the similarities between these two classes of mental phenomena would not be justified by any promising explanatory project. As to the disclaimed action emotions, they are manifestations of a higher cognitive activity, viz. the understanding and manipulation of social relations. Consequently, they cannot be placed in a single category with the other emotions because they are essentially *pretenses*: "[i]t would be like putting ghost possession in the category of parasitic diseases." (Griffiths 1997, 245) What follows is the conclusion anticipated at the beginning of this section: our concept of emotion gathers quite diverse phenomena under a single conventional label. Further, it is to be noticed that all these phenomena can no longer be relegated, as the ideology of passions suggested, to a "lower" and "primitive" psychic sphere, which threatens the nobility of "the thinking thing;" quite legitimately, they belong to the wider universe of *all* mental events.

2. Rationality and Reasoning

To consider the issue from the other side, cognitive sciences have brought to light the heterogeneity not only of emotions but of what is traditionally meant by 'reason' as well. That is, the human mind, even in its most rational aspects, is a heterogeneous repertoire of analytical and operative tools that, in some circumstances, spontaneously produce errors. A quick reference to some key positions in psychology of thought will allow us to give substance to this Baconian picture of human rationality.

Let us begin from the very well-known heuristics and biases program (see the classic Kahneman *et al.* 1982). Human inferential performances are seen here as driven not so much by the normative principles of rationality established by deductive logic, mathematical statistics and expected utility theory, but rather by heuristics, viz. cheap and effective but not systematic problem-solving strategies. That a heuristic is not systematic means that its application can lead to the solution of a problem, but does not ensure the constant attainment of such a result; for sometimes the same heuristic can give rise to performances that deviate from those attainable by means of the application of normative principles. Thus the biases originating in the activation of one or more heuristics are the measure of the gap between the real performance and the normatively correct one. This has led a number of researchers to pessimism: the human mind is not equipped with "the correct programs for many important judgmental tasks;" human beings have not had "the opportunity to evolve an intellect capable of dealing conceptually with uncertainty." (Slovic *et al.* 1976, 174) The cognitive tools available to someone who has not been trained in formal disciplines are only normatively problematic heuristics – an interpretation of the errors made in reasoning experiments called the "Bleak Implications hypothesis" by Samuels *et al.* (1999).

This pessimistic interpretation has been challenged by Gerd Gigerenzer, who points out that heuristics cannot be evaluated according to the standards of normative rationality. In this perspective, the heuristics and biases program incorporates both a strong and a weak element (cf., e.g., Gigerenzer *et al.* 2011). The strength consists in incorporating Herbert Simon's bounded rationality perspective, according to which the real agent, due to the limits of its computational capacity, is not an optimizer but rather a satisficer. By contrast, the weak element of the program is its unilateral focus on the negative aspects of heuristics. Conversely, Gigerenzer highlights their virtues: our ancestors left us "an adaptive toolbox," which includes a collection of fast and frugal heuristics well adapted to some (physical and social) environments but not to others. In virtue of this adaptation, these heuristics need minimum time and little knowledge to make inferences and decisions according to an

ecological rationality that allows us to reject the Bleak Implications hypothesis.

Gigerenzer's theory of smart heuristics, however, has been criticized by advocates of the already cited "dual-system" or "dual-processing" accounts of reasoning (cf. Evans and Frankish 2009). According to this family of theories, the human cognitive system is composed of at least two subsystems. System 1 ("intuitive") is fast, parallel, unconscious, isn't easily altered, is universal, impervious to verbal instruction, (partly) heuristic-based, and (mostly) shared with other animals. By contrast, System 2 ("reflective") is slow, serial, conscious, malleable, variable (by culture and individual), responsive to verbal instruction, influenced by normative belief, and can involve application of valid rules. On this perspective, the main shortcoming of the fast and frugal heuristics theory lies in the unilateral focus on the automatic and unconscious processes of System 1, which leads to neglect the higher processes associated with System 2. A comprehensive account of the human mind's workings and rationality, dual-system theorists argue, needs an in-depth analysis of both systems, as well as of their forms of interaction in terms of both competition and cooperation.

In light of what we have just said, one might form the impression that dual-system theories have ended up restoring the division between low and high levels of the psyche established by the Cartesian model of the relationship between reason and passions. But this would be a mistake.

First of all, it is difficult to see the evolutionary plausibility of two cognitive systems implemented in distinct neural subsystems: Why on earth would evolution start anew with System 2 rather than modifying, expanding or integrating the architecture of the pre-existing System 1? This sort of objection led Frankish (2009) to put forward the hypothesis that System 2 is realized within System 1, i.e., there are not two separate systems, but two levels or layers of cognitive processes, one dependent on the other. On this perspective, it is not necessary to suppose that evolution generated System 2 by massively upgrading the architecture of System 1; it may suffice to imagine that the subsystems underlying System 1 have been orchestrated and used in new ways.

Moreover, we can definitely admit the reality of the distinction between intuitive and reflective processes of reasoning; and we can accept also Frankish's hypothesis that reflective reasoning is largely realized in cycles of operation of unconscious intuitive processes (including the subsystems that are typically associated with System 1). This is not, however, a vindication of the System 1/System 2 distinction, since the latter does not map onto the distinction between intuitive and reflective reasoning. Let us consider reflective reasoning: it is easy to show that in some contexts reflection does not improve but rather impairs performance; that there are some tasks where reliance on intuitive reasoning is best; and that reflective reasoning can also employ heuristics. As to intuitive systems, some can be slow, some can be controlled, and some can approach the highest normative standards. In brief, as Carruthers (forthcoming) argued, the System 1/System 2 distinction is not a natural border and should be abandoned.[4]

In conclusion, the psychological investigation of rationality and reasoning tells us that in the case of rationality, as in that of emotions, there is no unitary cognitive sphere; there is instead a repertoire (a toolbox) of imperfect analytic and operative tools, which is heterogeneous and scattered, and thus lacking the hierarchical structure, culminating in self-conscious rationality, that was assumed by the Cartesian model.

3. Psychological Defences

We have thus seen that the cognitive science research work on emotion and thought provides us with the tools to deconstruct the ideology of the conflict between reason and the passions. The phenomena that folk psychology labels as "emotional" can no longer be relegated, as the ideology of the passions suggested, to a "low" and "primitive" psychic sphere, which threatens the nobility of "the thinking thing;" rather, quite

[4] "If one of the goals of science is to discover what natural kinds there are in the world – in the sense of homeostatic property clusters with unifying causal etiologies [...] – then cognitive scientists would be well-advised to abandon the System 1 / System 2 conceptual framework. The human mind is messier and more fine-grained than that." (Carruthers, forthcoming, 21 of the web version: <http://faculty.philosophy.umd.edu/pcarruthers/>).

legitimately, all those phenomena belong to the wider universe of *all* mental events. The factors of error are inherent in rationality, or rather immanent in that hodge-podge of procedures and abilities into which our bounded rationality can be decomposed.

This leads us to a radically new interpretation of the psychoanalytic idea that self-consciousness is a construction packed with self-deceptions and bad faith. In the Baconian perspective, Jervis (1993) notices, the aspects of ambiguity, self-deception, and suffering of human life can no longer be conceived in the way that much of the philosophical tradition has viewed them, namely, as the crisis of a fundamentally rational agent, temporarily overwhelmed by the perturbing influence of affects and sentiments. These aspects can now be conceived as *globally constitutive* dimensions of the mind and conduct. This reinforces an overturning of the psychoanalytic questioning about defences: what we now have to ask ourselves is not how and why some defensive mechanisms exist, but rather if it is not the case that *all* the structures of knowledge and action around which everyday life is structured serve defensive functions.[5]

Here, then, we grasp something that is already in Freud but which the Cartesian framework of instinctual drives prevented him from articulating fully: the defensive processes are much more than bulwarks against anxieties and insecurities that perturb the order of our inner life; they are the primary instruments for establishing order in the mind; they are the very structure of the mind – the Freudian ego itself is a defence.

In this theoretical framework, dynamic psychology joins forces with interpersonal and social psychology. The defence of self-image (closely linked to the self-defensive use of causal attribution), the social attitudes in general and the stereotypes and prejudices in particular, and the ra-

[5] Jervis argues that just as nowadays we start by asking how consciousness, rather than the unconscious, is possible, or we ask not how behaviors that contradict our intention can exist but, on the contrary, if ever deliberate and voluntary behavior exists, so, in the same way, "in examining the construction of the everyday life we need to explain not how and why some 'defensive' mechanisms exist, but rather how all the structures of knowledge and action are by themselves, integrally, a matter of defenses." (1993, 301, transl. in Marraffa 2011).

tionalizing handling of cognitive dissonance are the building blocks of an interpersonal and social reality packed with systematic errors or, as Freud would have put it, interested self-deceptions. And all these structures of self-deception are defensive constructions that spring from mental operations in which the cognitive aspect cannot be separated from the affective. To illustrate, we will briefly focus on the construct of prejudice.

"Knowing" – as well as "making sense" – is primarily a pragmatic matter, a "knowing how to do things." In the context of everyday life an object makes sense for me, and it is known by me, because I place it in a pragmatic context, insofar as I consider it within a repertoire of competences: I have done something with this object in the past and I can do something with it in the future. Nevertheless there is inherent in the very idea of "knowing how to do" an organization of the world according to differentiations and hierarchies. All of us, in forming more or less complex behavioural patterns, act according to gradients of involvement and interest. Basically, we assign different "values" to single objects and to different aspects of our behaviour itself.[6] The panorama of reality takes shape then in accordance with our interests for objects, viz. according to the value that we assign to the surroundings:

> Clusters, hierarchies of values arise; the various areas of reality are on different grades of importance. The "nearer" scenarios are those that we are more interested in, and are easily the object of our "positive" planning; the more "distant" scenarios are those we are less interested in; they are less differentiated in their internal details, and can more easily appear to be extraneous or even hostile. These variables

[6] "Values" are to be understood here as simple differences of importance, i.e. of priority, in the context of the general theme of adaptation. There is an objectivity in the gradients of value in specific contexts. In the cycle of everyday activities animals organize their behavior as a function of a limited series of general interests ("evolutionary values") such as predator defense, foraging, defense of rank in group hierarchy, reproduction: each of these general needs dominates over specific behavioral patterns which from time to time are a higher priority than others, i.e. literally "they come before" insofar as they "have more value," alternating with each other at the top of the agenda of "the things to do." In ethology behavioral priorities can be quantified by means of game theory – cf. Maynard-Smith (1982).

> come to be organized in the first place according to the phenomenological category of "domesticity," or "familiarity." All of us tend to make a spontaneous separation between, on the one hand, what is "internal" to a limited, "domestic" social world, and hence "good" and "reassuring," and where we find, as it were, a proximal panorama of guaranteed values; and, on the other end, what is "external," "alien," which we are less interested in, whose guaranteed value is lower, and where objects and events can take on negative tones. (Jervis 1993, 331).

This way of organizing reality, and of situating ourselves at its centre, is a primary way of "establishing order," which has clear affinities with some basic structuring categories such as "before-after," "high-low," and above all, in our case, "inner-outer" and "near-distant." The phenomenological category of domesticity refers to the experience of the world-environment as structured according to criteria of distance and controllability. This is a primarily cognitive operation, but one which is nevertheless linked to the attribution of emotional-evaluative connotations in conformity with the so-called "primary affects," i.e. according to a basic alternative of our dispositional orientation toward reality that sharply distinguishes pleasantness and unpleasantness, friend and foe, and thereby coming closer and going away, accepting and rejecting, encompassing and expelling (see the circumplex model of affect in Russell 1980, 1983).

In animals the world tends to get organized in accordance with the category of territoriality; we find, in ways that are different depending on the species, the den as the most protected shelter, and more outwardly a "possession zone," an "exploratory zone," and so on. In children the "domestic space" is linked to the presence of the primary attachment figure: the possibility of exploring, leaving the "protection zone," appears to be proportional to the level of reassurance provided by the caregiver (cf. Ainsworth *et al*. 1978). In adults the difficulty of leaving the "domestic zone" has been called "territorial anguish" by De Martino (1951-52), and viewed by the philosopher-ethnologist as one of the two main parameters of the feeling of being in crisis: the spatial or geographic parameter as opposed to the temporal one.

This brings us to prejudice, because its psychological dynamic belongs precisely to that way of organizing reality and placing ourselves at its centre that we have just been sketching. That is, the dynamics of prejudice are part and parcel of the ways in which we spontaneously systematize material or social reality according to categories of relevance and gradients of approval and disapproval. The peculiarity of prejudice consists in the fact that, whereas in most of our basic attitudes (of liking, curiosity, identification, wish, disposition to the affective bond, etc.) there is a ("positive") tendency to approach the object, in prejudice we find the opposite tendency to reject the object, which results in a refusal to know it. Now, according to the social identity theory, the dynamics of feeling as though one is a member of the ingroup is closely linked to stigmatizing the outgroup members as treacherous and different (see, e.g., Tajfel and Turner 1986). As a result, the sentence expressing the prejudice (i.e. the stereotype) at the moment at which it brings discredit on "the others," accomplishes the defensive (self-apologetic) function of enhancing our self-image, providing us with a collective identity (a sense of community), which is also a certificate of nobility that "the others" do not possess. Feeling comfortably part of a "valid" community causes us to believe in our inner validity.

Thus the biasing aspect of prejudice can be ascribed to the very ways in which ordinary knowledge constitutes itself.

Conclusions

In the last section it was argued that Freud's view of defence mechanisms must today be subjected to a radical revision. Freud's investigation was still wholly within a Cartesian logic, where rational consciousness fails only because of the influence of emotional and affective motions originating from the opacity of the bodily machine. However, if we give up Descartes' idea of a non-rational psychological domain, crowded by passions, instincts, emotions, which can be clearly demarcated from the operations of rational consciousness, the folk concept of emotion melts away. Far from being a natural kind, 'emotion' turns out to be a conventional label that captures quite diverse phenomena; and such

phenomena can no longer be relegated, as the ideology of passions suggested, to a "lower" and "primitive" psychic sphere, which threatens the nobility of "the thinking thing." They belong to the unlevelled universe to which all psychological events belong.

In addition, we have also seen how cognitive sciences have brought to light the heterogeneity not only of emotions, but also of what is traditionally meant by 'reason.' The experimental investigation of rationality and reasoning shows that in the case of rationality, as in the case of emotions, there is no unitary cognitive sphere. There is instead a toolbox of imperfect analytic and operative tools that is heterogeneous and scattered, and consequently lacks the hierarchical structure that, according to the Cartesian model, culminates in self-conscious rationality.

Thus, a paradigm shift is underway. It has been shown how some research areas in cognitive sciences adopt a Baconian logic, in which errors and self-deceptions are seen as intrinsic to the ordinary cognitive-affective processes. Therefore, whereas in Freud the naive subject normally deceives herself because she is unable to accept the presence, deep down, of "inadmissible" sexual and aggressive drives, in a dynamic psychology informed by the renewal of the traditional psychological categories outlined above, intrinsically defensive cognitive-affective mechanisms become the principles that rule over the construction of everyday reality. Reason does not dominate emotions, nor vice versa. Rather, they work synergistically, to make us the complicated animals we are.[7]

[7] We therefore agree with Oliveira-Souza, Moll and Grafman when they write: "Two paradigms have guided emotion research over the past decades. The dual-system view embraces the long-held Western belief, espoused most prominently by decision-making and social cognition researchers, that emotion and reason are often at odds. The integrative view, which asserts that *emotion and cognition work synergistically*, has been less explored experimentally. However, the integrative view (a) may help explain several findings that are not easily accounted for by the dual-system approach, and (b) is better supported by a growing body of evidence from human neuroanatomy that has often been overlooked by experimental neuroscience." (2011, 310; italics added).

References

Ainsworth, M.D.S., M.C. Blehar, E. Waters, and S. Wall. 1978. *Patterns of Attachment: A Psychological Study of the Strange Situation*. Hillsdale (NJ): Erlbaum.

Averill, J.R. 1980. "A constructivist view of emotion." In *Emotion: Theory, Research and Experience, vol. 1: Theories of Emotion*, edited by R. Plutchik and H. Kellerman, 305-340. New York: Academic Press.

Bacon, F. 1620. *Novum Organum*. Engl. trans. in *The Collected Works of Francis Bacon*, London: Longmans, 1857-74, vol. IV.

Boyd, R. 1991. "Realism, anti-foundationalism and the enthusiasm for natural kinds." *Philosophical Studies* 61: 127-148.

Carruthers, P. 2006. *The Architecture of the Mind*. Oxford: Clarendon Press.

Carruthers, P. Forthcoming. "The fragmentation of reasoning." In *La coevolución de mente y lenguaje: Ontogénesis y filogénesis*, edited by P. Quintanilla. Lima: Fondo Editorial de la Pontificia Universidad Católica del Perú.

De Martino, E. 1953-54. "Fenomenologia religiosa e storicismo assoluto." *Studi e materiali di storia delle religioni* 24-25: 1-25.

De Oliveira-Souza, R., J. Moll, and J. Grafman. 2011. "Emotion and social cognition: Lessons from contemporary human neuroanatomy." *Emotion Review* 3: 310-312.

Dehaene, S., and J.P. Changeux. 2004. "Neural mechanisms for access to consciousness." In *The Cognitive Neurosciences III*, edited by M. Gazzaniga. Cambridge (MA): MIT Press.

Dennett, D., and M. Kinsbourne. 1995. "Time and the Observer: the Where and When of Consciousness in the Brain." *Behavioral and Brain Sciences* 15: 183-247.

Ekman, P., and D. Cordaro. 2011. "What is meant by calling emotions basic." *Emotion Review* 3: 364-370.

Evans, J., and K. Frankish. 2009. *In Two Minds. Dual Processes and Beyond*. Oxford: Oxford University Press.

Frank, R.H. 1988. *Passions within Reason*. New York: W.W. Norton.

Frankish, K. 2009. "Systems and levels: Dual-system theories and the personal/subpersonal distinction." In Evans and Frankish 2009, 89-107.

Gigerenzer, G., Hertwig, R., and Pachur, T., eds. 2011. *Heuristics: The Foundations of Adaptive Behavior*. Oxford: Oxford University Press.

Griffiths, P.E. 1990. "Modularity and the psychoevolutionary theory of emotion." *Biology and Philosophy* 5: 75-196.

Griffiths, P.E. 1997. *What Emotions Really Are: The Problem of Psychological Categories*. Chicago: University of Chicago Press.

Griffiths, P.E. 2004. "Is emotion a natural kind?" In *Thinking about Feeling: Contemporary Philosophers on Emotions*, edited by R. C. Solomon, 233-249. Oxford: Oxford University Press.

Griffiths, P.E. 2013. "Current emotion research in philosophy." *Emotion Review* 5: 1-8.

Jervis, G. (1993). *Fondamenti di psicologia dinamica* [Foundations of Dynamic Psychology]. Milan: Feltrinelli.

Kahneman, D., Slovic, P., and Tversky, A., eds. 1982, *Judgment Under Uncertainty: Heuristics and Biases*. Cambridge: Cambridge University Press.

Marraffa, M. 2011. "Precariousness and bad faith. Jervis on the illusions of self-conscious subjectivity." *Iris. European Journal of Philosophy and Public Debate* 3: 171-187.

Maynard-Smith, J. 1982. *Evolution and the Theory of Games*. Cambridge: Cambridge University Press.

Oatley, K. 1978. *Perceptions and Representations: The Theoretical Bases of Brain Research*. London: Methuen.

Öhman, A., and S. Mineka 2001. "Fears, phobias, and preparedness: Toward an evolved module of fear and fear learning." *Psychological Review* 108: 483-522.

Pinker, S. 1997. *How the Mind Works*. New York: Norton.

Reynolds, P. 1981. *On the Evolution of Human Behavior: The Argument from Animals to Man*. Berkeley and Los Angeles: University of California Press.

Russell, J.A. 1980. "A circumplex model of affect." *Journal of Personality and Social Psychology* 39: 1161-1178.

Russell, J.A. 1983. "Pancultural aspects of the human conceptual organization of emotions." *Journal of Personality and Social Psychology* 45: 1281-1288.

Samuels, R., S. Stich and P.D. Tremoulet. 1999. "Rethinking rationality: From bleak implications to Darwinian modules." In *What Is Cognitive Science?*, edited by E. LePore and Z. Pylyshyn, 74-120. Oxford: Blackwell.

Scarantino, A., and P. Griffiths. 2011. "Don't give up on basic emotions." *Emotion Review* 3: 444-454.

Slovic, P., Fischhoff, B., and S. Lichtenstein. 1976. "Cognitive processes and societal risk taking." In *Cognition and Social Behavior*, edited by J.S. Carol and J.W. Payne, 165-184. Hillsdale (NJ): Erlbaum.

Tajfel, H., and J. C. Turner. 1986. "The social identity theory of intergroup behavior." In *Psychology of Intergroup Relations*, edited by S. Worchel and W. G. Austin, 7-24. Chicago: Nelson-Hall.

Tooby, J., and L. Cosmides. 1990. "The past explains the present: Emotional adaptations and the structure of ancestral environments." *Ethology and Sociobiology* 11: 375-424.

Reasoning, Argumentation and Rationality

Paolo Labinaz

1. Introduction

Reasons matter in many situations of one's life, be they private or public. Anyone engaged in a dialogical situation is likely to want to provide reasons in support of her opinions and claims and to evaluate others' reasons for their opinions and claims. In giving and evaluating reasons we engage in a reasoning process: we make connections between premises and conclusions and judge whether a certain set of premises provides good reasons to accept a certain conclusion. By contrast with such a dialogic process we see that in today's public debates, such as television political debates, opponents are engaged rather in exchanging "arguments" whose aim is to persuade one's target audience, irrespective of whether such arguments are well-grounded. Since antiquity philosophers have been strongly interested in distinguishing between good and bad arguments; think, for example, of Aristotle's work on syllogistic reasoning in his *Prior Analytics* and *Sophistical Refutations*. As a matter of fact, the study of reasoning and argumentation has been central to philosophy and its branches ever since. In the last century, however, reasoning and argumentation have been studied independently by cognitive psychologists and argumentation theorists respectively. While their lines of research have been running in parallel, without addressing each others' studies, for thirty years, they have recently been brought together thanks to the development of argumentative approaches to reasoning in various fields of research, particularly cognitive psychology and analytic philosophy. Such approaches provide good theoretical grounds for the idea that reasoning is argumentative in nature and a large body of evidence supporting it. This may be taken to suggest that human rationality itself has an essential connection to argumentation. My aim here is to examine to what extent the idea that reasoning is argumentative in nature, and its implications, have been developed by the main argumenta-

tive approaches to reasoning and whether and how more could be done to elaborate upon it.

The paper unfolds as follows: In Section 2, I briefly describe the state of the art in psychological studies on reasoning and in argumentation theory, and then turn to today's most influential argumentative approaches to reasoning. In Section 3, I examine how rationality appears to be conceived in these approaches and conclude that by attributing a persuasive function to reasoning they assume an instrumental conception of rationality. In Section 4, I argue that the reduction of the argumentative function of reasoning to that of producing convincing arguments does not fit the project of viewing reasoning as basically argumentative in nature. I conclude by presenting a conception of rationality, outlined by Paul Grice (1991; 2001) and recently discussed by Marina Sbisà (2006; 2007), that, in my view, may account for the argumentative nature of reasoning by highlighting its reason-giving function.

2. Argumentative Approaches to Reasoning

Reasoning and argumentation have been studied by different research traditions over time.

On the one side, in the last few decades reasoning has been the subject of intensive psychological and philosophical investigation. In this interdisciplinary field of research, a great deal of interest has been directed towards the results of experimental studies on how people actually reason. These studies show that people systematically depart from the standard models of rationality, i.e. deductive logic, standard probability theory and expected utility theory, failing to solve even very simple reasoning tasks, such as assessing the logical validity of an argument, deciding what evidence one needs to test a conditional rule, estimating the posterior probability of a hypothesis on the basis of the evidence provided, and so on (see, e.g., Gilcovich, Griffin and Kahneman 2002). Some psychologists initially held that, on the basis of the evidence collected, people may be regarded as basically irrational. However, in the current debate, leading theories, especially evolutionary, ecological and dual-system theories, maintain that reasoning which seems to be irrational

can be judged as being perfectly rational, on the condition that it is evaluated according to the appropriate normative standards, such as evolutionary or ecological ones (see respectively Cosmides and Tooby 1992; Gigerenzer 2000; Evans and Over 1996; Stanovich 1999).

On the other side, argumentation has been widely studied by logicians and linguists. In current studies on argumentation, two main strands of research can be identified, which focus on argument-as-product and argumentation-as-process respectively. The first strand of research, which carries on the works of Chaim Perelman and those of Stephen Toulmin (see respectively Perelman and Olbrechts-Tyteca 1958; Toulmin 1958), aims to identify and evaluate the structures of arguments occurring in ordinary conversation on the basis of (depending on the theory at hand) their persuasiveness, appropriateness, relevance and so on. This strand of research includes, among others, approaches to argumentation such as informal logic (for an overview see Johnson and Blair 2000) and critical thinking (see, e.g., Ennis 1962; Siegel 1988). Frans van Eemeren and Rob Grootendorst's pragma-dialectical theory and Douglas Walton's *New Dialectic* are the leading theories of the second line of research (see respectively van Eemeren and Grootendorst 2004; Walton 1998). Both these theories study argumentation as a discourse activity. While the pragma-dialectical theory considers argumentation as a "complex speech act aimed at convincing a *reasonable critic*" (van Eemeren and Grootendorst 2004, 2), *New Dialectic* maintains that arguments should be assessed according to different standards depending on the types of dialogue in which they occur.

There have been only few attempts to study reasoning and argumentation jointly, particularly in the psychological domain: while argumentation theorists usually acknowledge that reasoning is related in some ways to argumentation, psychological studies on reasoning as traditionally conceived consider reasoning to be an inner mental activity aimed at forming true beliefs (epistemic rationality) and maximizing one's personal utility (practical rationality). Recently, however, some scholars, in fields such as cognitive psychology and analytic philosophy, have argued that reasoning and argumentation are so strictly related that the former cannot be studied detached from its place of occurrence, that is, dialogical, argumentative situations, regardless of whether reasoning is consid-

ered to be cognitive or social (see Haidt 2001; Hahn and Oaskford 2006; 2007; Mercier and Sperber 2011a; Dutilh Novaes 2013). Particularly, if reasoning is so conceived, some of the so-called biases found in psychological experiments concerning reasoning can be reassessed as effective argumentative moves or be shown to be due to factors other than people's supposed poor reasoning competencies, such as the particular conditions in which they are asked to reason, their lack of acquaintance with particular dialogical and argumentative practices, their initial conviction in the claim corresponding to the conclusion of the argument (e.g., in the case of *belief bias effect*) and so on. In what follows, I will present the four theories that have contributed to the development of this new field of research in the last years.

2.1 The Argumentative Theory of Reasoning

Hugo Mercier and Dan Sperber have recently proposed a psychological theory of reasoning, which connects reasoning with argumentation, labeled the "argumentative theory of reasoning." According to them, "the emergence of reasoning is best understood within the framework of the evolution of human communication" (Mercier and Sperber 2011a, 60). In their view, reasoning has evolved not to help people getting better at thinking on their own, but to provide arguments supporting their claims and to evaluate those provided by their interlocutors in dialogical contexts. In Mercier and Sperber's words, "reasoning has evolved and persisted mainly because it makes human communication more effective and advantageous" (Mercier and Sperber 2011a, 60): its main function is to successfully change our interlocutors' minds and to acquire reliable information from them, limiting the risk of being misled.

As to the workings of reasoning, Mercier and Sperber maintain that in our minds two different kinds of inferential activity take place, which they call respectively *intuitive* and *reflective inferences*, and that only the latter amounts to full-fledged reasoning. While intuitive inferences are the result of the inferential processes carried out by the domain-specific cognitive modules composing the human mind, reflective inferences are the indirect output of one of these modules, the so-called "argumentative

module." Intuitive inferences are so ubiquitous that they are considered to be unconscious and uncontrollable, taking place silently at a subpersonal level. When we are conscious of having reached a certain conclusion, but not of the inferential process that has led to it, we say that an intuitive inference has taken place since we are not aware of the reasons supporting its conclusion. However, we rarely question whether intuitive conclusions are well-grounded or not, since we consider what comes from the workings of our minds as perfectly reliable, and so we accept such conclusions as they appear in our consciousness. When activated, the argumentative module, as any other mental module, generates intuitive inferences, which are, however, of a special kind, because they amount to intuitive representations about whether a certain conclusion is well supported by the reasons provided to accept it (that is, its premises and their connection with that conclusion). Since the argumentative module provides representations about the connection between premises and conclusions, which are themselves representations, Mercier and Sperber take it to be a metarepresentational mechanism. Starting from the outputs of the argumentative module, reflective inferences, which, as said before, amount to full-fledged reasoning, take place when we "accept a conclusion because of an argument in its favor that is intuitively strong enough [...]," "construct a complex argument by linking argumentative steps, each of which we see as having sufficient intuitive strength [...]," and "verbally produce the argument so that others will see its intuitive force and will accept its conclusion [...]" (Mercier and Sperber 2011a, 59): in so doing, we can be said to be conscious (at least, to a certain extent) of the reasons for drawing a certain conclusion and of their relationship. Characterized in this way, reasoning is taken to have enabled humans to argue with each other, thus serving a fundamental social, but also cognitive, function.

According to Mercier and Sperber's evolutionary hypothesis, reasoning has evolved and persisted until today just because its function has been that of facilitating humans to argue for their claims and to evaluate each others' arguments. Particularly, it facilitates our ways of giving and evaluating reasons in dialogical situations where people, while disagreeing, are disposed to change their opinions when good arguments are presented. On the contrary, when one is thinking on one's own (and

does not take into account other perspectives), or takes part in non-deliberating groups, that is, groups in which people are not interested in comparing their opinions with those of their interlocutors, reasoning will be not helpful. As suggested by Mercier and Sperber (2011a, 63-66), in such cases people exhibit the so-called "confirmation bias," that is, the tendency to favour evidence that supports their own opinions, leading to a strong reinforcement of their attitudes. When this happens, we can observe well-known phenomena such as individual and group polarization. By contrast, argumentative moves inspired by the confirmation bias can be taken to be effective when they occur in deliberating groups because they offer people with evidence in support of their claims, in view of attacks or criticisms on the part of an opponent. More generally, according to Mercier and Sperber most of the failures in reasoning tasks are not caused by people's poor reasoning competencies but depend on the abnormal conditions in which they are asked to reason, if compared with the function according to which reasoning has evolved to serve. Experimental subjects are indeed asked to reason in isolation without the possibility of genuinely debating with others.

2.2 The Dialogical Nature of Deductive Reasoning

While Mercier and Sperber study reasoning in general, arguing for its evolutionary origins in argumentative contexts, Catarina Dutilh Novaes (2013) focuses on our ability to reason deductively and its relationship to argumentation, claiming that deductive reasoning should be seen as a cultural product, not as an heritage of human evolution. According to Dutilh Novaes there are good historically and psychologically grounded reasons to take deductive reasoning to be a particular form of argumentative practice, and so she argues that we should not see people as innately equipped with deductive skills, but rather that they acquire them thanks to specific training, particularly in the context of formal schooling. Dutilh Novaes (2013, 461) asserts that, while deductive logic has emerged as a specific way of arguing and debating since ancient Greece, in the last three centuries, particularly after the spread of Kant's critical philosophy, there has been a wide agreement that its rules play a

normative role in our mental activity, internalizing them into the human mind. In her view there are two basic components on which deductive reasoning is grounded, which may be said to be argumentative in nature: "(1) the willingness to reason from premises regardless of one's doxastic attitude towards them; (2) the formulation of indefeasible arguments, where the premises necessitate the truth of the conclusion" (Dutilh Novaes 2013, 461). Seen in this way, deductive reasoning represents a particular form of adversarial dialogue in which a proponent puts forward an argument so as to prompt her opponent to accept its conclusion if she accepts its premises. In this dialogical situation, although proponent and opponent start by agreeing on some statements, acknowledging them as the premises of the argument, the former aims to show that the claim she supports follows from these premises necessarily, while the latter tries to find counterexamples to this claim, that is, cases in which the premises hold but the conclusion does not, thus undermining the conclusion. Obviously, by formulating an indefeasible argument the proponent is almost certain to beat her opponent because, provided that the latter accepts the premises of the argument, she must accept the conclusion that follow from them necessarily: as a matter of fact, in a valid deductive argument the truth of the premises makes the truth of the conclusion necessary.

In support of her socio-cultural account of the origins of deductive reasoning, Dutilh Novaes provides evidence about its historical emergence and the ways in which one can get acquainted with its two basic components.

From a historical point of view, studies on the origins of deductive logic suggest that a crucial role in its development has been played by debating practices which emerged in the early Academy and were developed and formalized in Aristotle's *Prior Analytics* (see Dutilh Novaes 2013, 461-62). As suggested by Dutilh Novaes, both components of deductive logic can be found in such dialectical practices. While (1) amounts to the traditional move of granting the opponent's premises "for the sake of the argument," (2) is concerned with drawing a conclusion from a set of mutually accepted premises in light of the property of truth-preservation which characterizes deductive arguments.

From a developmental perspective, Dutilh Novaes holds that the emergence of deductive skills depends upon people's engagement with specific dialogical and argumentative practices, which they learn to master in the context of formal schooling. As to the component (1) of deductive logic, she makes reference to the work of Sylvia Scribner (1977), according to whom one way (among many) that schooled people differ from unschooled people is that the former are more prone to draw conclusions from premises that are not in line with their beliefs and experiences, since in class situations they learn to accept teachers' statements as true in order to reason with them. By contrast, as suggested by Luria's pioneering studies on Uzbekistan peasants' deductive skills (see Luria 1974), unschooled people are normally not disposed to reason leaving aside their own beliefs and experience and so refuse to draw conclusions from unfamiliar premises. While component (i) depends on the acquisition of what Sylvia Scribner characterizes as an analytic orientation in one's mode of thinking, the ability to formulate indefeasible arguments requires stronger training, e.g. by learning to make mathematical demonstrations. Interestingly, Dutilh Novaes (2013, 477) maintains that formulating an indefeasible argument can "[...] be seen as a specific 'language game' that must be learned to be played correctly:" only when engaged in such a language game, we are interested in whether our interlocutors have presented a deductively valid argument, that is, an argument in which, if all of its premises are true, then its conclusion must be true also, since when engaged in a discussion we normally only expect to deal with plausible arguments. However, Dutilh Novaes (2013, 476-79) underscores that there are also other social practices such as pretence play, storytelling and betting, which, while being not connected with school teaching, may help to improve schooled, as well as unschooled, people's acquaintance with the two basic components of deductive logic: particularly, by engaging in pretence play and storytelling one may learn to assume premises regardless of her doxastic attitude towards them, while by engaging in betting one is exposed to adversarial communication, which is a key ingredient for formulating indefeasible arguments.

2.3 Jonathan Haidt on Moral Reasoning

Nearly fifteen years ago, Jonathan Haidt developed what he calls the "social intuitionist model of moral judgment," which has become in few years one of the most prominent and debated approaches to moral judgments in the field of moral psychology. Although his theory is not concerned primarily with reasoning, his way of conceiving moral reasoning has been very influential in the development of the argumentative approaches to reasoning. In contrast with the traditional model, according to which moral judgments are the result of one's conscious reasoning activity, Haidt holds that moral judgments, with few exceptions, are caused by "quick moral intuitions" (Haidt 2001, 817). In his view, our minds possess intuitive heuristics which give rise to specific affective reactions (i.e., good/bad or like/dislike judgments) when we are asked to judge moral issues or cases. Such judgments, which are evaluative with regards people's actions or characters "[...] are made with respect to a set of virtues held to be obligatory by a culture or subculture" (Haidt 2001, 817). For example, following one of Haidt's examples, an act of incest evokes a sense of revulsion in people because they intuitively find some wrong with it (see Haidt 2001, 814). However, they do not know how they have arrived at such a judgment because it appears suddenly and effortlessly in their consciousness.

Consider now moral reasoning. According to Haidt, we engage in reasoning only when a justification is required to give public support to our moral judgments. In such cases, using Haidt's own metaphor, we become lawyers trying to build a case rather than judges searching for the truth (Haidt 2001, 814). In particular, moral reasoning is taken to be an effortful and conscious process which is performed after a moral judgment is made, to give a *post hoc* justification in support of it (see Haidt 2001, 822-823). Since such *post hoc* justifications are directed at one's interlocutors, moral reasoning can be also performed to influence their moral intuitions (and hence their moral judgments). However, what influences others' intuitions is not the validity or goodness of the arguments put forward to support our own moral judgments, but rather their capacity to activate "[...] new affectively valenced intuitions in the listener" (Haidt 2001, 819).

Interestingly, according to Haidt there do exist (a few) cases in which moral judgments are caused by reasoning: that happens, for example, when intuitions are in conflict or when a deeper examination of the moral case or issue in question is required by the social context in which we are involved (see Haidt 2001, 820). Furthermore, in some occasions we may reason privately but, as he observes, solitary moral reasoning is not very effective in overriding our initial intuitive judgments, since we rarely reason in order to question our attitudes or beliefs. When the overriding takes place, it is because "[...] the initial intuition is weak and processing capacity is high" (Haidt 2001, 819). By contrast, most of the time we falsely believe that we have changed our minds thanks to conscious reasoning, while what we assume to be a reasoned change in view is caused by other social or affective factors (see Haidt 2001, 823).

In summary, according to Haidt, intuition is the default mode of thinking in the moral domain, giving rise to moral judgments which are rapid, effortless and easy. Moral reasoning occurs in two different ways: while its standard use is to give justificatory support to pre-existing moral judgments, in other cases we rely on moral reasoning, or believe ourselves to have relied on it, in order to derive moral judgments. However, accepting uncritically our own moral intuitions is not always the best way of approaching moral cases or issues. As suggested by Jonathan Baron (1998), there is strong evidence that when people trust their own intuitions their resulting decisions, particularly in public policy's issues, can lead to disastrous consequences (see Haidt 2001, 815). So, Haidt's theory is concerned with how moral judgments are made, but not with whether they are well-grounded. In this sense, it is neutral about whether moral judgments caused by moral intuitions are better than those derived by reasoning.

2.4 The Bayesian Approach to Argument Strength

While the previous argumentative approaches to reasoning are all descriptive, not taking a position on whether a specific instance of argument can be said to be well-grounded or not, Ulrike Hahn and Mike Oaksford (2006; 2007) develop a Bayesian framework for assessing ar-

gument strength, which is clearly normative.[1] This framework is supposed to account for and predict the capacity of reasons to weaken or strength the audience's degree of conviction in the claims which are taken to be supported by them.

Since in ordinary life arguments are presented to convince the audience of a certain standpoint, in order to evaluate them as good or bad we should determine the audience's ultimate degree of conviction in the proposition expressed in the standpoint, that is, their degree of conviction after the argument put forward to support the standpoint has been presented. It is clear, however, that the same argument may be convincing for one interlocutor but not for another, in light of their prior conviction in its conclusion. Therefore, according to Hahn and Oaksford (2007, 706-707) what matters in such situations is the degree of change caused by the argument in the audience, which they call the force or strength of the argument. Force or strength is distinguished from convincingness, which is characterized as the ultimate degree of conviction in the claim supported by such an argument. Interestingly, Hahn and Oaksford hold that both degree of conviction and degree of force can be quantified within a Bayesian framework. Within such a framework, an argument is taken to be composed by a claim, amounting to the hypothesis to be tested, and some reasons supporting it, which are the relevant pieces of evidence available. If we think of claim and reasons as associated to probabilities, interpreted as one's subjective degrees of belief that the claim is true, thanks to Bayes' Theorem we can quantify the audience's degree of confidence in the claim after the reasons which are put forward to support it have been presented. This hence determines the audience's ultimate degree of conviction (its convincingness), which amounts to the posterior probability of the claim being true.[2] As when new relevant evidence is presented the degree of belief in an hypothesis may be strengthened or weakened, the same happens when reasons are

[1] Hahn e Oaksford's account is strictly connected with the Bayesian approach to human reasoning and rationality that Oaksford itself, with the collaboration of Nick Chater (see, e.g., Oaksford and Chater 2007), has developed over the last twenty years on the basis of John R. Anderson's work on rational analysis (see Anderson 1990).

[2] Stated in terms of hypothesis testing, Bayes' Theorem specifies how a hypothesis should be revised in the light of new relevant evidence.

presented in support of a claim. Since the degree of confirmation provided by new relevant evidence is characterized as the difference between the posterior and prior probability of a hypothesis, the force or strength of an argument can be described as the discrepancy between the prior conviction in the claim (the audience's initial conviction in the claim) and the ultimate degree of conviction in it (the audience's conviction in the claim after the argument has been presented).

As Hahn and Oaksford underline, the same argument can have different strength in light of the audience to which it is directed. To determine how convincing the argument is, indeed, we must take into account the audience's initial conviction in the claim at issue (its prior subjective probability), the qualities of the reasons put forward to support it (e.g. the trustworthiness of their sources) and the relationship between the claim and such reasons, as Bayes' Theorem clearly suggests when applied to hypothesis-testing cases. According to Bayes' Theorem, indeed, the higher the degree of belief in an hypothesis, the higher is the likelihood that the evidence we have in its favour is the case when the hypothesis is true as opposed to false. Hahn and Oaksford claim that thanks to their Bayesian framework phenomena, such as the acceptance of fallacies and the persuasiveness of some types of messages, can be accounted for. According to their analysis, an argument is said to be fallacious not because of its structure, as traditional work on fallacies has assumed, but because it occupies "[...] the extreme weak end of the argument strength spectrum given the probabilistic quantities involved" (Hahn and Oaksford 2007, 725).

In support of their Bayesian framework, Hahn and Oaskford have provided a body of experimental evidence suggesting that people's normative intuitions about argument strength, particularly fallacious arguments, appears to be consistent with those derived from their analysis (see Hahn and Oaksford 2006; 2007). As a consequence, this theory can be said to be normative not only in the sense that it provides a normative framework for assessing argument strength but also because it can predict people's judgments about how convincing an argument is. Obviously this does not mean that people are "Bayesian evaluators:" rather, it is the Bayesian framework aims to reflect their evaluations of the strength of arguments.

3. What Kind of Rationality is Assumed by the Argumentative Approaches to Reasoning?

While differing substantially from one another, all the above-described theories agree that the function of reasoning should be rethought, converging on the idea that reasoning is argumentative in nature. In so doing, they assume, at least implicitly, that a distinction should be made between immediate, automatic inferences, which take place at a sub-personal level, and full-fledged reasoning, which instead involves the ability to consciously provide reasons in support of one's claims. Although this distinction may seem to be merely a matter of terminology, it has a strong impact on the way that reasoning is studied empirically. Traditionally cognitive psychologists consider subjects' responses in experimental tasks, which are supposed to require reasoning activity to be solved, as determined by some inferential processes. They then debate how these alleged inferential processes can be appropriately described. In the long run, this way of studying reasoning has led cognitive psychologists to consider any cognitive process that is supposed to be inferential, particularly well-known heuristics processes, as an instance of reasoning. As a consequence, human reasoning has been taken to be a self-centered cognitive activity which is performed privately within one's mind. Over the last decades or so, however, things have been gradually shifting away from focusing exclusively on subjects' responses to focusing also on their ways of justifying such responses has been made. As highlighted by Jos Hornikx and Ulrike Hahn (2012, 229)

> there is ample evidence [...] that attempts to understand our "reasoning" ability—that is, our ability to evaluate individual premise–conclusion connections—must take into account that, in our everyday lives, such reasoning is typically embedded in broader argumentative contexts [...].

If reasoning is typically done interpersonally, taking place in "broader argumentative contexts," its function should be found within its place of occurrence. As experimental data reported by Mercier and Sperber (2011a) suggest, many reasoning tasks, in which people tend to give

wrong answers if approached in isolation, are more frequently solved correctly when they are presented to groups and the participants are asked to discuss their solutions collectively. Therefore reasoning may be deemed to have its natural environment in argumentation. Consider in particular the two following experimental findings. As reported by Mercier and Sperber (2011a, 61), when taken in isolation subjects are not usually able to apply nor recognize the well-known *modus tollens* (if *p* then *q*, not-*q*, so not-*p*), despite the fact that it is the simplest argument form after the *modus ponens*. However, if asked to engage in argumentative dialogues participants have been shown to recognize and easily apply *modus tollens* in order to question the claims made by their opponents. Similarly, although only about 10% of subjects solve the standard version of the selection task correctly, if asked to discuss its solution with others about the 70% of the subjects give the correct response (Moshman and Geil 1998). These and other similar experimental results (for a review see Mercier and Sperber 2011a, 61-66) suggest that reasoning works better when performed in argumentative contexts because it is set to serve argumentative ends. But what does it mean "to serve argumentative ends?" Mercier and Sperber's approach, as well as the other argumentative approaches we have examined above, fail to give a clear answer to this question. Saying that reasoning has an argumentative function may be interpreted in (at least) two different ways: it may amount to the attribution of a persuasive function or of a reason-giving one. According to Mercier and Sperber (2011b, 96), reasoning produces convincing arguments to change other people's minds, enabling us to achieve desirable effects in them. We can therefore assume that according to their theory, reasoning, in argumentative contexts, plays a persuasive function. We cannot say anything about whether Dutilh Novaes attributes a persuasive or a reason-giving function to our ability to reason "in general," because she is interested exclusively in deductive reasoning conceived as a dialectical practice. We do know, however, that according to her, we can put opponents on our side thanks to this practice, insofar as we can show that the claim supported by us follows necessarily from some mutually shared premises. As a consequence, we can assume that she acknowledges a persuasive function to deductive reasoning as a dialectical practice. Haidt's approach to moral reasoning has an ambiguous

position as to the function of reasoning. According to Haidt, reasoning helps us to justify our intuitive judgments to others by providing post-hoc rationalizations of these judgments. At first sight, his theory can be taken to attribute a reason-giving function to reasoning, since it focuses on people's efforts in justifying their already-made judgments. However, Haidt also holds that in justifying an already-made judgment we usually aim at convincing our audience that this judgment is well-grounded, irrespective of whether it may be or not, by activating "new affectively valenced intuitions" in them (Haidt 2001, 819). In other words, according to him reasoning plays a fundamental role in our attempts to influence others' moral intuitions, which amounts to recognizing it as having a persuasive function. Putting together the two characterizations provided by Haidt, we can say that the persuasive function prevails over the reason-giving function because he strongly stresses the role of reasoning in "convincing" and "influencing" one's audience. Lastly, in Hahn and Oaskford's Bayesian framework, it is taken for granted that we reason to convince others of our standpoints and so their theory is also based on the idea that reasoning has a persuasive function. In sum, according to all these approaches, reasoning, be it a cognitive or a social activity, is taken to be a strategic instrument that makes us competitive when confronted with other arguers. It can be said to be strategic, because through it we can achieve valuable goals, such as convincing others of our standpoints or defending ourselves from their similar attempts, that might otherwise be too difficult or even impossible to achieve with other cognitive or social instruments.

Not only are the supporters of these approaches not too clear about the function of reasoning, but they also set aside the question of how the connection between reasoning and argumentation should be brought to bear on the characterisation of rationality. On the basis of what we have seen so far, however, we can assume that these approaches take for granted that rationality focuses on means-end relations: we are rational because we are equipped with reasoning, which can be inherited genetically or acquired through experience or education, and thanks to which we produce convincing arguments for changing the others' minds. It is, in other words, an instrumental conception of rationality. Indeed, insofar as reasoning is taken to be a good instrument, be it cognitive or so-

cial, to convince others to change their minds, the above-described argumentative approaches attribute an instrumental value to it. The value of reasoning is derivative on the value which people attribute to changing other people's minds. If people had never been interested in changing other people's minds, or if providing them with arguments would not have proven to be a good means to this end, reasoning would not have become a permanent component of our cognitive or social repertoire. Similarly, if people had found an alternative, easier and more effective way of changing other people's minds, reasoning would have been left aside and replaced by this alternative method. In sum, according to this instrumental conception the effectiveness of reasoning amounts to its capacity to lead our audience to believe our opinions and claims: by relying on it we, both as proponents and opponents, aim at achieving the best results in competitive, dialogical situations. It should be noted that while this position can be attributed to Mercier and Sperber and to Hahn and Oaksford in a strong sense, it belongs to Dutilh Novaes and to Haidt only in a weaker one. As stated previously, in focusing on deductive reasoning, Dutilh Novaes can be taken to ascribe an instrumental function to it, but she does not take any stance as to the origins of our "general" ability to reason or on why reasoning has evolved. As to Haidt's approach to moral reasoning, we can assume that it is grounded on an instrumental conception of rationality only insofar as, in it, the persuasive function prevails over the reason-giving one. However, a tendency to conceive rationality in instrumental terms is shared by all the four approaches.

4. Argumentative Rationality

By focusing upon the persuasive function of reasoning, the above-described argumentative approaches do not fully develop the implications of the connection between reasoning and argumentation. While there can be two different ways of conceiving the function of reasoning, as either a persuasive or a reason-giving function, they stick to the former and, in so doing, appear to presuppose an instrumental conception of rationality. According to this conception, giving justificatory support

to one's moves is not valuable *per se* but only insofar as it succeeds in convincing other people of one's opinions and claims. The question is then whether this way of conceiving rationality fits the project of viewing reasoning as basically argumentative in nature. Insofar as the argumentative function of reasoning is equated to its capacity to produce convincing arguments that influence or change other people's minds, reasoning works as a persuasive device whose aim is to achieve goals which people find valuable. But in doing so, the argumentative approaches lose the opportunity given by the connection between reasoning and argumentation to detach the former from the individualistic function which has been traditionally attributed to it by philosophers and psychologists. This can be clearly seen in Mercier and Sperber's position. On the one hand, they criticize the traditional, individualistic conception of reasoning, holding that reasoning is not merely strategic in the sense of helping us, as individual reasoners, to enhance our knowledge and to maximize our personal utilities, but because it helps us to produce convincing arguments when challenged in dialogical contexts. On the other hand, by holding that, thanks to their ability to reason, people "[...] argue for whatever it is advantageous to them to have their audience believe" (Mercier and Sperber 2011b, 96), Mercier and Sperber assume that our ways of reasoning depend on what is advantageous to us, that is, pursue our own goals and interests. Reasoning therefore appears to be understood by them to be an instrument serving the achievement of our personal utilities after all. Thus the supporters of argumentative approaches trace the argumentative nature of reasoning back to the purely individualistic component of dialogical situations, that is, the goal of achieving personal advantages from them.

In contrast to this instrumental conception, there is another route one may want to take in elaborating the idea that reasoning is argumentative in nature. If one takes the reason-giving function of reasoning to be more fundamental than its persuasive function, one can avoid assuming an instrumental conception of rationality and look for a thoroughly argumentative alternative. Indeed, an argumentative conception of rationality inspired by Paul Grice's later works (see Grice 1991; 2001) appears to be a good fit to account for the argumentative nature of reasoning.

A preliminary distinction that must be established here is that between one's ability to reason, that is, the ability to make premises-conclusions connections, and that of producing convincing arguments, which amounts to the ability to change people's minds about anything. These abilities are clearly independent of each other: on the one hand, one may be very good at making premises-conclusions connections, but not necessarily interested in using this ability to produce arguments to convince other people and, on the other, one can succeed in convincing other people with what one says without relying on one's ability to make premises-conclusions connections. Although argumentative approaches, most explicitly Mercier and Sperber's argumentative theory of reasoning, conflate these two abilities into a more general ability to argue, they might have developed for very different reasons, not necessarily linked to one another. Moreover, our ability to argue is much more complicated than the supporters of argumentative approaches assume. Not only we acquire deductive skills thanks to specific training, as suggested by Dutilh Novaes, but also our ability to argue, which does not coincide with our ability to reason, depends on our acquaintance with specific social practices, which involve, among other things, rules and expectations that guide our behavior when engaged in these practices. As suggested by argumentation theorists (cf. Grootendorst, van Eemeren 2004; Walton 1998), these rules and expectations involve, among other things, attributions of entitlement, undertakings of commitments, turn-taking, ways of questioning each others' claims, adoption of standards of precision, and so on. When people do not respect the rules characterizing such practices and are not guided by expectations as to how to proceed when engaged in them, they are engaged in a practice, which may be similar, but not identical, to that of arguing. Obviously, it is a necessary, but not sufficient, condition to be engaged in argumentative practices that one should be able to make premises-conclusions connections. In reasoning, indeed, we make connections between premises and conclusions and judge whether a certain set of premises constitutes good reasons to accept a certain conclusion. This is what can be called the reason-giving function of reasoning. While it is true that if one is willing to be engaged in an argumentative practice, one needs to rely on the ability to reason, it is also true that someone may be interested in giving reasons in support

of a certain claim or decision anytime it seems relevant to do so, without any particular further goal (such as that of convincing others of something). However, since we can be interested in justifying our moves in a variety situations, be they public (speaking with others) or private (such as engaging in an inner dialogue with ourselves), the reason-giving function of reasoning may be considered as primarily communicative. Obviously, this function of reasoning can be exploited to convince others of a certain claim or opinion, and thus become part of a more complex social situation, which may be adversarial or cooperative.

At this point, it is useful to recall Paul Grice's characterization of human rationality as: "a concern that one's moves are justified and a capacity (to some degree) to give effect to that concern" (Sbisà 2006, 241-242; see Grice 1991, 82-83), which has been taken by Marina Sbisà (2006; 2007) to express an argumentative conception of rationality (as opposed to the received instrumental conception). On this view, the value of reasoning does not lie in its persuasive efficacy, but in its reason-giving function. However, a further distinction is to be made between people's concern for justifying their moves and their ability to give effect to this concern, that is, their ability to actually reason. Indeed, while without an ability to reason we cannot give effect to our concern for justifying our moves, without motivations our ability to reason is not useful nor relevant for us.

If we ask why we engage in reasoning, the first response, as suggested by the definition, is that one must care about having reasons for one's moves. A capacity for concern regarding the justification of our own moves develops in us when we begin to realize that we find it valuable to provide reasons in support of what we say and do. One may imagine that it is in order to give effect to this concern that we equip ourselves with a capacity to make premises-conclusions connection, or, at least, that we start finding our ability to make premises-conclusions connection relevant to our aims, both cognitive and social, and worth developing. Our ability to reason, on this view, would then be a response to our concern to provide reasons in support of what we say and do to our interlocutors.

As the experimental works of Keith Stanovich and his collaborators suggest, people's reasoning performances cannot take place if people's reasoning is not activated and supported by their attitudes and disposi-

tions (see West *et al.* 2008; Stanovich 2010). We reason for a variety of motivations: giving sense to our speech or actions, making explicit the premises of what we say or do, collaborating with others, convincing others, or improving our self-image. To achieve these and similar aims, one needs to be supported by one's ability to reason. This does not mean, however, that we possess this ability because it helps to achieve these aims as well as many others: they are not the reasons why we reason as we do.

5. Conclusion

The great merit of the argumentative approaches to reasoning we have discussed in this paper is that they highlight the limitations of conceiving of reasoning as an inner mental activity that makes people get better at thinking on their own, as most psychological theories have done in the last thirty years or so. In doing so, they have also provided good theoretical grounds and a large body of evidence in support of the hypothesis that reasoning has its natural environment in argumentative contexts. But these approaches do not take into consideration the implications that the choice to underline the connection between reasoning and argumentation may have for the characterization of rationality. Focusing on how rationality appears to be conceived by these theories, I have argued that, insofar as they take reasoning to be a strategic instrument thanks to which we can achieve valuable goals, such as convincing others of a certain claim and defending ourselves from their similar attempts, they assume an instrumental conception of rationality. This means that in these perspectives giving justificatory support to one's moves is not valuable *per se* but only insofar as it succeeds in convincing other people of something. However, as these argumentative approaches reduce the argumentative function of reasoning to its capacity to persuade, their way of conceiving rationality does not fit the project of viewing reasoning as basically argumentative in nature.

If, as I have tried to show, the reason-giving function of reasoning is considered to be more fundamental than that of producing convincing arguments, another route can be taken in elaborating the idea that rea-

soning is argumentative in nature. I have indeed presented an argumentative conception of rationality, inspired by Paul Grice's later works (see Grice 1991; 2001), which, by focusing upon the reason-giving function of reasoning, seems to be able to develop the implications of the connection between reasoning and argumentation more deeply than the argumentative approaches have made from an instrumental point of view. In the perspective inspired by this argumentative conception of rationality, the function of reasoning that can be taken to be primary is not that of producing convincing arguments, but that of justifying one's claims, opinions and other moves, which is sustained by our concern that our moves be justified. In this light, while recognizing that the reason-giving function of reasoning can be exploited to achieve many valuable goals, including that of producing convincing arguments, the suggestion that it may have emerged from our deep concern for providing reasons for our moves appears to be worth consideration.

References

Anderson, John R. 1990. *The Adaptive Character of Thought*. Hillsdale, NJ: Erlbaum.

Baron, Jonathan. 1998. *Judgment Misguided: Intuition and Error in Public Decision Making*. New York: Oxford University Press.

Cosmides, Leda, and John Tooby. 1992. "Cognitive Adaptations for Social Exchange." In *The Adapted Mind*, edited by John Barkow, Leda Cosmides and John Tooby, 163-228. New York: Oxford University Press.

Dutilh Novaes, Catarina. 2013. "A Dialogical Account of Deductive Reasoning as a Case Study for How Culture Shapes Cognition." *Journal of Cognition and Culture* 13: 453-476.

Ennis, Robert . 1962. "A Concept of Critical Thinking." *Harvard Educational Review* 32: 81-111.

Evans, Jonathan St.B.T, and David E. Over. 1996. *Rationality and Reasoning*. East Sussex, UK: Psychology Press.

Gigerenzer, Gerd. 2000. *Adaptive Thinking. Rationality in the Real World*. New York: Oxford University Press.

Gilovich, Thomas, Dale Griffin, and Daniel Kahneman (eds.). 2002. *Heuristics and Biases: The Psychology of Intuitive Judgment*. New York, NY: Cambridge University Press.

Grice, Paul H. 1991. *The Conception of Value*. Oxford: Oxford University Press.

Grice, Paul H. 2001. *Aspects of Reason*. Oxford: Oxford University Press.

Hahn, Ulrike, and Michael Oaksford. 2006. "A Bayesian Approach to Informal Reasoning Fallacies." *Synthese* 152: 207-23.

Hahn, Ulrike, and Michael Oaksford. 2007. "The Rationality of Informal Argumentation: A Bayesian Approach to Reasoning Fallacies." *Psychological Review* 114: 704-732.

Haidt, Jonathan. 2001. "The Emotional Fog and Its Rational Tail: A Social Intuitionist Approach to Moral Judgment." *Psychological Review* 108: 814-834.

Hornikx, Jos, and Ulrike Hahn. 2012. "Reasoning and Argumentation: Towards an Integrated Psychology of Argumentation." *Thinking and Reasoning* 18: 225-243.

Johnson, Ralph H., and Anthony J. Blair. 2000. "Informal Logic: An Overview." *Informal Logic* 20: 94-108.

Luria, Aleksandr R. 1974. *Ob istoričeskom razvitii poznavatel'nyh processov*. Mosca: Izdatelstvo "Nauka." English Translation (1976), *Cognitive Development: Its Social and Cultural Foundations*. Cambridge, MA: Harvard University Press.

Mercier, Hugo, and Dan Sperber. 2011a. "Why Do Humans Reason? Arguments for an Argumentative Theory." *Behavioral and Brain Sciences* 34: 57-74.

Mercier, Hugo, and Dan Sperber. 2011b. "Argumentation: Its Adaptiveness and Efficacy." *Behavioral and Brain Sciences* 34: 94-111.

Moshman, David, and Molly Geil. 1998. "Collaborative reasoning: Evidence for Collective Rationality." *Thinking and Reasoning* 4: 231–248.

Oaksford, Michael, and Nick Chater. 2007. *Bayesian Rationality: The Probabilistic Approach to Human Reasoning*. Oxford: Oxford University Press.

Perelman, Charles, and Lucie Olbrechts-Tyteca. 1958. *Traité de l'argumentation. La nouvelle rhétorique*. Paris: PUF. English Translation

(1969), *The New Rhetoric: A Treatise on Argumentation*. Notre Dame: University of Notre Dame Press.

Sbisà, Marina. 2006. "Two Conceptions of Rationality in Grice's Theory of Implicature." In *Rationality of Belief and Action*, edited by Elvio Baccarini and Snježana Prijić-Samaržija, 233-247. Rijeka: University of Rijeka.

Sbisà, Marina. 2007. "On Argumentative Rationality." *Anthropology and Philosophy* 8: 89-99.

Scribner, Sylvia. 1977. "Modes of Thinking and Ways of Speaking: Culture and Logic Reconsidered." In *Thinking: Readings in Cognitive Science*, edited by Philip Johnson-Laird and Peter C. Wason, 483-500. New York: Cambridge University Press.

Siegel, Harvey. 1988. *Educating Reason: Rationality, Critical Thinking, and Education*. London: Routledge.

Stanovich, Keith E. 1999. *Who is Rational? Studies of Individual Differences in Reasoning*. Mahwah, NJ: Erlbaum.

Stanovich, Keith E. 2010. *Rationality and the Reflective Mind*. Oxford: Oxford University Press.

Toulmin, Stephen. 1958. *The Uses of Argument*. London: Cambridge University Press.

van Eemeren, Frans H., and Robert Grootendorst. 2004. *A Systematic Theory of Argumentation: The Pragma-Dialectical Approach*. Cambridge: Cambridge University Press.

Walton, Douglas. 1998. *The New Dialectic: Conversational Contexts of Argument*. Toronto: University of Toronto Press.

West, Richard F., Mary E. Toplak, and Keith E. Stanovich. 2008. "Heuristics and Biases as Measures of Critical Thinking: Associations with Cognitive Ability and Thinking Dispositions." *Journal of Educational Psychology* 100: 930-941.

Is Truth Relevant? On the Relevance of Relevance

Thomas Becker

1. Assertion[1]

Assertion can be defined in at least two ways: It can be defined as a speech act and thus be distinguished from other speech acts such as questions, commands, etc. This is what linguists do, and most of them are satisfied with it. However, another way of dealing with assertions – a way that has been popular with philosophers for some time – is more ambitious: Finding out the norms of assertion, or defining what is a "good assertion." Regarding an answer to this question, we are far from any consensus.

1.1. What is an Assertion?

Let us tackle the first question first. The most mature speech act theory currently available is that of Daniel Vanderveken (1990). Vanderveken assembles a number of speech acts (or more precisely, a number of English verbs) under the heading of "assertives" (1990, 169-181). Assertives are distinguished from other speech acts by their assertive "illocutionary point" (roughly: the basic purpose of the act) which is defined as "representing as actual a state of affairs" (1990, 105). An assertive can be true or false, sincere or a lie, relevant or irrelevant. An assertive is also distinguished from a quote, i.e. the pronouncing of a sentence without representing it as actual, e.g., in order to demonstrate its syntax on a blackboard. Neither sincerity, nor truth, nor belief, nor relevance, nor justification is constitutive of assertion, yet notions of "assertion" and "good assertion" are often confused.

[1] I am very grateful for the most valuable comments made by the participants of the workshop *Moral realism and political decisions* (Bamberg, Dec. 19 – 22, 2013), by Robert Hümmer, Jan Henning Schulze and Sebastian Krebs. The remaining blunders are all mine.

The assertion itself is the "primitive assertive" in Vanderveken's theory (1990, 169); the other assertives such as answers, reassertions or denials require additional contextual qualifications. Testimonies and conjectures are also assertives, but they are distinguished from plain assertions by the degree of strength in their "mode of achievement." Testimonies are stronger than regular assertions, conjectures are weaker. In Vanderveken's theory the degree of strength is a parameter that is independent of the assertive illocutionary point; this independence will be important in what follows.

However, the definition of *assertives* as speech acts "representing as actual a state of affairs" contains a well-sealed Pandora's Box of problems, namely the question of how an actual state of affairs is distinguished from a state of affairs that is not actual – the problem of truth. The pre-theoretical notion of "actual" is sufficient for most linguistic purposes; therefore the box need not be opened unless the question is raised as to what makes an assertion a good assertion.

1.2. What is a "Good Assertion?"

Searle (1969) also broaches this question. He gives preparatory rules that state the contextual prerequisites needed for a speech act to be successful or "happy" (1969, 60). There are two preparatory rules for assertion (1969, 66; *S* = *speaker*, *H* = *hearer*, *p* a proposition):

1. *S* has evidence (reasons etc.) for the truth of *p*.
2. It is not obvious to both *S* and *H* that *H* knows (does not need to be reminded of, etc.) *p*.

The first rule states that an assertion should not be careless; the second rule states that it should not be irrelevant. Both careless and irrelevant assertions are still assertions, yet they are hapless or "bad."

Searle's sincerity rule states (*ibid.*):

S believes *p*.

Needless to say (obvious to both *S* and *H*), that an insincere assertion is still an assertion, though often a bad one. In the case of assertion (not with other speech act types) the sincerity rule might seem to be covered by the preparatory rule 1 above. If one has reasons to believe that *p*, should one believe that *p* – or not? Not necessarily. In many cases there are arguments both for and against a proposition. Therefore a speaker might very well be able to "justify" a proposition and at the same time believe it to be false and utter it in order to lead the hearer astray. A justification does not necessarily make an assertion a good assertion.

There are also cases in which belief is entirely unjustified, if it is based on misleading intuitions, for example. However, intuitions need not be misleading. The reliability of chicken-sexers who cannot explain their criteria is one example, another example (Gladwell 2005), is the incident of a group of experts who intuited that a statue offered to a museum was forged and who were entirely unable to give reasons for this opinion. A later inquiry proved their intuitions to be correct. Those incidents are not rare: It is not the worst physician who intuits a diagnosis on the basis of his experience – and he is definitely entitled to assert it. If intuitions have proved to be reliable by induction, then they do not need further justification by arguments. In everyday life – as opposed to scientific discourse – justification is often neither sufficient nor necessary for a good assertion, as the assertion norms for everyday life are different from those concerning scientific knowledge.

1.3. Scientific and Everyday-Life Knowledge

Knowledge, just like truth, is one of the most debated concepts and there is no hope of ever achieving a consensus. Assertion in everyday life obviously does not require corroborated expert knowledge but rather everyday commonsense understanding.[2] How does this type of knowledge relate to belief? To attempt to answer this, it may be instructive to look at the use of the words 'know' and 'knowledge' in natural languages.

[2] The work published in epistemology appears to aim at a third type in between these, the function of which has not yet been made clear to me.

The fundamental difference between the verbs *to know (that)* and *to believe* is their factivity: The verb *to know* is factive, i.e. it presupposes the truth of its complement clause, whereas *to believe* is non-factive. If *A* says: '*B* knows that *p*' she says that *B* believes that *p*, and she indicates through the said presupposition that she herself believes *p* as well; beliefs are called truths or knowledge by those who believe them. "Factivity" of the verb *to know* means that the speaker of the utterance '*B* knows that *p*' regards *p* as a fact – nothing else. In particular, it does *not* mean that *p* is (in fact) a fact – whatever 'being a fact' is supposed to mean. Not even the "facts" of Euclidean geometry were safe from revisions; even more vulnerable is what we assert every day or what we believe to be our knowledge. When I hear somebody saying that the earth is not flat, I claim the right to assert 'he knows that the earth is not flat' and do not feel obliged to examine whether or not his belief is just accidentally true. I would argue, in fact, that most of our everyday beliefs are only accidentally true and lack any sound justification.

On the other hand, if A says '*B* believes that *p*' (instead of 'knows') she does not indicate that she herself believes *p* as well, nor does she exclude it. In this case, however, the choice of the verb *to believe* votes out the alternative *to know,* together with its presupposition. In most contexts the choice of *to believe* triggers an inference (a clausal conversational implicature, Gazdar 1979, 59), a weak indication, that *A* does not assent to *p*. Otherwise she could and should have used the verb *to know*.

When transferred to the first-person the meanings of the verbs more or less coincide. 'I believe that p' and 'I know that p' can refer to the same attitude towards *p*: belief can be very firm. Nevertheless, the weakening effect of the implicature in play in the first-person, compared to assertions made in the second-person or third-person, affects the meaning of *to know* by adding a connotation of certainty, so that the use of *to know* is preferred in the upper range of gradual firmness of belief. Therefore one can say 'I believe that *p* but I could be mistaken' without contradiction, as opposed to 'I know that *p* but I could be mistaken.' However, the contradiction of 'I know that *p* but I could be mistaken' is merely a pragmatic one: we conventionally use the phrase 'I know that' to affirm our subjective certainty. Strictly speaking, we should add 'but I could be mistaken' to any assertion – if that addition were not entirely irrelevant.

One might assume that the verb *to know* "expresses" certainty whereas *to believe* does not; however, the words 'knowledge' and 'to know' can as well be used to underscore uncertainty or subjectivity, as in the common phrases 'to my knowledge' and 'as far as I know,' which are phrases used to hedge one's bets, used to explicitly indicate less reliable knowledge. This is true not only for English but for most Western languages:

French: *à ma connaissance/autant que je sache*
Italian: *per quanto io ne sappia*
Spanish: *según mi saber/por lo que sé*
German: *meines Wissens/so viel ich weiß*
Latin: *quantum scio*
Greek: *ὅσον γ' ἐμὲ εἰδέναι*

Moreover, the history of science teaches us that even scientific knowledge is nothing but temporarily received belief that has to be put to the test by further regulated experience. Many of our convictions (perhaps *all* of them) are *default* assumptions. We rely on them as long as there is no substantial evidence to the contrary. Of course scientific knowledge requires a certain level of justification, which is provided by scientific methods which themselves require justification by philosophy of science. By contrast, the everyday-life concept – the one pertinent to assertion – requires only belief and subjective certainty. The assertions observed in everyday life range from those based on scientific knowledge to completely careless ones; however, one would lose touch with reality by demanding more than subjective certainty from common people making assertions. The general linguistic norm of "good" assertions requires subjective certainty (that is, sincerity). Justified or otherwise corroborated assertions are required by different norms pertaining to particular situations such as academic discourse or judicial hearings, which I will not deal with in this paper. The knowledge required for good everyday-life assertions is mere belief combined with subjective certainty. It is sufficient to have a revocable default assumption, whose justification may be not fully reliable as long as its contrary is less reliable. The burden of proof here lies with the skeptic.

The knowledge requirement appears to boil down to Searle's sincerity rule. However, this is not quite so: A speaker can have a belief and yet be

reluctant to assert it. Putting aside norms of politeness, etc., let us consider a speaker who has a belief but nevertheless doubts its reliability. In some situations an explicit guess is more appropriate than an unqualified assertion.

1.4. The Epistemic Standards of Assertion

Consider the following dialogue between *A*, standing in the hall and ready to leave, and *B* sitting on her sofa:

A: Where is your car key?
B: In the drawer.
A: No, it isn't.
B: In my coat.
A: No.
B: Sorry, here you are.

Apparently that conversation is quite natural and *B*'s behavior is appropriate if not exactly optimal. Before answering the first question *B* could have made an inquiry in order to obtain reliable information about the location of the key. What she actually did was to enlist *A* in that inquiry because she rightly believed she would get the result faster this way. This is both rational and appropriate even if it turns out that her first guesses were mistaken and she could have found the key easily on her own. Her first answer was a guess and it was helpful in finding the key. Was her answer an assertion? Yes, it was both a guess and an assertion.[3] There is no linguistic difference between a guess and an assertion because they share the illocutionary point and the difference lies in the context.[4] The stakes in that situation were very low; the risk taken with a false assertion was next to zero. In a different case, if *B* had not had a chance to examine the drawer, if the conversation could not have been continued after the first reply and if the conse-

[3] I use the term 'assertion' for all assertives because the difference between answers, oaths etc. and assertions in the narrow sense is merely contextual.

[4] For a contextualist notion of knowledge/assertion cf. DeRose 1995: 30 or Sosa 2000: 2, e.g. Stanley (2004) critically discusses various versions of contextualism, none of which relate knowledge to relevance or practice.

quences of not finding the key had been serious, that is, if the stakes had been high, *B*'s answer based on insecure knowledge would have been entirely inappropriate. In such a situation she should have downgraded her assertion to an explicit guess or have acted very differently. This means, the strength of assertion is to be taken as a parameter independent of the assertive point (as shown by Vanderveken 1990, see above) – it ranges from frivolous guess to oath – and the speaker is obliged by the assertion rule to adjust its strength to the epistemic standards of the situation. In some cases that strength has to be made explicit, while in others it is unnecessary or irrelevant. The obligation to explicitly indicate the strength of assertion correlates with the epistemic standards of the speech situation and the asserted proposition's presumed reliability. Even a frivolous assertion, a joke, is appropriate when the stakes are low and the consequences of "error" are insignificant. By the way, a good joke can be made a better one by adding a well fabricated "justification" to the frivolous assertion.

The epistemic standards have to be distinguished from the epistemic position of a person in a given situation. The epistemic standards are dependent on the social activity the assertion is embedded in, whereas the epistemic position a person holds is merely the degree of reliability of knowledge independent of future action. The neglect of action is a frequent but serious omission in the analysis of assertion. The norms of good assertion require a consideration of the role of assertion in social practice.

1.5. The Embedding of Assertion in Social Practice: Relevance

An assertion is hardly ever just supposed to represent a fact in the world. The perlocutionary effect intended by an assertion is hardly ever restricted to merely convincing the addressee of the proposition asserted; a relevant assertion aims at further, indirect responses, that is, it aims at guiding the future activities of the addressee. Nobody would ever make a promise, for example, if it had no other effect than limiting the range of the speaker's future activities by the obligation thereby incurred, as a promise is an investment aimed at the future cooperative behavior of the addressee. Assertion is embedded in social activity, and

the appropriateness of assertion is not only dependent on the epistemic position of the asserter but essentially related to that activity.

A very instructive example is discussed in Lackey (2011, 253-255): an oncologist in a teaching hospital "knows" from a very competent student that one of her patients has cancer. This knowledge is "isolated secondhand knowledge" based on the diagnosis of the student who has reviewed the relevant data, which the oncologist has not had a chance to see. The student is entitled to assert to her professor that the patient has cancer; the professor is also entitled to assert this to her husband at dinner (272), but neither the student nor the professor are entitled to assert it to the patient because of the severe consequences of such an assertion for him. It is the severity of the consequences that makes first hand expert knowledge necessary. The doctor's epistemic position is the same when talking to her husband as when talking to the patient, yet the stakes and the epistemic standards differ.[5] When talking to her husband, the assertion is part of the language game "dinner conversation;" when talking to her patient, it is part of a therapy where isolated secondhand knowledge is out of place. The epistemic position of the speaker is insufficient for deciding if an assertion complies with the norms of assertion or not; the embedding in action has to be considered (Stanley 2005, 88, 92).

Another example is discussed in Becker 2012, 266:

> Imagine your partner in a conversation somewhere in Europe needs to buy a pencil and you tell him that he can buy one in the Arya Stationery Mart in New Delhi, Nai Sarak, near the Vaish Co-Operative Bank. That is true and you can easily justify it using the yellow pages on the Internet. Nevertheless it is a brazen violation of our rules of conversation: it is not *relevant*.

2. Relevance

The "truth norm of assertion" thesis, which enjoys some popularity, is, I argue, absurdly weak. Any speaker in any speech situation is epistemical-

[5] I agree that when the patient accidentally overhears the conversation not addressed to him, he has no right to complain to the asserter (Moran 2005: 22; Goldberg 2011: 192 disagrees).

ly entitled by his knowledge to assert an infinite number of true and known propositions – about the number of his toes and fingers, mathematical equations, capitals of states, almost all negative sentences and so on. This can be demonstrated by the absurdity of the Library of Baghdad, which is similar to Jorge Luis Borges's Library of Babel (Borges 1999, Borges 2007). Borges' Total Library is a fascinating fabrication: it holds an infinite set of books, each of them finite, containing all combinations of letters (22 letters plus space, period, and comma). It contains every text possible in every language that can be transliterated by the set of those 22 letters (other letters can be defined as combinations; the library contains an infinite number of such definitions, too). Hence, the library contains a detailed and true history of our future, an infinite number of false ones, the "Persae" of Aeschylus (and his "Egyptians"), the exact number of times that the waters of Ganges have reflected the flight of a falcon, and so forth. All of these books are untraceably hidden in an infinite muddle of books containing meaningless combinations of letters.

The Library of Baghdad is different: its books contain only true sentences (not a single false one) in impeccable English, without a single misprint. It contains, just like the Library of Babel, an infinite set of true sentences derived logically or by other recursive definitions from a basis of true and known sentences compiled by a large committee of scholars. All the sentences differ from each other, not a single sentence is recorded twice, and all sentences are of finite length. Nevertheless, it is as useless as the Library of Babel, because you have virtually no chance to find a single interesting sentence among the infinite number of true and irrelevant ones. Natural languages like English are recursive, that is, you can make any number of additions to a sentence without affecting its grammaticality or truth. For instance, the sentence 'The library of Babel is very large' can be extended to the form 'The library of Babel is very, very large.' You can add 'very' any number of times; there is no natural number of additions that renders the sentence ungrammatical or false. This means for any natural number there is a sentence in the Library. The books containing this family of sentences alone would fill the entire cosmos. And there are other sources of infinity, to name but two of them: '1 is less than 2,' '1 is less than 3' etc. Or: 'Human beings have 11 fingers and human beings have 12 fingers, or (!) Paris is the capital of France.' Adding 'or Paris is the

capital of France' to any of an infinite set of true or false sentences will yield a true sentence. Let us assume that the set of sentences is not ordered according to its recursive enumeration. The library would even be less useful if it contained the true sentences whose truth has not been established by experts so far (e.g. the distance between the first and the second occurrence of the letter '*e*' in this paper), as almost all of these truths contained in the library of Baghdad do not matter at all; what matters are the very few sentences that happen to be relevant. Therefore, *the point of assertion is to pick out the most relevant proposition of an infinite number of true, known and justifiable ones*.[6] Relevance is both as relevant and as easy to overlook as the air we breathe because our cognition rejects almost all of the irrelevant information in our environment.

Science is a selection of what is worth knowing to us for practical purposes (of what is relevant) chosen out of an infinite number of truths (Bolzano 1837, 3; Putnam and Putnam 1990, 206). This does not imply that scientific findings are of immediate use. In many cases the practical use of a finding has been discovered later. Nevertheless, basic research is justified by the hope for application in the future. Good science must be relevant in the most general speech situation of all: the life of mankind.

2.1. Relevance and the Theory of Conversational Implicature

"Be relevant!" is one of the Maxims of Conversation postulated by H. P. Grice (1975), whose inferential theory of meaning is one of the cornerstones of thinking in linguistics and philosophy of language. Further linguistic research (above all: Sperber and Wilson 1986) has attributed a much more dominant role to relevance than Grice ever imagined.

According to Grice and his followers the hearer does not understand an utterance by decoding its semantics; instead, he takes the utterance together with the context as a hint to the speaker's communicative intention. The hearer infers the speaker's meaning; the most important of

[6] Cf. Jary 2010: 164: "There is an indefinite amount of true information, but most of it is of no use or interest to most individuals. Accounts of assertion merely in terms of commitment to truth thus miss out on the point of assertion." Cf. also Jary 2011, 2010: 155.

those inferences is called "conversational implicature" or briefly "implicature." What is a (conversational) implicature?[7] Consider the following dialogue:

A: "Do your daughters speak foreign languages?"
B: "Paula speaks French."

A might interpret B's answer as follows:

a) Paula does not speak other foreign languages.
b) The other daughters do not speak any foreign language.
c) Paula is a daughter of B.
d) French is a foreign language to Paula.

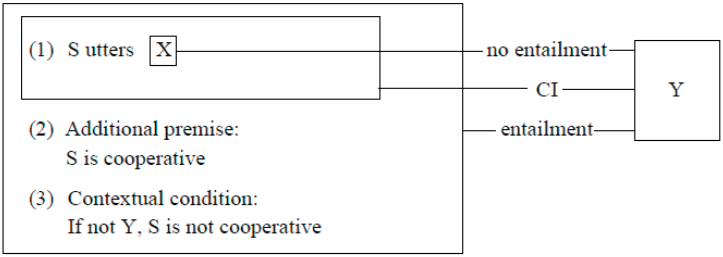
The information given in a-d) is neither "said," nor logically implied by the sentence uttered by B, but "implicated" through conversational implicatures. Given that in normal speech situations parents boast with the achievements of their children, A would infer a-b), as B would withhold relevant information if Paula and his other daughters would in fact speak several foreign languages. If Paula was not B's daughter but a French neighbor, his utterance would not be false. A infers c) and d) on the basis of the additional premise that B's utterance is an answer to his question. If any of the inferences a-d) were false, B would not have been cooperative. Normally a speaker like A would infer a-d) on the assumption that B is cooperative – which is certainly rational as humans normally cooperate with each other. Cooperation is the default assumption that can only be overridden by substantial evidence to the contrary.

Another example shows that implicatures are not only important in everyday life but also to philosophical matters like logic. When I say: 'I am going to Italy or France,' a normal hearer would most likely understand that I go to one of these countries but not to both (exclusive 'or'), whereas in a logic seminar you would learn that the meaning of 'or'

[7] In the following account of the Gricean theory I do not intend to do justice to Grice's texts. Grice focusses on the intention of speakers, whereas I am more interested in a rational and, if possible, deductive reconstruction of implicatures.

would include the case of 'both' (inclusive 'or'). According to Grice the exclusion of 'both' is a conversational implicature. A cooperative speaker would have used 'and' instead of 'or' if he intended to go to both countries. The 'or' sentence would be true but too weak. We assume that our partners in conversation make their statements as strong as necessary, that is, if they can make a stronger statement without additional effort they would normally choose the stronger one.[8]

For all these inferences the hearer used an additional premise: The speaker is cooperative. Only by this premise A can infer that Paula is a daughter of B. If this were not the case B would not have answered A's question and therefore B would not be cooperative. The relation of conversational implicature and entailment can be described as follows:



The sentence X uttered by the speaker does not entail Y; the utterance is a conversational implicature iff the hearer assumes that the speaker is cooperative (premise 2) and the situation is such that the speaker would not be cooperative if Y was false (premise 3). Premise 3, if spelled out, contains the individual analysis of the given speech situation. The three premises taken together entail Y.

The core of Grice's theory is that the assumption of cooperativity is essential in understanding utterances. This is the assumption that speakers comply with the Cooperative Principle (1975, 1989, 26):

[8] Horn 1972, 1989 showed that this analysis applies to *some* (∃), *possibly* (◊) and other operators of rising strength in Aristotle's square of oppositions ("Horn scales").

COOPERATIVE PRINCIPLE:
Make your contribution such as it is required, at the stage at which it occurs, by the accepted purpose or direction of the talk exchange in which you are engaged.

Then he specifies what it means to be cooperative by four maxims of conversation:

MAXIM OF QUANTITY
Make your contribution as informative as is required (for the current purposes of the exchange).
Do not make your contribution more informative than is required.

MAXIM OF QUALITY
Do not say what you believe to be false.
Do not say that for which you lack adequate evidence.

MAXIM OF RELATION
Be relevant.

MAXIM OF MANNER
Avoid obscurity of expression.
Avoid ambiguity.
Be brief (avoid unnecessary prolixity).
Be orderly.

I infer from B's answer that his other daughters do not speak foreign languages, assuming that he complies with the Maxim of Quantity; I infer that Paula is his daughter, assuming that he complies with the Maxim of Relevance, that is, he answers my question and does not change the topic in an unpredictable way. These conversational implicatures play a pivotal role in communication; human communication would break down entirely if the hearers were restricted to the pure semantics of the sentences uttered.

Grice was well aware that the four maxims are only a first draft in need of specification. One important development of his theory was the reduction of the four maxims. The most drastic cut was imposed by Sperber

and Wilson 1986. Their "Relevance Theory" aims to reduce the four maxims to one: relevance. The Maxim of Quantity is easy to reduce: if you do not make your contribution as informative as is required you withhold relevant information; if you make your contribution more informative than required, you say something irrelevant. The Maxim of Quality (truth) is much harder to deal with, as I will point out later. The Maxim of Relation need not be reduced. The Maxim of Manner has been reduced by Relevance Theory in the following way: if your speech is obscure, ambiguous, prolix or not well-ordered, it is hard to understand; if you have two information sources, one short and clear and the other obscure, obviously the first would be more relevant to you: "other things being equal, the greater the processing effort expended, the lower the relevance of the input to the individual at that time" (Wilson and Sperber 2004, 609).

Unfortunately, Wilson and Sperber threw the baby out with the bathwater and abandoned both the cooperative principle and the relation of cooperation and practice. Furthermore, they revised the everyday meaning of the term *relevance* and transformed it into a technical term. I regard these departures from Grice unnecessary if not detrimental, therefore I will not elaborate on Relevance Theory, although what follows is significantly influenced by the work published in that framework.

What is relevance? Let me suggest the following draft:

RELEVANCE
A proposition is *relevant*
with respect to an activity and
with respect to an observer of that activity
iff
its recognition furthers or impedes the achievement of the activity's goals as assumed by the observer to the degree the observer (subjectively) rates its furthering or impeding effect.

Of course, an object like a hammer, a non-verbal action, or an observed fact, can be relevant as well; however, all of these non-propositional entities can be projected onto propositions: 'that the hammer is there,' 'that the action is realized,' 'that the fact obtains.' The observer can, but need not, be an agent involved in that activity. Rele-

vance is subjective but it can appear to be non-subjective when a community forms a consensus about it; our judgments are often mistaken, so are our judgments about relevance. Relevance can be negative if the entity impedes the achievement of the goals.[9] A proposition can be both relevant with respect to one activity and irrelevant or impeding with respect to another activity. For instance, a lie can be positively relevant in the eyes of the hearer with respect to his activity, and negatively relevant in the eyes of the speaker with respect to the hearer's activity and assumed goals, and positively relevant in the eyes of the speaker with respect to his own activity and goals. Moreover, it can be negatively relevant to a higher degree with respect to the liar's activities and goals in the liar's later and revised judgment. Relevance is a gradual concept. The number of activities an entity pertains to is indefinite; it ranges from "taking the next step" to "living a good life in a well-organized society."

A notion of "practical relevance" would approximate to what pragmatists call "truth" (James 1922, 72–73):[10]

> What would it [the assertion, TB] practically result in for us, were it true? It could only result in our orientation, in the turning of our expectations and practical tendencies into the right path [...].

This is what a good assertion does: It serves as orientation, turning our practical tendencies into the right path. And this is what sincerity aims at; when our sincere assertion turns out to be false we have still done our best and we have not broken a rule; the assertion of a false yet practically relevant proposition is a better assertion than that of a true and irrelevant proposition.

2.2. Cognitive relevance

A further central aspect of relevance is the capacity of human beings to *select* the most relevant entities among the less relevant ones. The ma-

[9] The term 'relevance' without qualification is to be taken as 'positive relevance.'

[10] The relation between truth and practice is described – much better than by any (other?) pragmatist – by Wohlrapp (2014).

jor achievement of Relevance Theory is the Cognitive Principle of Relevance (Wilson and Sperber 2004, 610):

> COGNITIVE PRINCIPLE OF RELEVANCE
> Human cognition tends to be geared to the maximization of relevance.

Wilson 2009, 395 puts it more explicitly:

> The spontaneous working of our perceptual mechanisms tends to pick out the most relevant inputs, the spontaneous working of our memory retrieval mechanisms tends to activate the most relevant potential contextual assumptions and the spontaneous working of our inferential mechanisms tends to yield the most relevant conclusions.

We perceive exactly those frequencies of electromagnetic waves that are pertinent to our life: light; we direct our attention to moving objects rather than to the unmoved background, etc. This is the result of evolution: higher living organisms have this capacity; otherwise they would have become extinct. In fact, the ability to select the relevant is the most basic ability of living organisms. This is what human (and non-human) cognition does: picks the relevant information out of a messy context. Attention is "a cognitive process that selects out important information from the world around us (through all of our five senses) so that our brain does not get overloaded with an overwhelming amount of information" (Solso et al. 2008, 87, cf. James 1890, 402).

The ability to select what is relevant is the result of evolution. Humans and other animals have developed several "evolved psychological mechanisms" (Buss 2009, 50-53) like the predisposition "to learn to fear snakes," which is

> designed to take in only a narrow slice of information – slithery movements from self-propelled elongated objects. Our evolved preferences for food, landscapes, and mates are all designed to take in only a limited subset of information from among the infinite array that could potentially constitute input (Buss 2009, 51).

> The same applies to memory. If we remembered everything we experienced, we would have tremendous difficulty retrieving quickly those memories most relevant to direct adaptive action. A reasonable evolution-based prediction, therefore, is that human attention and memory are extremely selective, designed to notice, store, and retrieve information that has the most importance for solving adaptive problems (Buss 2009, 387).

Animal learning is selective in the same way (Alcock 1993, 50-54):

> A hypothesis to account for the specialized, biased nature of animal learning is that these features reduce the risk that an animal will learn the wrong things or learn irrelevant information. [...] Just as the ability to associate toxic effects with novel food items should be a function of the risk of sampling poisonous foods, so too the ability to learn the spatial features of an area should be related to the advantages gained by such learning. According to this view, in species whose males and females have different-sized home ranges, the sex that typically travels the greater distances should exhibit superior spatial learning ability. [...] When tested in a variety of mazes, which the animals had to solve in order to receive food rewards, males of the wide-ranging meadow vole consistently made fewer errors than females of their species [...]. But in both the prairie and the pine voles there was no difference in the spatial learning performance of males and females, which have similar home ranges and so are confronted with equivalent spatial learning problems in their natural lives.

Moths are more or less deaf, but they can perceive the high-intensity ultrasound of bats, to which they react by diving, flipping or spiraling erratically, and thus avoid being caught (Alcock 1993, 126 f.). The ability to select the most relevant does not require a brain; it appears to be the most basic feature of life that has been developed together with the cell membrane (Campbell et al. 2008, 125, 131):

> One of the earliest episodes in the evolution of life may have been the formation of a membrane that enclosed a solution different from the

> surrounding solution while still permitting the uptake of nutrients and elimination of waste products. The ability of the cell to discriminate in its chemical exchanges with its environment is fundamental to life, and it is the plasma membrane and its component molecules that make this selectivity possible. [P. 131:] Sugars, amino acids, and other nutrients enter the cell, and metabolic waste products leave it. The cell takes in oxygen for use in cellular respiration and expels carbon dioxide. [...] Although traffic through the membrane is extensive, cell membranes are selectively permeable and substances do not cross the barrier indiscriminately.

My claim is that behaving in a practically relevant way is the gist of intelligence, both innate and acquired by experience, communication or reflection. Knowledge or whatever there is in our minds is not an end in itself, as its purpose is to guide our actions.

2.3. Relevance in Cooperation

What Relevance Theory neglects is the biological foundation of cooperativity and the relation of relevance to practice. Tomasello 2014 presents a detailed description of the evolution of cooperativity in human beings. Cooperativity is "wired" in social insects and also in mammals like wolves and apes, which can be observed in their cooperative hunting behavior. Tomasello describes the qualitative leap in the development of human cooperativity: "Humans but not apes engage in cooperative communication in which they provide one another with information that they judge to be useful for the recipient" (2014, 36). The critical difference between cooperativity with humans and with other mammals is the human ability to represent the perspective of others (2014, 56, 137 f.), thus they are able to judge what is relevant for the partner playing his role in the cooperative activity. Apes do not have this ability (Tomasello 2014, 52):

> If food is hidden in one of two buckets (and the ape knows it is only in one of them) and a human then points to a bucket, apes are

> clueless [... ;] it does not occur to them that the human is trying to inform them helpfully [...]. They make the competitive inference "He wants in that bucket; therefore the food must be in there," but they do not make the cooperative inference, "He wants me to know that the food is in the bucket."

Humans "began to make evaluative judgments about others as potential collaborative partners: they began to be socially selective, since choosing a poor partner meant less food" (2014, 37). The evolution of cognitive relevance cannot be understood without its relation to practice: "in evolution, *being* smart counts for nothing if it does not lead to *acting* smart" (Tomasello 2014, 7). It is hard to see how one can be (positively) relevant without being cooperative or cooperative without being relevant. Relevance depends on the activities the agents are engaged in. Grice's Cooperative Principle demands (1975, 1989, 26) the following:

> COOPERATIVE PRINCIPLE:
> Make your conversational contribution such as is required, at the stage at which it occurs, by the accepted purpose or direction of the talk exchange in which you are engaged.

The activities need not be talk exchanges, as Grice's examples show (e.g. 32); conversations are often held in order to support other practical purposes. Social animals like us are geared to expect cooperative behavior from their neighbor; this expectation is innate and corroborated (and qualified) by experience.[11] Cooperativity of our fellow human beings is the default assumption that can, of course, be overridden by negative evidence. Sperber and Wilson, as do many other critics, allege that "Grice's principle and maxims are norms which communicators and audience must know in order to communicate adequately" (Sperber and Wilson

[11] Aristotle (*Politics,* 1253a 2-3) regarded man as a "social animal by nature;" Rousseau (1762: 289 [End of book IV]) saw "a principle of justice and virtue" to be innate, and Reid (1785: 193-195, VI, xxiv) elaborated on his principles of veracity and credulity: "we speak truth by instinct" and "in the matter of testimony, the balance of human judgment is by nature inclined to the side of belief."

1986, 162). On the contrary: The fact is that it takes quite some intellectual effort *not* to behave according to Grice's rules.

During a conversation one should not say what is irrelevant or withhold what is relevant (Grice's Maxims of Quantity and Relation, 26 f.). What one says should be perspicuous (Maxim of Manner) as obscurity reduces the relevance of an assertion. Sperber and Wilson 1986 showed that Grice's maxims can be reduced to relevance,[12] even including the maxim of truth (Wilson and Sperber 2002, 583):

> We will argue that language use is not governed by any convention or maxim of truthfulness in what is said. Whatever genuine facts such a convention or maxim was supposed to explain are better explained by assuming that communication is governed by a principle of relevance.

Truth is certainly not a sufficient condition for assertion; an assertion must be relevant to the activity the speakers are involved in. Is it necessary?

2.4. Is Truth Necessary?

The demand for relevance excludes almost all of the true but inappropriate assertions: Of the infinite number of assertions such as 'zero is less than one,' 'zero is less than two,' etc., it excludes all but the one that happens to be practically relevant. If truth is not sufficient for assertion – is truth necessary? What is the use of a necessary condition that "reduces" the number of "appropriate" assertions to an infinite number?

Certainly the maxim of truthfulness can be overridden by other norms: When commenting on a new haircut or wallpaper or a drawing by a six-year-old child, truthfulness can be out of place. In most cases relevance implies truthfulness (at least sincerity, since the pursuit of truth is a life's

[12] However, despite harsh criticism (Clark 1987, Gorayska and Lindsay 1993 and many others) the followers of "Relevance Theory" hold on to the view that relevance is a mere cognitive matter independent of goals or practice.

work). However, if truth does not support the accepted purpose of the talk exchange then relevance wins out.

A lie is not any false statement. An irrelevant false assertion will be simply ignored; a misleading false assertion will be punished, even harder if the speaker's different goals are visible so that the intention to mislead can be alleged. On the other hand, a false assertion can even be held in high esteem if it discloses intended positive consequences. A classical example (from the *Dissoi Logoi*) is the act of foisting a medicine into a drink prepared for one's father or mother who would refuse to take it otherwise. It is not truth what counts but helpful guidance vs. harmful misguidance in the activity the assertion forms part of. Truth appears to be the core of assertion because in almost all cases only true statements are relevant, but this does not exclude the possibility that the important status of truth is derived and secondary to relevance.

There are a considerable number of linguistic structures in utterances whose truth cannot be established as opposed to their relevance. One is future contingents: 'There will be a math test tomorrow' is relevant today (when you can do some preparation) and will be irrelevant tomorrow (when it's too late), although its truth can only be established tomorrow, after the test. Conditionals are always false because you can always find far-fetched conditions that render them false. 'If you do these exercises, you will pass the test' can be very helpful, despite the fact that the addressee can always be hit by lightning before having the opportunity to pass. Considering these far-fetched conditions, however, is irrelevant. The same holds for counterfactuals: 'If you had done your exercises, you would have passed the test' can be a relevant hint for next time, although its truth can never be established. Evaluative statements like 'This sundae is too big for you' can be relevant, ending a futile discussion and avoiding sickness, although it might never be shown as true. A statement like 'Christ has risen from the dead' can guide successful practice although its truth cannot be shown. Three topics that have been thoroughly discussed in Relevance Theory are irony (for example Wilson and Sperber 2012, 123-145), metaphor (Wilson and Sperber 2012, 277 f.) and loose talk (Wilson and Sperber 2012, 59 f.). An utterance like 'I'll be ready in a second' is false (and harmless) in most cases, but the relevant inferences such as 'you can wait until I'm done' remain true. Van der Henst et al. 2002 found out that speakers asked to tell the time round up from 3:08

to 3.10 even if they have digital watches (Wilson and Sperber 2012, 54, 60), in their attempt to make their answer easier to process and thereby more relevant. The falsity of an utterance will be ignored if the deviation from truth is irrelevant.

If somebody, let's say from India, asked me 'Where did you grow up?' I could think of at least three possible answers:

a) In Haar.
b) In a suburb, 500 yards outside the city limits of Munich.
c) In Munich.

Option a) would be true but obscure (as nobody in India will have heard of that suburb) and therefore irrelevant. Option b) would be true but unnecessarily prolix and therefore less relevant. Option c) would be literally false but it would still be relevant as it triggers true inferences as 'He grew up in an urban environment, is familiar with Bavarian culture etc.' I would use the false answer c) and not even consider the true alternatives.

The analysis of metaphor in Relevance Theory is quite revealing (Sperber and Wilson 2012, 277 f.). Consider the utterance: 'John is a soldier!' The mental concept of a soldier includes a number of attributes that will be activated to different degrees dependent on the speech situation:

a) John is devoted to his duty.
b) John willingly follows orders.
c) John does not question authority.
d) John identifies with the goals of his team.
e) John is a patriot.
f) John earns a soldier's pay.
g) John is a member of the military.

When the utterance is an answer to the question "What does John do for a living?," the inferences f) and g) will be activated, a) and b) will probably not even come to the mind of the hearer. The inferences triggered with the hearer are entirely different when the utterance is an answer to the question "Can we trust John to do as we tell him and defend the interests of the department in the University Council?" In this case

a-d) will be triggered and f-g) will not come to the mind of the hearer, as his cognition is geared to picking out the relevant information. He will even discard the proposition of the utterance itself. The process of understanding is the same in both cases; it is not the case that the hearer first considers the literal interpretation, discards it, and then comes up with the metaphorical interpretation.[13] The literal falsity of metaphorical utterances is irrelevant. Truth normally goes with relevance; if they are in conflict, relevance prevails.

The constitutive rule of the assertive point can now be defined (altering Vanderveken's definition, 1990, 105) as follows:

> CONSTITUTIVE RULE OF THE ASSERTIVE POINT:
> The assertive point consists in representing a state of affairs as optimally relevant to the activity the addressee is involved in.

The relevance norm of assertion defines the "good" assertion:

> RELEVANCE NORM OF ASSERTION:
> An assertion is regarded as "good" by an observer with respect to an activity to the degree the observer judges the utterance as relevant to that activity.

3. The Relevance of Truth

Does all that mean that truth is irrelevant? Not at all.[14] Every subject has a theory of the world outside (whose existence, please, should not be denied). Let us use a common metaphor: this theory is like a map that serves as a guide for our entire life-practice. This map is not a precise replica of the world, which would be as useless as a map of Italy to a scale of 1:1. Our theory of the world can be as different from the world itself as Italy is different from a folded sheet of paper and nevertheless

[13] It escaped the attention of Relevance Theoreticians that Weinrich 1966: 43-49 proposed exactly the same analysis of metaphor, if in the words of the sixties.

[14] What follows is substantially influenced by Wohlrapp 2014; the errors caused by adaptation and by misunderstanding are of course my own.

serve its purpose. It contains only relevant data (others will never be perceived or soon be forgotten) gathered through experience and organized by the mind. This map can again be mapped onto a set of propositions that represent the theory (this is the representation of the theory we can talk about), a web of beliefs,[15] which is one single coherent set of propositions the subject regards as true. The relations between the propositions that constitute the web are relations of support, e.g. entailment relations or others used in non-deductive, substantial arguments.[16] These relations are used in justification. An isolated belief is weaker than one embedded in relations of justification. That web, as a whole, is "verified" both by its consistency and through successful life-practice.[17] Success in life-practice confirms the web as a realistic image of the world – as realistic as a map that corresponds to the landscape it is supposed to depict. We set off with common sense and when we run into a problem, we make repairs; cognitive relevance will help find the flaw. The "truths" in this web are mere defaults that can be changed whenever doubt comes up.[18] Social truths are established by communication; the transpersonal perspective on these beliefs gives them the appearance of objectivity. Objective truth can be hoped for but will never be reached by human research, which is harmless as long as our practice is successful. A true utterance does not correspond to some "fact" of the outside world but to a proposition in the web of beliefs maintained by those who believe it to be true because their interaction with the outside world on the basis of that belief is successful. Mankind used to be happy with the belief that the earth is flat for a long time, with counterevidence patched up as long as possible. The observation that the topmost part of incoming ships is

[15] A metaphor attributable to Quine/Ullian 1978.

[16] "Substantial arguments" in the sense used by Toulmin 1958. The web is not closed under entailment: When I believe a set of propositions I do not necessarily believe everything that follows from that set because I might not realize the connection. This is not a minor problem for intensional semantic theory.

[17] A common misunderstanding of pragmatism results from applying the verification process to some particular practice as if an isolated assumption (that helps achieving a particular goal) would establish truth.

[18] The pragmatist theory of truth gives no reason to pragmatize truth conditional semantics; 'A entails B' in the language L means that whoever utters A will be committed to B as well by the truth conditional semantic rules of language L.

visible first was adapted by the speculation of the sea rising like a back or a mountain ridge above the earth level ("on the wide back of the sea," Odyssey, γ 142). 'That the earth is flat' was regarded to be true because in those days common practice based on that belief was successful and counterevidence too weak. Now it is false because we believe otherwise – yet we should be aware that some of our truths might be ridiculed by future generations. Nevertheless, we have the right to call them truths, just like the early Greeks had the right to call their truths "truths."

When a speaker makes an assertion complying with the relevance norm, the asserted proposition will be suitable for guiding the hearer's activities (Gauker 2007: 132). The cooperative speaker believes it to be suitable for the hearer's activities just as he believes it to be suitable for his own corresponding activities he would undertake in the hearer's position. Therefore he chooses a proposition from his own web of beliefs, that is, from the set of propositions he believes to be true. In this way the truth of an utterance follows from its relevance (that is, normally; exceptions have been discussed above), and the truth/knowledge norm is derived from the relevance norm. Taken on its own, the truth/knowledge norm is far too weak.

The assertion norm: 'an assertion ought to be relevant' can itself be asserted – is this assertion true?

It is true if and only if complying with it leads to successful practice.[19] A true norm is one that leads to successful practice, that is, if and only if complying with it leads to social practice that satisfies the agents involved in that practice. This works even without reflection: successful behavior stays, unsuccessful behavior dies out. If there is disagreement among the agents about the success, those who are not satisfied believe the norm to be false; a consensus can only be achieved by political action, preferably rational discourse. More often than not the entire society is mistaken about the truth of a norm, just like about the truth about the earth's shape. There have been many atrocities in history that were approved of by an alarming number of people who considered themselves righteous. The falsity of a norm can only be established by a norm that

[19] On a meta-normative level, the relevance norm of assertion is true if and only if it structures successful descriptions of assertion.

turns out to be more satisfactory in practice; of course, a rational discourse about norms can be useful for planning repairs, useful for assessing ahead of time whether certain goals are good goals to work for, or useful for negotiating conflicts of interest, but it cannot establish the truth of a norm. The prohibition of alcohol in the US was a perfectly rational measure from an armchair point of view but it failed when put to practice. On the other hand, the abolition of slavery was successful although it took quite some time to convince everybody that it was based on a true norm. The range of unsuccessful practice extends from trivial cases like a glimpse into a refrigerator, based on the false assumption that it contains a bottle of milk, all the way up to the failure of "real socialism," which took decades to become manifest and is still debated in some circles. The truth of a norm is a challenge trophy in political discourse.

In conclusion, successful practice verifies normative propositions in the same way as descriptive ones. A web of beliefs (both normative and descriptive) that guides successful practice is a realistic image of the world.

References

Alcock, John. 1993. *Animal Behavior: An Evolutionary Approach*. Sunderland: Sinauer Associates.

Becker, Thomas. 2012. "The Pragmatics of Argumentation." In *Practical Theories and Empirical practice: A Linguistic Perspective,* edited by Andrea C. Schalley, 257-272. Amsterdam: Benjamins.

Bolzano, Bernard. 1837. *Grundlegung der Logik. Ausgewählte Paragraphen aus der Wissenschaftslehre*. 2 vols, edited by Friedrich Kambartel. Hamburg: Meiner.

Borges, Jorge Luis. 1999. *Collected Fictions*. Translated by Andrew Hurley. London: Penguin.

Borges, Jorge Luis. 2007. *The Total Library: Non-Fiction 1922-1986*. Translated by Esther Allen, Suzanne Jill Levine and Eliot Weinberger. London: Penguin.

Buss, David. 2009. *Evolutionary Psychology: The New Science of the Mind*. 3rd edition. Boston: Allyn and Bacon.

Campbell, Neil A., Jane B. Reece, Lisa A. Urry, Michael L. Cain, Steven A. Wasserman, Peter V. Minorsky and Robert B. Jackson. 2008. *Biology*. 8th edition. San Francisco: Pearson.

Clark, Herbert H. 1987. "Relevance to What?" *Behavioral and Brain Sciences* 10: 714-715.

DeRose, Keith. 1995. "Solving the Skeptical Problem." *The Philosophical Review* 104: 1-52.

Gauker, Christopher. 2007. "On the Alleged Priority of Thought over Language." In *John Searle's Philosophy of Language. Force, Meaning and Mind,* edited by Savas L. Tsohatzidis, 125-142. Cambridge: Cambridge University Press.

Gazdar, Gerald. 1979. *Pragmatics: Implicature, Presupposition and Logical Form*. New York: Academic Press.

Gladwell, Malcolm. 2005. *Blink: The Power of Thinking Without Thinking*. New York: Little, Brown and Co.

Goldberg, Sanford. 2011. "Putting the Norm of Assertion to Work: The Case of Testimony." In *Assertion. New Philosophical Essays,* edited by Jessica Brown and Herman Cappelen, 175-195. Oxford: Oxford University Press.

Gorayska, Barbara and Roger Lindsay. 1993. "The Roots of Relevance." *Journal of Pragmatics* 19: 301-323.

Grice, Herbert Paul. 1975. "Logic and Conversation." In *Syntax and semantics*. Vol. 3: *Speech acts,* edited by P. Cole and J. Morgan, 41-58. New York: Academic Press. Reprinted in *Studies in the Way of Words*, by H. Paul Grice, 22-40. Cambridge 1989: Harvard University Press.

Henst, Jean–Baptiste van der, Laure Carles and Dan Sperber. 2002. "Truthfulness and Relevance in Telling the Time." *Mind and Language* 17: 457–466.

Horn, Laurence R. 1972. *On the Semantic Properties of Logical Operators in English*. PhD diss., University of California, Los Angeles. Ann Arbor: University Microfilms International.

Horn, Laurence R. 1989. *A Natural History of Negation*. Chicago: University of Chicago Press.

James, William. 1890. *The Principles of Psychology*. New York: Holt.

James, William. 1922. *Essays in Radical Empiricism*. New York: Longmans.

Jary, Mark. 2010. *Assertion*. London: Palgrave Macmillan.

Jary, Mark. 2011. "Assertion, Relevance and the Declarative Mood." In *Procedural Meaning: Problems and Perspectives,* edited by Victoria Escandell-Vidal, Manuel Leonetti and Aoife Ahern, 267-289. Bingley: Emerald.

Lackey, Jennifer. 2011. "Assertion and Isolated Second-Hand Knowledge." In *Assertion. New Philosophical Essays*, edited by Jessica Brown and Herman Cappelen, 251-275. Oxford: Oxford University Press.

Moran, Richard. 2005. "Getting Told and Being Believed." Philosopher's *Imprint* 5. Accessed May 31, 2014. doi: http://hdl.handle.net/2027/spo.3521354.0005.005.

Putnam, Hilary. 2002. *The Collapse of the Fact/Value Dichotomy and Other Essays*. Cambridge: Harvard University Press.

Putnam, Hilary and Ruth Anna Putnam. 1990. "Dewey's Logic: Epistemology as Hypothesis." *Transactions of the Charles S. Peirce Society* 26: 407-433. Reprinted in Hilary Putnam, *Words and Life*, edited by James Conant, 198-220. Cambridge, Mass.: Harvard University Press, 1994.

Quine, Willard van Orman and Joseph S. Ullian. 1978. *The Web of Belief*. Second edition. New York: Random House.

Reid, Thomas. 1764. *An Inquiry to the Human Mind on the Principles of Common Sense*. A critical edition edited by Derek R. Brookes. Edinburgh 1997: Edinburgh University Press.

Rousseau, Jean-Jacques. 1762. *Émile ou De l'éducation*. Amsterdam. English translation: *Emile or on Education*. Introduction, translation and notes by Allan Bloom. New York 1979: Basic Books.

Searle, John R. 1969. *Speech Acts. An Essay in the Philosophy of Language*. Cambridge: Cambridge University Press.

Solso, Robert L., Otto H. MacLin and M. Kimberly MacLin. 2008. *Cognitive Psychology*. 8th edition. Boston: Pearson, Allyn and Bacon.

Sosa, Ernest. 2000. "Skepticism and Contextualism." *Noûs* 34, Supplement: *Philosophical Issues*, 10, *Skepticism*: 1-18.

Sperber, Dan and Deirdre Wilson. 1986. *Relevance: Communication and Cognition*. Second edition 1995. Cambridge: Blackwell.

Stanley, Jason. 2004. "On the Linguistic Basis for Contextualism." *Philosophical Studies* 119: 119-146.

Stanley, Jason. 2005. *Knowledge and Practical Interests*. Oxford: Clarendon Press.

Tomasello, Michael. 2014. *A Natural History of Human Thinking*. Cambridge: Harvard University Press.

Toulmin, Stephen. 1958. *The Uses of Argument*. Cambridge: Cambridge University Press.

Vanderveken, Daniel. 1990. *Meaning and Speech Acts. Vol. I: Principles of Language Use*. Cambridge: Cambridge University Press.

Weinrich, Harald. 1966. *Linguistik der Lüge*. Heidelberg: Lambert Schneider. 7th edition 2006. München: Beck.

Wilson, Deirdre. 2009. "Relevance Theory." In *The Pragmatics Encyclopedia,* edited by L. Cummings, 393-399. London: Routledge.

Wilson, Deirdre and Dan Sperber. 2002. "Truthfulness and Relevance." *Mind* 111, No. 443: 583–632.

Wilson, Deirdre and Dan Sperber. 2004. "Relevance Theory." In *The Handbook of Pragmatics*, edited by Laurence R. Horn and Gregory Ward, 607-632. Oxford: Blackwell.

Wilson, Deirdre and Dan Sperber. 2012. *Meaning and Relevance*. Cambridge: Cambridge University Press.

Wohlrapp, Harald. 2014. *The Concept of Argument: A Philosophical Foundation*. Berlin: Springer.

The Austinian Conception of Illocution and its Implications for Value Judgments and Social Ontology

Marina Sbisà

1. Introduction

In this paper I present the Austinian notion of illocutionary effect and discuss some of its philosophical implications as to value judgments and social ontology.

Illocutionary acts are characterized by most authors as acts, whose effect is the production of the hearer's uptake. They aim to be understood or, more specifically, to make the hearer understand the speaker's communicative intention. This idea is to be found in early work on speech act theory by Strawson (1964) and Searle (1965, 1969). It seems both historically fair and theoretically relevant to mention that it was not Austin's idea. Indeed, reconstructing Austin's perspective on illocution can help us see that speech act theory was originarily designed to have philosophical implications that have failed to be made explicit ever since.

In the next section I explain how the notion of illocutionary act as the expression of a communicative intention aiming at its own recognition became part of the mainstream version of speech act theory. I then explain what I believe Austin meant to say about illocution with his famous remark about the role of the hearer's uptake, and what the resulting notion of a conventional illocutionary effect contributes to certain issues in discourse analysis and in philosophy, particularly those about value judgments and social ontology.

2. Austinian Illocutionary Effects

In introducing three ways in which illocutionary acts are, according to him, connected to effects, Austin writes:

> Unless a certain effect is achieved, the illocutionary act will not have been happily, successfully performed [...]. I cannot be said to have warned an audience unless it hears what I say and takes what I say in a certain sense[...] the performance of an illocutionary act involves the securing of uptake (1962, 116).

Peter F. Strawson, in his paper on "Intention and convention in speech acts" (1964), reads Austin as implying that no other effect than uptake is necessarily connected to the performance of an illocutionary act. This reading enables him to reinterpret Austin's illocutionary force as a kind of speaker meaning (in the sense given to this expression by Grice 1957), that is, the intention of the speaker to achieve a response thanks to the recognition by the audience of her intention to achieve it. Searle shares Strawson's view, but adds to it that the response aimed at should not be thought of as the actual formation of a new belief or other attitude in the audience, which would be a perlocutionary effect as opposed to an illocutionary one, and that the conventionality of language should be recognized as contributing to the understanding of the speaker's intention on the part of the audience. He then defines the "illocutionary effect" as the understanding of the meaning and force of an utterance (1969, 47). Strawson's reading of Austin's notion of uptake later influenced the inferential approach to speech act theory of Kent Bach and R.M. Harnish (Bach and Harnish 1979), and continues to be influential.

However, as I have already argued elsewhere (Sbisà 2009), Austin merely meant uptake to be a necessary condition for the successful achievement of the core effect of the illocutionary act, and just after the passage we have cited, he describes thus the second effect to which he holds the illocutionary act to be connected:

> The illocutionary act 'takes effect' in certain ways, as distinguished from producing consequences in the sense of bringing about states of affairs in the 'normal' way, i.e. changes in the natural course of events [...] (Austin 1962, 117).

It is clear enough that he means this effect to be produced by all kinds of illocutionary acts (while the third effect he mentions, the inviting of a response, is explicitly attributed to some kinds only). The problem with the illocutionary act's 'taking effect' is that Austin's characterization of it is vague and more negative than positive (saying what it is not rather than what it is), and exemplified by one case only, the formal and ceremonial act of naming a ship, from which it appears difficult to generalize.

I think that the key to understanding what this mysterious effect consists of, lies in considering what way of bringing about a state of affairs is to be contrasted with the "normal" way, that is, with the introduction of a change in the natural course of events. When we do something that interacts with a natural chain of causes and effects, our contribution and its effects come to belong to that chain, on a par with its other members: the efficacy of what we do is by natural causation. But in the case of the naming of a ship, the illocutionary effect is that the ship is given a name, so that certain subsequent acts (such as referring to the ship by another name) are out of order. Such an effect is not the output of a natural causal chain, nor of a change we introduce into such a chain. It occurs in a social frame and needs the audience to recognize that a naming procedure was successfully performed.

Austin may have been wrong to rely on this example alone, as if it were intuitive that we can generalize from it. But that Austin maintained that illocutionary acts have conventional effects, is already shown by his Condition A1 for the felicity of performative utterances (I recall that illocutionary acts are the kind of actions that performative utterances perform):

> There must exist an accepted conventional procedure *having a certain conventional effect*, that procedure to include the uttering of certain words by certain persons in certain circumstances [...] (Austin 1962, 14, my italics).

Thus, according to Austin, the core effect of an illocutionary act is "conventional;" that is, it is made possible by the social frame and brought about thanks to that kind of agreement between speaker and

audience about what is being done, which we may call uptake. The conventionality that according to him is common to all illocutionary acts appears, then, to pertain primarily to effects. It should be noted that in the debate over the conventionality of illocutionary acts, attention has been paid mainly to the means by which the illocutionary act is performed, while the nature of its effects has been neglected. This has led to recognizing as conventional acts only those illocutionary acts whose performance is explicitly and rigidly regulated by extralinguistic conventions, while other illocutionary acts have been analysed, following Strawson's suggestion, as intention-based. But if all illocutionary acts are conventional for Austin, it must be is because they all have conventional effects. It is this sense of "being a conventional act" that has to be taken into account in order for us to grasp what Austin wanted to contend, or if we think there is something to be learnt from his conception of illocution.[1]

Of course, what makes an effect conventional is still an open question, which I will have something to say about in section 3. I will then move on (in section 4) to another matter not treated in sufficient detail by Austin: the problem of how to describe the conventional effects of illocutionary acts.

3. When is an Effect "Conventional?"

In his preparatory notes for *How to Do Things with Words*, Austin seems to be worrying about a possible contradiction between his doctrine of infelicities (the flaws in performative utterances that can make them "null and void") and the received principle that nothing that was done can be made undone (the source of which is in Aristotle's *Nichomachean Ethics*, 6,2) (cf. Sbisà 2007). He realizes that, when an utterance

[1] Ruth Millikan, who defends the conventionality of illocutionary acts, does so on the basis of her conception of conventionality as the repetition of patterns (Millikan 1998, 2005; see also Kissine 2013, 179-181). Although she focuses, as usual, upon the means by which the act is performed, the resulting view of illocution may be compatible with the Austinian view I favour (for a view based on Millikan's, which seems to accept some of my points about the nature and dynamics of illocution, see Witek forthcoming).

designed to perform a certain illocutionary act turns out to be "null and void," the act that it purported to perform does not hold and its alleged effects vanish. In a way, it seems that something which was done is indeed rendered undone. In fact, by-default agreement about some act and its effects gives provisional reality and efficacy to states of affairs (e.g. a couple's being man and wife) that later on may be discovered not to hold (e.g. if it turns out that one of the spouses was already married). This provisional, by-default reality is puzzling, but seems to be typical of "conventional" effects. It corresponds approximately to the property of "defeasibility" pertaining, according to Hart (1949), to the ascriptions of rights and of responsibility: the liability to being annulled in particular circumstances. When an illocutionary act is "null and void," not everything in it is rendered undone: something was done in any case, and namely, the (flawed) performance of a procedure, and there are effects, though these might be different from those which that procedure is designed to bring about (e.g. legal responsibility for bigamy). The discovery of infelicity makes the illocutionary act undone insofar as the bringing about of its conventional effect is concerned. In this sense, defeasibility can be seen as the hallmark of conventionality for actions and their effects.

Obviously, if the effect brought about by a certain action is to be defeasible, it must be produced in a way which admits of annulment. This way cannot therefore consist in the causal modification of a material object. Austin's claim that illocutionary acts "take effect" in a way other than by interacting with a natural chain of causes and effects, together with his claim that they cannot be successfully performed (and therefore "take effect") unless the audience's uptake is secured (see section 2 above), suggest that the way in which conventional effects can be brought about is precisely through by-default agreement among the relevant participants as to their being brought about.

The "uptake" to be secured by illocutionary acts is, therefore, an agreement of the participants (often implicit or even tacit) upon what has been done. When this agreement occurs (or can be presumed to occur by default, in the absence of any sign of disagreement), the illocutionary act has been successfully performed and its conventional effect has been achieved (in the defeasible mode explained above). There are a

whole series of further problems as regards the securing of uptake: notably, whether the actual bringing about of uptake is required or the mere effort of doing all that would reasonably lead to actual uptake, and whether it is the actual uptake or intended uptake that determines the illocutionary act performed. I cannot address these problems here, but I would suggest that there are many shades to them. For example, a patently wrong uptake will usually not be intersubjectively shared, and will therefore remain ineffective, while a plausible, not contested actual uptake can reasonably be recognized as selecting the illocutionary act that is actually performed with an utterance displaying vague or ambiguous illocutionary force indicators.

4. How to Describe Illocutionary Effects

The claim that all illocutionary acts have conventional effects brings to the fore the problem of how to describe illocutionary effects. Quite obviously, and apart from any theoretical motivation and argument, this claim will be plausible only if, for any illocutionary act, one can describe an effect belonging to the conventional kind. In my discussions of this topic, I have proposed that illocutionary effects be described in terms of the distribution of deontic roles among the relevant participants in the situation (1984; 2006, 164-167).

Interpersonal relations can be described in psychological terms, both cognitive and emotional, but they also have a deontic dimension, relative to what members are allowed or authorized or obliged or committed to do with respect to each other or possibly to third parties too. My proposal is that the illocutionary effect is a change in these aspects of the interpersonal relation, which I call "deontic" inasmuch as they are connected with what one can or cannot or should or should not do (one might also call them "normative," see Witek forthcoming).[2] The illocutionary effect

[2] John Searle too recognized and discussed the deontic dimension of social facts in his *The Construction of Social Reality*, from a perspective based on his notion of declaration and on "count as" rules (1995, 100-110). He concluded, however, that reference to deontic aspects was not particularly useful for his project.

is bi-lateral, since a change in the deontic role of one participant requires a corresponding change in the deontic role of some other one.

The variety of illocutionary effects, so intended, can be described on an empirical and linguistic-phenomenological basis, without any pre-conceived symmetry or constraint. The resulting typology is certainly weaker than a theoretical, principled one, but is perfectly suited to the aims of exemplifying conventional effects and of providing discourse analysis with empirically grounded heuristic tools. In such descriptions, we can use the lexicon of modal verbs ('can,' 'should,' 'ought to'), other deontic verbs (e.g. 'oblige,' 'commit,' 'entitle') and nouns (e.g. 'obligation,' 'commitment,' 'entitlement,' 'duty,' 'debt,' 'right,' 'license'). Not all states that can be described in such terms are the direct effect of an illocutionary act; some may be the effect of non-verbal procedures approximately equivalent to an illocutionary act of a certain kind, others may be deontic-level consequences stemming from illocutionary effects. Here are examples of conventional effects of illocutionary acts, described in terms of the deontic states produced:

- Marrying: bilateral rights + obligations
- Naming: semantic rule + social norm (holding for all participants)
- Promising: commitment (for speaker) vs right (for addressee)
- Apologizing: exemption (for speaker) vs empowerment (for addressee)
- Advising: bilateral non-strict obligations
- Warning: obligation (for addressee) vs exemption (for speaker)

The typical effects of Austin's illocutionary classes can also be described in these terms, approximately as follows:

- *Verdictives*: license to act upon the judgement (for addressee) vs committment to truth or correctness (for speaker)
- *Commissives*: right to expect a certain kind of behaviour from the speaker (for addressee) vs commitment to perform (for speaker)
- *Exercitives*: obligation + (possibly) rights and powers (for addressee) vs commitment to support the addressee's deontic state (for speaker)

- *Behabitives:* license to act upon the speaker's expressed state (for the addressee) vs satisfaction of a task or debt (for the speaker)
- *Expositives*: rights, obligations, etc. as above, affecting relations internal or relevant to discourse or conversation.

Note that by focusing on conventional effects, we find ways of describing illocution other than the lexicon of performative verbs and thus provide the analyst with subtler tools for all those illocutionary acts, the force of which is the result of the combination of a number of indicators and is therefore complex or hybrid. It goes without saying that this way to describe illocution is not bound to assume one-to-one correspondence between sentence type and (intended) illocutionary act.

Though not relevant to the topic of this paper, it should be stressed that the way of describing illocutionary effects presented here also preserves the illocution-perlocution distinction, which is sometimes under threat from those approaches that treat all effects of speech acts (other than uptake) as perlocutionary ones and therefore external to the illocutionary act. Distinguishing illocution from perlocution is not a matter of contrasting an act with its effects or consequences, but regards instead the kind of effects (material or psychological on the one hand, conventional on the other) that are taken into consideration. Once this is clarified, using the illocutionary-perlocutionary distinction in the analysis of discourse and conversation may become easier and more fruitful. Indeed, it should be possible to recognize the mediating role of illocutionary effects between speech and its psychological and behavioural effects.

5. Philosophical Implications for the Value-Fact Distinction

If, as I have tried to explain, the production of conventional effects is ultimately grounded in local tacit agreement, various consequences follow as to the foundations of the human social world. Illocution appears as the locus of the "social contract." The very agreement that something has been done by words, that after certain words are uttered the relation between the interlocutors changes in some way, is an instance of "social contract" which might (in principle) be conceived of as radically bottom-up (while of course it is most often the renewal of a previously estab-

lished social frame). Thus illocution (with language, which makes it possible) enables us to regulate our living together, building up shared environments and (hopefully) reducing the need to resort to brute force and coercion in order to solve problems of coordination.

The conception of illocution as presented here has also implications for the philosophy of action, since it comprises the non-trivial assumption that performing an action is equivalent to making oneself responsible for its effect (a certain state of affairs in the world); for the conception of value and the value-fact distinction, which is in question whenever the assertive or descriptive use of language is distinguished from or compared to the use of language in assessments, value judgments and other value-laden speech acts; and for social ontology, since it appears to introduce new kinds of entities into our social world. I will now touch briefly on some of the implications concerning the value-fact distinction and social ontology.

How is moral judgment to be described in this Austinian framework? In his conclusion to *How to Do Things with Words*, Austin suggests that "good" is to be considered as at least in part an illocutionary force indicator (1962, 163-164). This reminds us of the theories of ethical language put forward by C.L. Stevenson or R.M. Hare, in which "good" is said to express approval or prescribe conduct. But is illocutionary force the same as Hare's "neustic," or is Austin's view of moral language a sophisticated variety of emotivism? There are hints at different ideas in Austin's conclusive chapter.

He says that his classification of illocutionary acts, albeit tentative, is enough to "play old Harry" with the "fetish" of the value-fact dichotomy (1962, 151). But how could the mere shift of the problem of the analysis of "good" from locutionary meaning to illocutionary force have this effect? If facts are still represented in the "locutionary content," while values are the effect of choices and preferences and therefore belong with illocutionary force, is the fact-value dichotomy questioned at all?

In principle, the fact-value dichotomy can be questioned in two ways: by assimilating values to facts and facts to values. One of these ways is naive realism about values. Those who embrace it are admirable, because they display unshakable faith in the reality of the Good. But their position is liable to be borrowed and exploited by fundamentalism,

since, with naive realism about values, there comes the assumption that one can know them with at least the same degree of certainty with which we know facts. The other way stresses the human and actional component in factual judgment. We are keen to recognize that value judgments are actions: they involve choice. They are not so arbitrary or subjective as emotional reactions, since they involve the application of criteria, but still there is choice in them, at two levels at least: as to the criteria to be adopted, and as to the appreciation of the relevant details of the situation which is subject to evaluation. But are factual judgments so different? Don't we use criteria in them too (for example, when the judgment results from an inference)? Moreover, factual assertions, too, depend as to their content on our appreciation of the relevant details of the event or situation which is reported or described.

Austin's way of questioning the fact-value dichotomy is the latter. It is not so much expressed by his attempt to present matters of value as matters of force (as opposed to meaning), as by the way in which he speaks of value in his classification of illocutionary acts. There, he groups all judgments together in the class of verdictives, which are "the delivering of a finding, official or unofficial, upon evidence or reasons as to value or fact" (153), need not be final (152), and are concerned with something "which is for different reasons hard to be certain about" (152). The last feature is perhaps the most interesting one. Why should acts of judgment address only matters which are for some reason hard to be certain about? Insofar as our knowledge of events and situations in the world is based on our judgments (that is, on verdictive illocutionary acts), Austin depicts it as something not effortless, but involving actual search for evidence, adoption of criteria, or reasoning, which are kinds of active behaviour on the part of the speaker, with some degree of choice as to what is to count as evidence, which criterion is correct, or what reasons are good ones. Different agents might reach different findings: we might then compare those findings and prefer the soundest and best grounded one, or, at least, the one which appears as such to us. But the same picture, with slight re-contextualization and small adjustments, may be taken to hold for value judgments.

It is not clear how Austin intended to deal with those statements of fact that are not about something difficult, unclear and the like. What he

clearly wants to stress, though, is that whenever we issue a judgment we are engaging in a complex activity. Nonverbal perception may be "direct" and be both phenomenologically understood and verbally reported as the perception of the real object. But judgment, albeit a source of knowledge, is not a passive reflection of reality. For Austin, our knowledge is no mirror of anything: unlike mirrors, it involves an active stance. It is brought about by action, precisely by verdictive illocutionary acts.

If verdictives, so characterized, may also be concerned with values, should we conclude that value judgments too produce knowledge? Can we say there is knowledge of values, not in the trivial sense in which one can describe some people's axiology, but intending to admit value judgments as production of knowledge? Austin does not tackle these issues. But in the Austinian perspective we are elaborating, I think we can go so far as to say that there should be room for knowledge of values, insofar as not only verdictives about facts, but also verdictives about value can be correct or incorrect. What it is for a value judgment to be correct, however, need not be defined in the same way as what is for a statement of fact to be true.

6. Philosophical Implications for Social Ontology

Be it as it may with values, Austin's view of illocution appears to support realism as to deontic states, since those deontic states that illocutionary acts are designed to bring about must be real ones if the act is to be an action at all. Indeed, without an effect, there would be no action. This view, once again, highlights action, and namely, the active production of deontic states by social agents. As we have seen (in sections 2 and 3), the key to such production is intersubjective agreement. While a stone may be there even if nobody realizes it is there, a state of right or obligation cannot exist unless there is some kind of agreement about its being the case. On certain occasions, this agreement may be cognitive and conscious, but it need not always be. It is enough for it to be implicit, for example, in the coordination of the lines of conduct of the relevant agents. For example, if a command is complied with without protest or

hesitation, it is safe to assume that the state of obligation stemming from it has been agreed upon (indeed, it has been acted upon). If, in complying with a command, an agent protests against being obliged to perform that action, this too reveals the basic acceptance of the speaker's authority and the binding force of her illocutionary act. Lack of worry about one's non-compliance may indicate a failure to take the received command seriously or perhaps the refusal to take it as a command at all. Nonverbal, by-default agreement suffices for the deontic state to be brought about and become a component of the situational context of the current interaction, from which it might even be inherited by other contexts, thus becoming a largely trans-contextual feature of the interpersonal relation among the agents involved.

It should be noted that the production of deontic states follows both a forward-looking and a backward-looking direction. Looking forward, the output of an illocutionary act is a deontic state, which comes into existence thanks to the illocutionary act (as part of its performance). Looking backward, the accomplished illocutionary act and its outcome presuppose the satisfaction of certain conditions about the agent's status before the performance. If the agent did not have the presupposed status, but the illocutionary act is accepted as such, her status is somehow reassessed and redefined.

This is one of the phenomena that Lewis (1979) dubbed "accommodation" and has perhaps not been studied in sufficient depth with respect to illocutionary acts, where it displays paradoxical features. The rise of a leadership (which did not exist at all before the first command of the new leader was recognized as such and obeyed) may be an example of "accommodation;" it is certainly an example of the influence of presuppositions on social relations. The feeling is that it is from the recognition of that command on, and because of the presuppositions of commanding, that the agent starts enjoying authority over her addressee. The status of the agent is changed from that moment on, thanks to the presuppositions or felicity conditions of her act, which should have been true before that act.

Many social realities can be described as sets of deontic states of the agents involved: property, marriage, a contract of employment, can all be almost completely specified by listing the rights, obligations, and other

deontic states that are assigned to their participants. Even complex institutions can be described in terms of what it is that those who participate in them can do or have to do, or can expect others to do, or must not do, and the like. Roles (in a family, in a peer group, or professional ones) often involve a weaker deontic state, that is, the kind of duty that corresponds to other agents' legitimate expectations.

Deontic states such as having a right or an obligation are represented in language as the possession on the part of an agent of "the right to..." or "the obligation to...:" we speak of rights, obligations, duties, licenses, etc., as of objects of a particular kind, which we may call "deontic objects." Here, I make no attempt to discuss whether this way of speaking is literal enough to amount to a shared assumption that rights, obligations, duties, licenses and the like exist as a peculiar category of objects. Laws, for example, are most certainly thought of as something that really exists: perhaps, as existing normative, and therefore deontic, objects. So, one may want to consider deontic states as consisting of the attribution of a deontic object to an agent. It is to be noted that the ability to bring about deontic states (therefore creating deontic objects, if you like) is the basis of our capacity for creating shared environments through language and is therefore central to culture and civilisation.

7. A Puzzle and its Proposed Solution

I conclude by indicating a limitation from which this fascinating perspective suffers. Are deontic states (and objects) steady and permanent enough, as one would expect of the building blocks of our social and cultural reality, or are they constantly liable to cancellation because there might be infelicities in the illocutionary procedures producing them or the speaker might fail to secure uptake? Certainly, these states and objects appear in the perspective illustrated as being dependent upon human interaction (as well as framing it). It would seem that they cannot come into being, or survive, without the support of intersubjective agreement. Thus, Austin's notion of illocution might be deemed inadequate for providing social ontology with secure foundations, or at the very least, it is not enough if what we are searching for are agent-

independent objects. It is to be noted that deontic objects may even be observer-independent, but are not, and cannot be, agent-independent.

Let us recall, though, what we have said above about the Austinian perspective on value judgments. Verdictives produce legitimate claims to knowledge (which, by default, can be taken as knowledge) if they are grounded in the agent-speaker's recognized competence, but a perfectly felicitous verdictive may still be wrong. If it is a judgment about facts, it will be either true or false. And as to value judgments, Austin seems to admit of some objective correctness/incorrectness for them too.

Now consider an issue of human rights. Imagine a social group in which a child is believed and dealt with as not endowed with any right. The way she is spoken to and about never comprises any right-granting illocution: she is never addressed with permissions, concessions, promises, apologies or wishes; moreover, no matter what she says (imagine she speaks, nevertheless), she is never taken as performing verdictives, exercitives, or commissives. Has she, then, no right? If by-default intersubjective agreement around her is that she is to be dealt with that way, can this be accepted as a reason to say that so-called human rights do not hold in her case? Of course not. Indeed, the notion of human rights is designed to apply precisely to such cases and to help protect people in such conditions. It can apply, I surmise, because judgments about justice are verdictives and therefore liable to be correct or incorrect. A judgment to the effect that the way those people deal with that child conforms to justice, would be clearly incorrect (whatever they may believe about their own behaviour and their reasons). We may conclude that in fact, the child does have human rights, or perhaps, more precisely, that human rights should be attributed to her. The former way of putting it assumes that her rights are already there, albeit unrecognized. The latter way amounts to claiming that she has a right to human rights. I would prefer the latter way of putting it, as it matches better not only our intuitions about justice, but also the perspective on rights as deontic objects outlined above. It is we, in fact, who both recognize the child's right to human rights and issue a verdictive about her deontic state that is both felicitous and (hopefully) correct.

The moral is that illocutionary uptake can be accepted and theorized as the basic source of deontic states and objects, without falling into a

counterintuitive (if not dangerous) sort of relativism, providing that the correctness/incorrectness of verdictives is not reduced to a mere matter of intersubjective agreement. This is one reason for having not just one level of assessment of speech acts, but two: in Austin's terms, this means a felicity/infelicity assessment and an assessment aiming at detecting (objective) correctness/incorrectness. Defeasibility is limited to cases of infelicity, while error and injustice are the targets of our continuous efforts to redress and improve our relations with the world we live in as well as with each other.

References

Austin, John L. 1962. *How to Do Things with Words*. Oxford: Oxford University Press. 2nd revised edition 1975.

Bach, Kent, and Robert M. Harnish. 1979. *Linguistic Communication and Speech Acts*. Cambridge, Mass.: Harvard University Press.

Grice, H. Paul. 1957. "Meaning." *The Philosophical Review* 64:377–388. Repr. in H. Paul Grice, *Studies in the Way of Words*, 213–223 (Cambridge, Mass.: Harvard University Press, 1989).

Hare, Richard M. 1952. *The Language of Morals*, Oxford: Clarendon Press.

Hart, Herbert L. A. 1949. "The ascription of responsibility and rights." *Proceedings of the Aristotelian Society* 49:171–194.

Kissine, Michail. 2013. "Speech act classifications". In *Pragmatics of Speech Actions*, edited by M. Sbisà and K.P. Turner, 173-201. Berlin: De Gruyter Mouton.

Lewis. David. 1979. "Scorekeeping in a Language Game." *Journal of Philosophical Logic* 8: 339–359.

Millikan, Ruth G. 1998. "Proper function and convention in speech acts." In *The Philosophy of Peter F. Strawson*, edited by Lewis Edwin Kahn, 25-43. LaSalle (IL): Open Court.

Millikan, Ruth G. 2005. *Language: A Biological Model*. Oxford: Oxford University Press.

Sbisà, Marina. 1984. "On illocutionary types". *Journal of Pragmatics* 8: 93–112.

Sbisà, Marina. 2006. "Communicating citizenship in verbal interaction: principles of a speech act oriented discourse analysis." In *Analysing Citizenship Talk*, edited by Heiko Hausendorf and Alfons Bora. 151–180. Amsterdam: John Benjamins.

Sbisà, Marina. 2007. "How to read Austin". *Pragmatics* 17: 461-473.

Sbisà, Marina. 2009. "Uptake and conventionality in illocution". *Lodz Papers in Pragmatics* 5: 33–52.

Sbisà, Marina. 2013. "Locution, illocution, perlocution. In *Pragmatics of Speech Actions*, edited by M. Sbisà and K.P. Turner, 25-75. Berlin: De Gruyter Mouton.

Searle, John R. 1969. *Speech Acts: An Essay in the Philosophy of Language*. Cambridge: Cambridge University Press.

Searle, John R. 1995. *The Construction of Social Reality*. New York: The Free Press.

Searle. John R. 1965. "What is a speech act?" In *Philosophy in America*, edited by Maurice Black, 221—239. London: Allen and Unwin.

Stevenson, Charles L. 1944. *Ethics and Language*. New Haven: Yale University Press.

Strawson, Peter F. 1964. "Intention and convention in speech acts." *Philosophical Review* 73: 439–460. Repr. in *Symposium on Austin*, edited by K.T. Fann, 380–400. London: Routledge.

Witek, Maciej. (Forthcoming.) "An interactional account of illocutionary practice". *Language Sciences* 47: 43-55.
DOI 10.1016/j.langsci.2014.08.003.

The Relevance of Anthropology and the Evolutionary Sciences for Political Philosophy

Christian Illies

1. Political Philosophy for a Special Animal

All discourse on, and analysis of, human society has as its prerequisite some concept, simple or complex, of what it is to be a human being. Sociology, political theory and political philosophy require anthropology. Our understanding of ourselves relates directly to the way we wish to live – and to the set-up of our social world. According to Plato, for example, the human being is capable of ultimate insight, of grasping truth. This human capability can, however, be easily constrained by any number of human motives which cloud the perception of truth. This is the reason why Plato places education so centrally in the constitution of his *polis*. He recommends, among other things, that the citizens of the *polis* should grow up without knowing their own families (their parents and siblings). According to Plato, strong familial bonds lead people to think of their own particular interests as more important than the public good. Two thousand years later, Thomas Hobbes can characterize human beings by their fear of death. In Hobbes' analysis, a powerful state, governed by a powerful leader, is the only thing which will grant the sense of security necessary for the cohesion of a society of human beings. Therefore it is, according to Hobbes, in everyone's self-interest to subordinate one's own needs to the needs of the state. Rousseau, by contrast, holds the opposite opinion. He sees a strong relationship between misanthropy and an almost unlimited confidence in human nature: "Men are evil – melancholy and continuous experience removes the need for proof. However, man is naturally good."[1] For Rousseau social constraints are the primary source of the corruption of human nature. These constraints, he

[1] Rousseau 1755.

claims, are the cause of human hatreds and "all imaginable bad things."[2]

Despite differences of detail, all the above thinkers have one thing in common: they assume that taking the natural state of the human being as fundamental to socio-political order will result in the greatest good. Given this, Political Philosophy has the task of understanding how human beings naturally behave. Furthermore, politics must seek ways of controlling and moderating the unsocial aspects of human nature, and of encouraging and promoting the social.

There was a fundamental change in the methodology of Political Philosophy at the end of the twentieth century. From then until now two opposed interpretations of the interrelation between politics and anthropology have co-existed:

1) The social sciences have freed themselves almost completely from the idea that there is a basic nature common to all human beings. After the "cultural turn" within these disciplines, they took it for granted that immediate access to facts is methodologically impossible, including facts about the purported nature of human beings. Scientific theories are understood as a kind of "symbolic orders which have been produced by social processes and lead to ultimately contingent interpretations."[3] These systems of orders do not explain human nature. Social scientists use them instead to construct a picture of the human being as a construction from nothing. One well-known example of such use is that of Judith Butler. According to her, both our gender and our sexual identity are – like any other binary system relating to the dichotomy between male and female – merely a cultural construct without any biological foundation.[4] One might speak here of "culturalism."[5] Culturalism is an idea common to such diverse approaches as gender studies, structuralism, Foucaultian discourse analysis, deconstructivism, and constructivism. It presupposes that there is no immediate access to knowledge of human nature, and

[2] *Ibid.*

[3] Cf. Reckwitz 2006, 24.

[4] Butler 1993.

[5] See the pointedly illustration in Fischer 2005.

that all so called "insights" regarding human nature are merely cultural products. According to these approaches, *any* claim to a definitive analysis of human nature is naive and must therefore be refuted. This has important consequences for the interpretation of biology as a natural science: According to culturalism, biology creates its own subject — biology only remains a "discourse of power which creates an illusion of objectivity, but which inheres its own contingency."

2) On the other hand, one might choose to understand the twentieth century as a triumphal procession of evolutionary sciences. These disciplines unquestionably shed light on the biological species *homo sapiens*. After Darwin had cleared the way for evolution-oriented behavioural research (on the model of anatomical and morphological research) it was common to use evolutionary models to account for the ways we behave, feel, and even think. Classical ethology, and later socio-biology and, even more recently, evolutionary psychology together came to new insights and made the bold claim that nature puts a short leash on the human being, that is, that the scope of possible behaviours is narrowed severely through evolutionary pathways.

As a consequence of these two different approaches, political theory and evolutionary sciences became alienated from one another. One the one hand, every reference to "human nature" is vehemently rejected by political theorists. As Clifford Geertz puts it: "There is no human nature apart from culture."[6] This slogan had also a political dimension: Reference to nature was seen as a move by reactionary conservatives to justify inequality and to undermine emancipatory freedoms.[7] On the other

[6] Geertz 1973, 35.

[7] Obviously, political dimensions are more complex. European conservatives often used recent results of behavioural biology to show invariable human properties and a constant social behaviour. But in the United States, the majority of conservatives refused Darwinism since it threatened their religious beliefs. "Many conservatives, it seems, find the Darwinian account of human nature at best useless and at worst pernicious" (cf. Holloway 2006, 7). However, in recent years, there were many conservative theorists in the U.S. referring to Darwin, whereas European socialists nowadays do not shy away from evolutionary arguments neither.

hand, evolutionary scientists point to a growing loss of reality within the (culturalistic) social sciences. For natural scientists it is problematic that socially relevant disciplines still do not acknowledge the results of empirical research. Some scientists even claim that social sciences should be re-constituted on evolutionary grounds. As Robert Trivers suggests, disciplines such as "political sciences, law, economics, psychology, and anthropology" should all become "branches of sociobiology."[8]

In the following, I will defend neither of the two extreme positions but will look for possibilities of updating the traditional synthetic view that is based upon an interrelation of natural and political sciences. To do so, I will focus on two questions:

- What do evolutionary sciences tell us about human beings and about the development of culture?
- What practical consequences can we draw from this for political philosophy? (How can, for example, we make use of the knowledge of biological anthropology and evolutionary theory when conceiving prudent political structures and institutions?)

The first question will be discussed in the following section (Section 2) in which a thumb-nail sketch of the human being as interpreted by biology will be presented. After that, the consequences of this picture for political philosophy will be investigated (Section 3).

2. Human Nature and Culture Seen from an Evolutionary Perspective

2.1 The Human Being as a Creature of Possibilities

What can we learn about the nature of human beings from biology and evolutionary theory?[9] "Seeing a dog, a horse and a man yawn, makes me feel how much all animals are built on one structure,"[10] wrote

[8] Quoted from the German newspaper *Die Zeit (Dossier Soziobiologie)*, July 29, 1978, 33.
[9] For a more detailed answer to this question, see Illies 2006, 120-155.
[10] Darwin 1838.

Darwin into his diary in 1838. In 1859, in his *On the Origin of Species*, he made only a few vague comments about human beings. But the evolutionary perspective obviously gives a new foundation for (biological) anthropology, and thus it is no surprise that a few years after the publication of the *Origin*, other authors came up with evolutionary histories of the human animal: Thomas Henry Huxley, Ludwig Büchner, and Ernst Haeckel being but three examples.[11] Darwin wrote his own anthropology later: *The Descent of Man and Selection in Relation to Sex* was published in 1871, and *The Expressions of Emotion in Man and Animal* in 1872. His method was to compare observations of human and animal behaviour.[12] He found, for example, similarities in the expression of fear and submission. In both works Darwin raises topics which are still points of debate today. All of them share the premise that there exist biologically selected dispositions within human behaviour: for emotions and even for cognitive acts.

Evolutionary biology has, in the last century, been honed by correcting two points within Darwin's theory. Firstly, biologists discovered the *mechanism* of heredity (about which Darwin had no developed theory). Secondly, not the *species* but the *gene* is now seen as the fundamental unit of selection. A property is selected because it gives a certain individual (plant or animal) advantages over its fellows of the same species. This is the only way the property can be distributed within a certain population. As a consequence, selection primarily takes place between genes which encode certain properties. Selection on the level of a group or species is second-order.[13]

This does not change the validity of Darwin's basic assumptions, which are still accepted by the majority of evolutionary biologists. Human beings naturally have dispositions: emotions and ways of behaving and thinking. They were useful at a certain stage in our evolutionary history – for example in the age of hunter-gatherers – and therefore they have been positively selected (first for an individual and later for the whole species). We assume that these dispositions can be found in all

[11] Huxley 1873; Büchner 1869; Haeckel 1875.

[12] For Darwin's methodology, see Hösle and Illies 1999, 85 ff.

[13] For the possibility of group selection, Wilson 1995, Sober 2000. Vehement defenders of group selection of the human are Robert Boyd and Peter J. Richardson (1988).

human beings: they are part of the "genetic core" of the species. Even if they are always integrated into culture, their generality does not allow for an explanation in purely cultural terms (at least, according to evolutionary biologists). This does not mean that these dispositions are found equally pronounced in every single human being or that they always cause identical behaviour. Behaviour varies from case to case and depends also on the socio-cultural environment in which the life of an individual develops.

But which of these results are important for political theory? We can distinguish four areas, even if only roughly. We shall call the first area *elementary life requirements*. These requirements human beings and most animals have in common: we (as all animals) must eat and drink, be active and sleep, and reproduce. In addition, there are three groups of phenomena which, we would argue, have a genetic foundation: *dispositions towards sociability* (cooperation, strategic alliances, altruism etc.), *dispositions towards unsociability* (aggression, defence against strangers, social ambition etc.) and *dispositional beliefs, thoughts, and emotions*. Jonathan Haidt calls these emotions "moral emotions" since they either support social behaviour (including altruistic behaviour) or punish antisocial behaviour.[14] David Buss gives a more precise account which categorizes these feelings in to three groups, namely "respect for authority," "a thirst for justice," and "the evolution of care."[15] The last area is especially interesting since it not only touches on the socio-political, but also includes phenomena that seem to be over and above pure emotions. These include certain inborn patterns of thought, mainly relating to social crises which the individual experiences when dealing with other individuals, which might well be part of our genetic heritage. Leda Cosmides and John Tooby claim that we naturally think in categories of "social contract."[16]

It is likely that there are also genetic dispositions to normative structures – behavioural rules, norms, and values. Edward O. Wilson argues, along these same lines: "Precepts chosen by intuition based on emotion

[14] Haidt 2001 and 2003.

[15] Buss 2004, 388.

[16] Cosmides and Tooby 1992; see also Cosmides 1989.

are primarily biological in origin and are likely to do no more than reinforce the primitive social arrangements. Such a morality is unconsciously shaped to give new rationalizations for the consecration of the group, the proselytizing role of altruism, and the defence of territory."[17]

A whole range of social behaviour seems to be determined (or at least influenced) by natural dispositions. This, at the least, is what biological anthropology can tell us about human nature. This does not contradict the fact that the human being needs a cultural community for his full development. The human being is not able to flourish completely by virtue of these innate dispositions alone: without a cultural community, his dispositions cannot be manifested. Furthermore, specific cultural frameworks play decisive roles when it comes to the question of *how* these dispositions are to be developed. What, for example, does social standing mean? How does one attain to it in, for example, wrestling, singing, or a successful professional career? What status symbols mark it? These questions cannot be answered with reference purely to disposition alone: specific social settings determine the expression of the disposition. "The dispositions influence the development of human behaviour rather by suggestions than by prescriptions" – as Hubert Markl puts it.[18] From a biological point of view, the human being is primarily a *creature of possibilities* placed within a range of behaviour where the range is biologically bounded but the behaviours are culturally affected.

2.2 Problems in Biological Anthropology

There is much to support Darwin's idea that the evolutionary history of *Homo sapiens* also includes behavioural dispositions. The literature of the last few decades adduces many examples of human beings displaying strong regularities and culturally independent patterns of behaving, feeling, or thinking; and there are various explanations of their selective advantages. But what does this tell us? How can this rule out the possibility that a regularity – even if it occurs in all human beings – is *solely* a

[17] Wilson 1978, 167.
[18] Markl 1986, 86.

cultural regularity? Statistical methods can make genetic-disposition claims plausible, but can never prove them.[19] One would need as a control group a number of individuals who grew up without any cultural framework; but such persons do not exist, and such a comparison is therefore impossible. Human development decisively relies on interactions with other human beings. Furthermore, most dispositions in which political philosophy is interested relate to social action, i.e. behaviours enacted within a cultural framework (even if this framework may be minimal). It is a methodological precondition that our actions are interwoven within a socio-cultural framework.[20]

The analogy adduced by Darwin does not help here. Similar behaviour in animals and human beings can never be enough to give a *positive* proof of the existence of any disposition. For such a proof, one would need to show how certain genes encode proteins which build up a certain brain structure and thereby cause certain behaviours. At present no one can say when or whether biology will be able to demonstrate such details.

Perhaps such a positive proof will never be forthcoming. Many critics assume that human culture developed in so a short time that genetic selection of relevant dispositions was impossible.[21] Also most dispositions (if they exist at all) are inherited poly-genetically, and this would make the whole concept of rival genes inapplicable. There is also the objection that many explanations for selective advantages are mere speculations and do not help in the understanding of the phenomena.[22]

There is much biology would have to do in order to come up with a positive proof of genetic dispositions. One of the first steps biology

[19] For an overview of objections against biological anthropology, see Kleeberg and Walter 2001.
[20] However, one might try to observe the *interaction* between "natural" humans (i.e. humans growing up without any cultural frame), since such humans could not learn anything from anyone. But even this would not be enough for a proof in the strict sense: Firstly, most behavioural patterns which are genetically disposed require a minimal ability of communication, and language can only be acquired within a cultural frame. Secondly, even the observation of "natural" humans does not methodically exclude the possibility that they might learn a certain behaviour, if only during process in which they are observed.
[21] For example Kleeberg and Walter 2001, 51 f. But for the opposite opinion, see Lorenz 1974.
[22] Many critics say that sociobiology often re-describes already-known social phenomena with evolutionary terminology, but do not add anything to our understanding. Even Michael Ruse claims this rather snappishly in *Philosophy of Biology Today*, 1988, 66 ff.

would have to take is to articulate *what* actually might be grounded genetically. What does it mean to have a "disposition?" What exactly are we claiming if we, for example, assume that human beings are nepotistic or reciprocal altruists by nature? Obviously this should mean that humans behave in certain situations in a particular way (which needs to be demonstrated by statistically significant evidence) and that the cause of this particular behaviour lies (at least partially) in biological structures. But actions are not properties like hair colour or the ability to roll the tongue. Actions are always the result of complex factors and procedures.

Emotions may well have an important role in triggering action. Mark Ridley describes emotions as mediators between an inner calculator and outer behaviour.[23] A disposition for altruism would then mean that we naturally have certain emotions, such as sympathy, which lead us into particular sets of relationships (for example, when a relative is in need) which lead to altruistic actions. But this cannot be enough; when human beings *act*, the behaviour is not determined; for then it would not be an act. A person who feels vertigo when looking down from a great height, will shy away from a precipice in fear. This is not an act. When we *act*, we are not simply determined by an emotion – we *decide* to behave in a certain way (at least, that is what most of us believe). That is the reason why early ethologists stressed that human behaviour is not entirely controlled by instincts (as they believed the behaviour of other animals was), but rather that human beings can and must always make decisions. Even if emotions mediate between the inner calculator and behaviour, one would need to clarify the complex role of reflection (or of the human will). One might agree with Steven Pinker when he claims that the expressions 'kin-directed' and 'reciprocal altruism' (and we might add: the dispositions towards them) are a "behaviourist short-hand for a set of thoughts and emotions".[24] But we also need to clarify what is meant by those "thoughts."

This whole interrelation is barely understood — and as long as there are no plausible theories purporting to explain it, all theories of natural behavioural dispositions remain incomplete. This general problem is

[23] Ridley 1996, 193.

[24] Pinker 1999, 403, my emphasis.

brought to the fore by various attempts to supply a conceptual analysis of "dispositions" which would make the *explanandum* more precise. What is it that could be genetically determined? Konrad Lorenz speaks about "inherited coordinates" (*Erbkoordinaten*) or "instincts." Recent ethologists speak instead of "innate behaviour." Edward O. Wilson postulates natural "epigenetic rules,"[25] and other evolutionary biologists rather vaguely claim that there are "internal desires, emotions and lustfulness."[26]

Should these considerable problems lead us to the conclusion that political theory should take the possibility of genetic behaviour dispositions with a pinch of salt? No. The hypothesis that such dispositions exist is still a plausible explanation for the fact that certain behaviour and phenomena are culturally invariant. This holds even though there is no positive proof of such genetic disposition and all such dispositional theory needs to be spelled out more precisely. The hypothesis is plausible for two reasons. Firstly, it is consistent with many other insights in evolutionary biology and in other related disciplines (such as neurobiology). Secondly, we do not have any other plausible explanation. If – as many contemporary political theorists argue – statistically significantly behavioural patterns were *merely cultural phenomena*, it is rather puzzling as to why they occur within *all or very many* cultures.[27] It is therefore, I believe, fruitful to pursue my initial question concerning the ramifications of the evolutionary sciences on the notion of human nature, even if the results of these sciences must still be regarded as speculations.

2.3 Anthropological Foundations of Socio-Cultural Phenomena

Thus far my analysis has been limited to the individual human being and the biological determination of her actions. But many see this limitation as a conceptual barrier when asking why a biologically-determined human being gives her actions certain social forms and creates (or plays

[25] See Lumsden and Wilson 1980.

[26] Hubert Markl, quoted by Voland 1999.

[27] One exception may be the — even less plausible — thesis that the human is completely free and there are no explanations for frequent behavioural patterns at all.

her part in creating) institutions controlling her own behaviour. ('Institution,' in this context, means a system of rules creating a certain social ordering. Institutions can be either formal or informal.) Unlike behavioural biologists, who analyse the genetically-determined realm of possibilities, I wish to investigate why human beings order their realm of possibilities in such a way as to create their socio-cultural worlds.

Arnold Gehlen was one of the first philosophers to arrive at such an analysis. His starting point is the human being as a biological creature, but he arrives at a social philosophy and a theory of institutions. He does not, however, begin with the rich biological realm of possibilities, but rather focuses on the shortcomings and limits of human nature. He describes the human being as an "undetermined animal" (referring to a formulation by Nietzsche). This "undetermined animal" has many shortcomings, since there are no controlling instincts or stable behavioural patterns in its nature. Even though his analysis is in many ways outdated (as demonstrated above) it is still worth taking a look on Gehlen's explanation of complex social structures. According to Gehlen, social institutions compensate for the shortcomings of natural instincts. They unburden the human being by giving him stability and control of his actions. Gehlen distinguishes three ways in which the socio-cultural world (first and foremost the institutions) is influenced and affected by natural human dispositions:

(i) The lack of other behavioural controls makes it necessary for human beings to create unburdening institutions.

(ii) Even if dispositions do not entirely control the human being, these instincts still guide her actions in general directions (for example, towards ingestion). Institutions are to be understood as "forms of overcoming life-important tasks or circumstances," since, for example, "reproduction or defence or ingestion require a regulated and continuous cooperation."[28]

(iii) Gehlen also claims that institutions arise during a process of development. They are not the result of any conscious plan but the result of the unplanned action of many individuals. "The living together of humans is stabilised in forms of orderings and rules, which come into ex-

[28] Gehlen 1961, 71.

istence just by themselves. One has to look for their steering mechanism within the area of instincts, but never in the rational calculation of ends."[29]

About the process of democratisation, Gehlen claims that this has its own dynamic and does not follow any sociological rationale: "The democratic form of government for example is adopted by many peoples like the European way of clothing."[30]

We might present two general objections to Gehlen's thesis. Firstly, his theory of institutions is too neutral as to question of their validity and justification. He explains institutions more or less purely functionally in terms of a stabilising power. But whether an institution, first and foremost the important formal institutions within law and politics, are philosophically legitimated is not an interesting question for Gehlen. Secondly, Gehlen does not reflect whether and how the individual institutions are involved in a selective competition with one another. He does not say whether a non-biological evolution within the socio-cultural frame is possible or not. Gehlen does not think in a sufficiently evolutionary way. He considers the functionality of institutions but seems not to care about their variation or selection. This is a rather "thin" understanding of Darwinism. It is, of course, a very evolutionary way of thinking to assume that a phenomenon has an advantageous property. For, according to evolutionary theory, properties are functional adaptations (at least in general; there are some exceptions, such as the "*genetic drift*"). This is, however, only a conclusion drawn from Darwinism and not a central tenet of Darwinism itself. Thirdly, Gehlen's starting point conflicts with the insights of modern evolutionary biology. It is hard to see how his assumption, that human beings are deficient ("*Mängelwesen*"), holds when we obviously have highly specialised behavioural dispositions.[31] Furthermore, the assumption of deficiency contradicts the logic of evolutionary thought. For the human being was – at a certain point in time – a successfully selected primate. She must, then, have been well

[29] Gehlen 1969, 95.

[30] Gehlen 1964, 91.

[31] Gehlen argues against this that the possibilities human beings have is so-to-say the "flipside" of an incomplete being and he is contrasting human imagination with rationality. See Gehlen 1940.

adapted. (The compensation of physical shortcomings via cultural achievement is a phenomenon which occurs much later in history and cannot be an explanation for the positive selection of Homo sapiens over other *hominidae*).

I wish now to focus on some other attempts of relating the biological to the socio-cultural. In his studies of ancient religions Walter Burkert (1996) raises the question of the biological roots of our symbolic culture (religion is a good example of such culture). Like Gehlen, Burkert sees religion as a cultural phenomenon which guides human action and gives its adherents orientation. It is therefore a functional institution. Burkert does not see religion as a compensation for our natural shortcomings, but understands it as a consequence of biological skills. Thus he conforms to the widely accepted opinion that human beings have many dispositions which allow for a wide range of realisation.

But what is meant by a disposition towards religion? Burkert claims that it is an extension of the cultural framework created by the ability to communicate in a language. "Parallel to language, religion too, as an effective means of most serious communication, can be hypothesized to have arisen at a certain stage in prehistory as a competitive act, a way of gaining an advantage over those who did not take part in it."[32] That language has a biological foundation is not only obvious because of its universality, it can also be shown by reference to the very special physiological apparatus needed for vocalization. According to Burkert, one must assume a combined evolution of the biological conditions for language and language itself. One cannot separate nature from culture here, since language is a so-called hybrid phenomenon in which nature and culture are intertwined. Language allowed early human beings not only to communicate, but also to create a common linguistic world of meaning which gave them guidance and orientation.

But in what way is religion an adaptation? Although Burkert (1996) admits that a detailed explanation of its development and selective advantages remains part of the inaccessible pre-history of humankind, one can make educated guesses as to how religion contributed to evolutionary fitness.

[32] Burkert 1996, 19.

One factor is the *orientation* religions (and other institutions) provide. In a complex environment religions offered categories for interpretation which helped to order and structure the natural world. Burkert refers here to Niklas Luhmann's thesis that religion allows for a "reduction of complexity," and adds that religion gives "orientation within a meaningful cosmos for those who feel helpless vis-à-vis infinite complexity."[33] Religion helps to orientate the individual both in a theoretical and a practical way. It offers sense and gives practical solutions to difficult problems. Its offers are universal since religion broaches all topics affecting human life: elementary needs (such as hunger and thirst), elementary actions (such as giving and receiving), special experiences (such as death), and emotions (such as fear and happiness). Religion thus gives the human being a certain distance from these phenomena. Religious reference to trans-empirical principles makes it easier to deal with difficult situations. According to Burkert, all this contributed to human evolutionary fitness. Another factor is the *motivating* power of religion: it can channel and encourage particular behaviours. Rituals encourage continuous repetition of certain behaviours.[34] Religion motivates by enduing reality with transcendental seriousness. It integrates fear and hope, and events and actions, into an ordered moral and metaphysical scheme.[35]

Both Gehlen and Burkert treat institutions as functional features of the human being. But Burkert understands the human being from the perspective of her dispositions (and possibilities) rather than from the perspective of her shortcomings. He also assumes that the human institutions and the nexus of individuals in community offer a higher evolutionary fitness than that which can be attained by individuals functioning alone. He therefore concludes there must have been positive selection for this combination. Human beings without religious disposition, and therefore without its institutional manifestation (as, for example, the Neanderthal) appear to have vanished. But Burkert does not address the question as to whether there is competition among institutions and

[33] Burkert 1996, 26.
[34] Cf. Burkert 1996, 44.
[35] Cf. Burkert 196, 47.

therefore a (Darwinian) evolution of institutions.[36] His primary goal is to demonstrate how culture – and especially religion – builds upon biological dispositions and how it reacts to these dispositions.[37]

2.4 The Natural Framework of Cultural Developments

The above authors attempt to connect the socio-cultural and the biological using the individual human creature as a starting point. Other authors begin by looking at collectives. One can see how some societies and cultures are influenced by natural (but non-human) circumstances: by, for example, the characteristics of a landscape, the climate, or the local flora and fauna of a region. Such observation has been used in political philosophy, in Montesquieu's *De L'Esprit des Lois* (1748). He sees, for example, a connection between the climate of a region and its legal system. However, his speculations remain largely unjustified. The same is true of Ellsworth Hunnington's attempts in *Climate and Civilisation* (1915), in which he proposes maps of "climatic energy" which lead to certain cultural developments.

Jared Diamond's arguments are more convincing. By reference to certain environmental parameters he explains evolutionary scenarios according to which the members of a tribe either died out, became hunters and gatherers, or created complexly organised states.[38] In *Guns, Germs and Steel. The Fate of Human Societies* (1997), he identifies four *natural* factors which have played a decisive role in the development of human cultures over the last 13,000 years.

1) He points us to the richness of regions with wild plants and animals which could be domesticated. Only where there is enough richness of this kind, is there the possibility of agriculture. Agriculture and the nutrition surplus which is allows enable both the specialisation of professions (there can be non-agricultural professions) and the growth of population.[39]

---

[36] He distinguishes bigger developmental steps, for example from a primarily oral towards a written culture and religion. See Burkert 1996, 214 ff. But he does not say whether this has to be seen as an evolutionary process of selection.

[37] Cf. Burkert 1996, 36.

[38] Diamond 1997, 501 f.

[39] Diamond 1997 , 502.

2) Diamond also refers to the agricultural circumstances which allow the "diffusion and migration" of innovation. The Eurasian regions benefitted from their east-west orientation, which allowed such exchange. With its east-west axis, it is not divided by impassable seas or mountains (obstacles for the exchange of plants, animals, and technical innovation). Moreover, useful plants (such as the pea) and domestic animals (such as the chicken) could flourish in all areas of this region because, by virtue of its east-west orientation, it presents much the same climate within its latitudinal boundaries. This not the case for North America, for example, because of its north-south orientation.[40]
3) The relative propinquity or isolation of continents from each other is another significant factor according to Diamond. Relatively isolated continents, such as America, did not profit from the innovations of societies on other continents, whereas Africa's relative proximity to Eurasia allowed Africans some contact with some Eurasian invention.
4) The size of habitable area and population are also important. A higher population is an advantage: the more people, thus the more creative people – and the more ideas and innovations. China, for example, has had more human resources than New Guinea by virtue of its large population. It is, however, an advantage if the geographical circumstances allow for a number of rivalling and competing societies within a limited space. Diamond sees this as one of the main reasons for the swift political rise of Europe (and for the decline of the technically more developed China). Fragmentation into several small states (in Europe facilitated by a geography featuring many islands, peninsulas, seas, and mountains) creates, according to Diamond, high innovation pressure. Societies had to choose between decline, innovation, or the rapid acquisition of the innovations of other cultures (in, for example, the field of weaponry).[41]

In sum, Diamond focuses on the natural in human history, and seeks to shed light on causal interrelations.[42] His book has been accused of defending a kind of determinism. He refutes this by pointing out that human creativity is also a condition of development. But he looks upon individual

[40] Diamond 1997, 208-230.
[41] Diamond 1997, 503.
[42] Diamond 1997, 506.

achievements with the eyes of a natural scientist. Why were there so many technological developments in Europe when time seemed to have stopped in Tasmania? For Diamond, the difference lies not in any special talents Europeans may have, but rather in the difference of environmental and cultural conditions.[43]

But why is Diamond's history of the natural sciences interesting for political philosophy? It is because of the possibility of applying his reconstruction of development to contemporary societies in such a way that we might not only predict their future, but perhaps also be able to direct and influence that future. Diamond himself explores this in his *Collapse: How Societies Choose to Fail or Succeed* (2005) in which he analyses the conditions for the decline of cultures. In addition to social factors (such as warfare), Diamond identifies some natural circumstances which have contemporary relevance, notably the lack of resources caused by unsustainable methods of dealing with the environment and natural commodities. One need only consider the clearing of whole regions of forest in North Africa, which has destroyed the livelihoods of the population. Diamond accords due respect to human beings and their freedom by claiming that these environmental changes are not inescapable facts of history. Some of these circumstances are caused by human short-sightedness. Some circumstances are natural events to which humans beings did not react appropriately in good time. He concludes that it is the attitude and flexibility of cultures which determines whether or not natural circumstances lead to decline (as the work's subtitle implies). Cultures must be prepared to modify their behaviours and values if they are to react successfully to existential threats in a changing environment. Otherwise, they will be negatively selected.

2.5 The Darwinian Evolution of Cultures

Is it merely a metaphor to speak of the "natural selection" and "evolution" of cultures or of elements of a culture, such as institutions? Not

[43] This reinforces the objection of determinism since Diamond stresses over and over that natural factors are the "deeper causes" for the critical empiric line of thought in the Greek-Jewish-Christian tradition which finally lead to the rise of Europe. Cf. Diamond 1997, 507.

necessarily, since Darwin's explanation for the development of species can theoretically be applied in many fields. With its concepts of variation, inheritance, and selection, Darwin's theory can explain the development of very different phenomena. It appears to be necessary that replicating entities which are all dependent on limited resources compete with each other. Also it appears to be necessary that the passing on of properties is relevant to the survival of any such entity.[44] Thus evolution can take place even where the replicating units are not DNA helices so long as the relevant characteristics of a competition exist. Darwin himself attempted to explain the development of language using the concept selection. More recently we have seen evolutionary models for the development of creative thought and cultural traditions (D. Campbell), for the development of scientific theories (S. Toulmin), the distribution of computer viruses via the internet (S. Blackmore), and for the way our immune system works (C. Plotkin).[45] In all these cases, analysis in terms of replicating entities competing for resources proves fruitful. The entity which prevails in the long run is the one which exhibits the most useful properties – properties handed down to it by its parent or predecessor entity.[46] Toulmin, for example, argues that some theories prevail over others because of their greater explanatory and integrative power, and are thus handed down (replicated) more than less efficient theories (which finally vanish).

Daniel Dennett usefully talks about the "substrate neutrality" of the principle of selection.[47] If one accepts this idea it makes sense to ask to what extent cultures and institutions exhibit Darwinian selection processes — independently of the question regarding their biological roots or the consequences for the biological fitness of human beings. Very much in this sense, already Darwin's contemporary Herbert Spencer (1820-1903) distinguished three stages of the evolutionary process: an

[44] See Christian Illies 2005. In this paper I try to give reasons why this insight is necessary.
[45] Campbell 1960; Toulmin 1972; Blackmore 1999, 55 f.; Plotkin 1993.
[46] There are also borderline cases in which a property is selected without being "inheritable." But this does not lead to evolution. If the "better fitting" properties are re-acquired in the new generation, there is only the same selection process taking place in every generation.
[47] Dennett 1996, 82, 353, 398, 430.

"inorganic" evolution of space and earth, an "organic" evolution of living creatures, and finally a "superorganic" evolution which includes the development of social structures including moral frameworks. (Arnold Gehlen simply ignored this possibility, and Walter Burkert did not analyse it in any depth — despite the fact that it has *prima facie* plausibility and had been mooted since the 19th century).[48]

Let us consider a recent example: the theory of the development of institutions by Friedrich August von Hayek (1899-1992). Hayek sees institutions and other cultural artefacts as existing in evolutionary competition. He assumes that human beings need rules and, therefore, always follow them.[49] But human reason is too limited to do justice to the complexity of action, especially because an individual cannot well estimate the consequences of her actions (and inactions). Rules are helpful, according to Hayek, to overcome this constitutional lack of knowledge. They reduce complexity and limit the logical space of all related circumstances only to the ones which are possibly relevant.[50] For Hayek, systems of rules, and institutions, represent accumulations of historical experiences and the knowledge of a culture. They provide standard solutions for complex decisions and show the individual what she should (and could do). Language is the decisive condition for creating, mediating, and adopting such systems of rules, because only language allows us to store such rules and to pass them on to younger generations. This process intensified with the advent of written language in later human history. Hayek's concept of the system of rules applies both to the personal and the social realm of human behaviour: how, for example, to plan my own day and how to greet other people. The rules can be more formal or less formal. Rules of jurisdiction (laws) are, for example, very

[48] Hodgson (2004) discusses the early attempts that apply Darwinism to social phenomena.
[49] von Hayek 1996, 22. A recently often discussed example for an evolutionary theory of culture is Dawkins's memetics. Memetics understand all cultural phenomena (ideas, melodies, pottery, institutions, hallucination etc.) as "memes," i.e. cultural units that show similar behaviour in the "selection chamber" of culture as genes do in the biological room. According to memetics, a meme is to be selected because understanding humans pick it up and reproduce it — and it fits well into the landscape of memes.(See Blackmore 1999).
[50] von Hayek 1994, 171. This comes pretty close to Gehlen's and Burkert's view that institutions are necessary for orientation.

precisely articulated, whereas moral rules (ethical norms) are often rather informal.

Regarding the historical development of systems of rules and institutions, Hayek uses the three Darwinian concepts of variation, inheritance, and selection. *Variation* happens whenever there is an innovation: a new rule or a new course of action which deviates from tradition. It can be introduced by a creative act, but also by mistake — as, for example, when one misinterprets an old rule. After that, *selection* takes place.[51] Whether a new rule or convention for social interaction within a group will be selected or not depends on how advantageous following it might be for the individual. Advantageous rules will be adopted, whereas disadvantageous rules will be ignored – and finally die out. One might speak of a process of "trial and error." Thus there will be adaptations to the past experience, which are a result of the selective elimination of less appropriate behaviour.[52] Hayek seems to assume that selection takes place both within a group and between different groups. In the latter case, an element of biological evolution comes into place: groups with less advantageous rules will be also physically dominated or eliminated by the other groups. Hayek identifies the *mechanism of inheritance* as the imitation of rules. Advantageous innovations and useful rules will be followed by others. An important part of the mechanism of inheritance, according to Hayek, is language-acquisition since language assumes a metaphysic of classifications and relations. In learning a language, one adopts a way of viewing, ordering, and acting within the world.[53]

According to Hayek, knowledge is accumulated during a long evolutionary process in institutions, (i.e. cultural traditions and habits) but also in language and artefacts. The individual uses this corporate knowledge by following the institutions, by learning a language, or by using a tool. Even if she is not aware of it, she cumulatively incorporates experience.[54] Understood in this way, cultural evolution is a process of social learning, in which the knowledge of whole generations is collected

[51] von Hayek 1994, 157 f.
[52] von Hayek 1991, 34.
[53] von Hayek 1973.
[54] von Hayek 1960, 43.

and passed on to provide efficient solutions to problems experienced. All in all, Hayek sees this process as something positive. The *invisible hand* of selection leads to an accumulation of useful experiences – if this evolution is not interfered with. State-directed economies and un-free societies experience negative consequences from interference since positive development is grounded in the freedom and unpredictability of human actions.[55] Consciously chosen rules can never produce the same wealth of knowledge and experience that unconscious processes of development bring about. Von Hayek therefore rejects wide-scale changes of social institutions but grants that small reforms may be beneficial to individual members of society.

But is this inconsistent with a Darwinian analysis of institutions, wherein the institutions are seen to develop by a purely mechanical selection process? No. It is not a Darwinian tenet that the cause of *variation* is blind – only that selection is. So it is plausible to assume that there will be competition between different institutions – Independently of their origin – and the result of this competition is solely decided by the criterion of efficiency. Only efficiency determines which institutions, and with which properties, will last permanently and which will vanish, and when.[56] Consciously chosen rules have no advantage over unconsciously evolved rules in the remorseless selection process. For Hayek, there is nothing to indicate that consciously chosen rules have any advantage over others. Conscious interventions are one way of producing variation, but there are many others. A theory of the development of institutions which includes only those rules which have been consciously stipulated by human beings remains deficient. According to von Hayek, only with the analytical tools of Darwinism can the long-term development of institutions be fully explained.[57]

---

[55] von Hayek 1960, 50.

[56] Similar for the mechanism of inheritance: It was often argued that cultural inheritance of institutions were Lamarckian since it allows for the transfer of acquired properties. This is plausible, but stands in *no* contradiction to a Darwinian evolution of institutions since also here, variation, (blind) selection and inheritance (however it looks like) remain decisive. Darwin himself is Lamarckian regarding inheritance when he assumes in the the *Origin of Species* that acquired properties can be inherited.

[57] That is the line of argumentation in Hodgson and Knudsen 2006.

There *may,* however, be cases in which the development of institutions does not follow Darwinian principles. Such is Hayek's diagnosis of state-directed economies mentioned above, but also of totalitarian societies in which natural selection is precluded by violence. According to Hayek, this scenario often leads to bad development, because the positive natural accumulation of experiences and improvement of institutions has not been allowed to take place. This danger is especially pronounced in a modern technically-advanced world because the state has enormous power at its disposal, and may choose not to leave room for spontaneity.[58] Therefore, Hayek claims, it is a crucial responsibility of politics to be aware of this danger. Politics must fashion a framework of freedoms for the natural evolution of institutions, so that open evolutionary competition will be possible.[59] But this fashioning of the framework of freedom, one might object, could require the *conscious* stipulation of rules after all.

3. Convergence as Objective

3.1 Evolutionary Sciences and the Justification of Normative Judgments

The above approaches have in common that they seek natural explanations for specific social behaviour and cultural phenomena and for their development which are relevant to political philosophy (and to the political sciences in general). Thus they are helpful in understanding our institutions, their history and function. But they cannot contribute to the *justification* of institutions, political ideals, or objectives. This accords with Hume's law: that one cannot get from a descriptive 'is' to a prescriptive 'ought' without any additional normative arguments.

As early as 1903 George Edward Moore, in *Principia Ethica,* extended Hume's law to the evolutionary sciences: there is no direct connection between the evolutionary 'coming to be' and the normative 'ought.' Darwinian evolution must be understood as a blind (*i.e.* not goal-

[58] See von Hayek 1960, 50.
[59] See von Hayek 1976, 30.

oriented) process which does not imply any ideal or any evaluation of its outcome. That is also the reason why Moore rejects all evolutionary ethics proposals. (And there is a corollary: It is impossible to use evolutionary sciences to argue successfully that all morality is an illusion. For if it could be shown by *philosophical* arguments that there actually are correct moral judgments, and one could not deny this by reference to natural sciences which are normatively blind.)[60]

Of course, it is possible to claim that evolution selects "fitter" entities, but "fitter" is a functional description relative to context. A fitter entity has properties which grant it a higher reproduction rate under certain circumstances, but not the status of being of more value than other entities. Many parasites and viruses are very fit for their host environment, for example, but we do not accord them greater value than other life forms: in fact, we evaluate them negatively. "Never use the terms higher and lower," Darwin himself advised, as a kind of warning against overlaying the descriptive with the normative.[61]

Evolutionary explanations are not sufficient for normative judgments – at least not if one holds that normative judgments must be *justified* in the strict sense. This is the sense in which *rational arguments* are necessary to validate normative judgments — and only if they are rationally validated, are they valid and obligatory in virtue of a "legitimate legitimation," as Manfred Wetzel puts it.[62] This applies both to ethics and to political philosophy, if the latter claims to be able to make normative distinctions between institutions (such as forms of government) or if political philosophers formulate objectives for political action. To be sure, it is one of the most difficult of philosophical questions what kind of rational argument, or even what kind of methodology, would be sufficient for a normative justification in this area. But we do not, fortunately, have to answer it in this paper. For our purposes here, it is enough to say that the methodology of the evolutionary sciences *cannot* grant a "legitimate legitimation."

---

[60] For a more detailed account, see Illies 2006, 225-235.

[61] Darwin wrote this in the margin of his copy of *Vestiges of Creation* by Robert Chambers, who postulated an evolutionary upward movement. See Di Gregorio 1990, 164 f.

[62] "Kraft einer legitimen [sic] Legitimation als gültig und verbindlich." See Wetzel 2004, 209.

But why did it – and why does it still – appeal to many authors (such as Herbert Spencer, Edward O. Wilson and Richard Dawkins) to analyse normative ideals with evolutionary arguments? One reason is the present crisis in philosophy regarding the rational justification of moral values. No single methodology is commonly accepted. There is another reason: the particular interrelated-ness of descriptive and normative judgments in biological anthropology. In addition to descriptive statements (statements about human dispositions and evolutionary processes of development) and normative judgments ("ought sentences") there are also evolutionary explanations of how human beings arrive at normative judgments – *descriptive* statements about whether and how human beings have dispositions for *normative* judgments. One obvious example of this is what David M. Buss calls "a thirst for justice".[63] Leda Cosmides and John Tooby take this as a basis for their claim that we have a genetic disposition to think in the category of social contract — that means in normative categories. But can this be a justification for the social contract? I would deny this with reference to Hume's law. It is and always will be a descriptive statement to explain the biological causes which lie behind the giving of a normative judgment, and a normative judgment cannot follow from a descriptive statement. Let us look at an example. In 1848 there was a rock-blasting accident in which an iron rod was driven through the head of the American railroad construction worker named Phineas Gage. Much of Gage's left frontal lobe was destroyed, but he somehow (to everyone's surprise) survived this accident. But Gage was no longer the polite gentlemen he was before the accident: he turned very negative. Today, neurologists might explain in some detail why Gage gave only negative judgments about his fellow men after the accident happened. But the fact that neurobiologists could explain these normative judgements does not mean that they are justified. Explanations are simply not reasons.

There might be a reason why evolutionary anthropology often confuses descriptive and normative judgments. It seems to follow *from our biological nature* that we ask for a "legitimate legitimation" at all. It is a special characteristic of the human being that her complex brain allows

[63] Buss 2004, 388.

her to stand at a linguistic distance from herself, and to consider herself free to choose between possible objectives, wishes, and the satisfaction of various needs. Max Scheler pointed this out in his philosophical anthropology when he describes humans as capable of suppressing his impulses. While animals must always say 'yes' to their needs and desire, we are able to say on occasion 'no' to our drives and impulses.[64]

Standing at this distance, humans ask the universal 'why' question: we seek explanations for everything that exists, for good reasons for what we want to do, and for good reasons for what we ought to do. From this human characteristic arises the need for theoretical ordering and for practical orientation – two things Gehlen and Burkert identified (in different ways, of course) as the beginning of culture, politics, and religion. This human need culminates in the desire for a legitimate legitimation. We are not satisfied with easy answers to the problem of justification.

3.2 Convergence as the Objective of Political Activity

Political philosophy, if it acknowledges both the possibility of the normative and the existence of the inherent laws and processes in the world (made known to us by the empirical sciences), must fulfil the task of bringing about states of society where what is (normatively) best might become real. One part of this task might be the guaranteeing of universal human rights by positive law. The task itself may have to be spread over time in a somewhat complex way. For example, one might distinguish between what is possible at present, what is possible in the middle-term, and what is possible long-term (with the added complexity that present actions may increase or decrease the range of possible future actions). Johann Gottlieb Fichte adopted this methodology of political philosophy as the ground for his work *Der geschlossene Handelsstaat* (= the closed trading state). His idea can be easily identified by looking at the structure of the work: Fichte beings with the account and justification of an ideal (an institution of which he believes he can with good reason approve, i.e. the closed trading state). He then describes the reali-

[64] Scheler 1975, 55.

ty of his time: he gives an analysis of actual commercial intercourse. Finally he gives political recommendations as to how to implement the ideal in the real world.[65] The implementation, then, is not a task of political philosophy, but of actual politics.

Political philosophy cannot, however, always distinguish between these aspects as clearly as Johann Gottlieb Fichte did. It is especially difficult in practice to define the boundaries between the justification of normative judgments on the one hand, and the task of making the normative actual on the other. Normative ideals are generally part of the basic cultural equipment of a historically developed society. Normative ideals are used in practice and are not, therefore, a part only of *normative* approaches, but also a part of *descriptive* approaches (even though these latter approaches cannot justify them). Furthermore, discourses of normative justification are also embedded in culture and can often be understood only in their proper contexts. Finally, one must distinguish the validity of normative ideals from their factual acknowledgement, and this in turn must be distinguished from actual compliance with these norms. The latter two are both parts of the descriptive world and it is therefore difficult (but important) to give a strict definition of them. It remains necessary – following Hume's law – to distinguish the justification of normative ideals from the description of ideals people actually hold to.

Not even the subtlest analysis of the world, knowledge of cultural contexts and of the realities of the acknowledgement of ideals can lead to a legitimate legitimation of normative ideals. But neither can a set of justified normative values lead to any good in the world. Even a perfect understanding of our normative ideals does not tell us how to implement them in the world: ideals without empirical data are empty; empirical data without ideals are blind.

How are we to understand the relation between the justification of ideals and the gathering of empirical knowledge? One usually assumes a reflective equilibrium between those two activities. The empirical sci-

[65] This is equivalent to the "mixed syllogism" already Aristotle used as a basic logical hypothesis of applied ethics. Given a normative a priori premise and a descriptive a posteriori premise, one can infer a special normative statement that represents an application of the firstly mentioned ideal to the descriptively grasped part of reality. See Hösle 1999, 169.

ences can be of use in aiding the implementation of ideals. If we hold, for example, that the right to political participation is fundamental, we need to analyse a culture to know exactly about what is meant by political participation within that culture. Furthermore, motivation for empirical research often comes from relevant questions which have arisen from normative ideals. The ideal of political participation will, for example, focus our attention on possible mechanisms of manipulation; and these we must understand if we seek to protect human beings from themselves. The reflexive process is subtle. We begin with a rather general formalisation of the ideal, and might perhaps have only a limited relevant knowledge of the empirical world. During reflection, we sharpen that ideal, but also focus on the relevant aspects of the empirical world which will help us implement the ideal. Inspecting the empirical world might also lead us to a more in-depth critique of an ideal. If an ideal *cannot* be implemented, one should seriously question its legitimacy. Thus the reflective equilibrium between the normative and the descriptive approaches helps us make normative ideals substantial. An important consequence of this equilibrium is a certain dynamic within political philosophy: Normative judgments have only presumptive validity, since they must remain open for revision and challenge by new objections which might become necessary in face of new empirical insights. The constantly varying contexts of a world in change should lead to constantly varying substantialisations of our ideals. But none of this entails that the justification of moral norms depends on social or cultural context – contrary to what the contextualists, for example, claim.

What does it mean to implement normative ideals in the empirical world? We cannot work, especially in politics, with so simple a deduction as tells us only that the normative ideal should be applied or instantiated according to this or that circumstances. (One might imagine such a simple process of substantialisation only, perhaps, in the case of prohibitions.) Generally, one would have to focus on long-term processes of development of political structures and institutions towards a normative ideal. There are a number of reasons for this. Change often can only happen in a rather plodding way – via reform and not via revolution. Complex institutions, deeply-rooted traditions, and strong attitudes cannot be reformed quickly. Attempts to do so either fail completely or re-

sult in immense social costs (remember Gandhi's attempt to abolish the caste system in India). Often slow reform is the more efficient, and sometimes the only possible, way. Not everything is possible at every point of time. Normative ideals cannot be implemented directly in many cases, but only indirectly through changing a certain framework. The best way to fight poverty in a region could be, for example, the creation of a better education system. This is something we can learn from the evolutionary sciences: processes of development have their own logic. A prudent political philosophy will accept this, but will also try to use this inherent logic to nudge evolution into the right direction.

With other words, political philosophy is about the "convergence" of social developments and normative ideals. The normative ideal should, in the long term, become a naturally practiced ethical life within a culture. Only thus can the normative ideal become substantive in a permanent and stable way. It is the enduring insight of Hegel that morality becomes concrete only in the actual practice of the ethical life. We might add that such an ethical life must be arrived at by evolutionary processes and must have proved itself through the process of selection. Convergence is not only a first-order objective, but also a higher-order ideal, an ideal ideal, as we might say, since it is the *ideal* way for ideals to become reality.

3.3 The Natural Conditions of Convergence

All actions, including political actions, take place within contextual frameworks of conditions. Without frameworks, there would be no options, and actions could neither be limited nor promoted. Political philosophy seeks to analyse and utilise these conditions. It is not, a priori, possible to reach impossibilities, and not therefore useful to aspire to the impossible. Therefore, political philosophy must strive for the best within a framework of limited possibilities. This might be achieved by changing the conditions, but if the conditions are immutable, one must choose or design institutions or actions which fit into the framework of immutable conditions and lead to optimal results, or at least to the best possible ones.

But what consequences can we draw for political philosophy from the diverse *natural* conditions which determine our actions? By *natural* conditions I mean to include those created by both nature within ourselves and nature around us, and also the inherent logic of evolutionary development. If the examples of cultural explanation in Section 2 are sound, political philosophy could improve our society the better with them than without them. We will differentiate four different aspects of this conditional framework which have been handed over to political philosophy by anthropology and the evolutionary sciences. Even though the distinctions are not sharp, the differentiation will prove useful.

(i) There are fundamental conditions, as we can learn from Diamond. Ignoring them makes success impossible. Cultures should not, for example, be wasteful with their natural resources since they cannot survive without them. It is obviously not reasonable to expect human beings to act in a way which is impossible for them, and we do not need any specialised sciences to tell us what is impossible for us.

More interesting are the areas where we could learn from anthropology what is *almost* impossible for us – areas where our genetically-disposed actions and emotions make things difficult for us. One example is our desire for social rank and respect of fellows. A society without social rank is not only hard to justify, but also unachievable. Attempts to achieve it, from the French Revolution to Communist experiments, have all failed and led to new ranking systems instead.

But if one desires do deal wisely with what is almost impossible, one should still be critical towards what is alleged as impossible. One should distinguish between a disposition and its development and manifestation. In most cases, certain actions are impossible for human beings because their dispositions developed in a certain way, not because their dispositions preclude such actions in principle. One example is antagonistic behaviour. Whether it is possible for a human being to solve conflicts without aggression depends significantly on whether she experienced peaceful conflict solutions in her adolescence — and whether she is in general familiar with such peaceful solutions. To understand the convergence of human action with normative ideals, one must understand the human being as a creature of possibilities. And one way of doing that is to focus on moral education.

(ii) Human beings have a natural constitution. This cannot be ignored. But more than that: one should make use of one's natural constitution in order to reach normative objectives. If institutions make use of this constitution to steer impulses to act in a certain direction, they can implement ideals without using force. If it were possible to connect social ranks in a society to the achievement of politically desirable virtues, there would be a competition between citizens over their contribution to the common good. This is something Plato and Aristotle had in mind, and is certainly welcome from the perspective of modern political philosophy and practice.

Liberalism in the 18th century had similar ideas. For the development of a liberal community one does not need a new kind of human being; rather all the shortcomings and weaknesses of human beings as they are could be useful in the attainment of this goal. This is what Kant had in mind when he called human beings the "crooked wood." But being an optimist, Kant acts on the assumption that even evil (for example avaricious and egoistic) motives could have positive consequences. For Kant, nature is designed to make harmony spring from human discord, even against the will of man.[66] Competition is enough to erect the high house of a harmonic society by making use of the human weaknesses. Contemporary political philosophy does not necessarily share Kant's optimism (that also influenced Hayek). But the main point still pertains: it should be on the political agenda that we use everything which motivates human beings to implement normative ideals, even our unsocial instincts. We should, therefore, also give *prima facie* unsocial motivations and dispositions a chance of expression in case they turn out to be useful in the long run.

Anthropology can contribute to this by showing us which dispositions need to be controlled, and evolutionary sciences can show what inherent logic we have to deal with if we want to control them. Understanding this inherent logic does not entail trusting in a self-developing selection process which will reach a desirable outcome steered by an "invisible hand." The bottom-line of evolutionary theory is that evolution is not goal-oriented. But evolution is *compatible* with the stipulation of

[66] Kant 1776, 143.

goals,[67] as Darwin made clear with reference to the breeding of domestic animals and useful plants (at beginning of his *Origin of Species)*. If selection is goal-oriented, by, for example, the breeding program of a cultivator, it may lead to the desired result.

But now there are two conditions one has to consider if one wishes give a direction to an evolutionary process. These are the last two aspects of the conditional framework for political philosophy which one can infer from anthropology and the evolutionary sciences. Let us consider them.

(iii) In an evolutionary process, after many generations, a property (or an entity having a property) will prevail over its competitors, only if that property or that entity is better fitted than its competitors for the conditions in which selection takes place. "Prevailing" means to have more descendants in future generations than one's competitors. This also applies to cases of non-biological entities which are in an evolutionary competition. It is important for the evolutionary success of an entity to have advantages over its competitors.

How can we use this insight in a prudent way in order to control political developments? Well, we must design institutions that accord with the normative ideal *in such a way* that they could prevail over competing institutions. To use an expression of game theory: Institutions have to be "evolutionary stable strategies." That means that a strategy (behavioural rules, institutions, etc.) must be more useful for the relevant actors than any other potential strategy. We should, for example, ask how to design democracy in such a way that it is evolutionary stable within our society and cannot be annulled by extremist tendencies. To reach such a goal, prohibiting extremist parties and forbidding the self-disempowerment of the democratic parliament are wise means.

(iv)The conditions of selection itself must also be given attention. What property or entity prevails in the long run depends both on the relevant property or entities *and* on the selective circumstances. To reach convergence, one should therefore modify the conditions of selection in

[67] See Illies 2006, 81-90.

accordance with the objective. Robert Axelrod, for example, argues that children have to be educated in small groups since only in those conditions can a reciprocal altruism develop. (It is in these conditions that altruism becomes the prevalent strategy, and children can then develop the habit of cooperation). Any society needs, in order to survive, a deeply rooted altruism tying its members together. In contrast, schools without stable classes provide unfavourable selection conditions for altruistic strategies. Prudent politics should therefore avoid them as much as possible, and promote instead small, stable classes.

In this way, political philosophy can make a productive use of empirical data coming from anthropology and biological sciences: Politicians must analyse in a very concrete fashion, for each kind of circumstances, what behaviour and what institutions are generated by and compatible with given environmental conditions and political constellations. Such an analysis will heavily rely on considerations concerning what behaviours and what institutions were selected in the past. Even if we are only at the beginning of our attempt to understand the complex interrelation between nature (and its evolution) and cultural phenomena, such investigations promise to offer new insights into our practical problems. Political philosophy has to integrate the insights of anthropology and evolutionary sciences in an increasingly creative and constructive way, in order to pursue the goal of convergence between ideal and reality.[68]

References

Blackmore, Susan J. 1999. *The Meme Machine*. Oxford: Oxford University Press.

Boyd, Robert and Peter J. Richardson. 1988. "The evolution of reciprocity in sizable groups." *Journal of Theoretical Biology* 132: 337-356.

Braudel, Fernand. 1990. *Sozialgeschichte des 15.–18. Jahrhunderts, Bd. 1: Der Alltag*, München Kindler.

[68] I am grateful to Joachim Fischer, Fabian Geier, and Christian Thies for their helpful remarks. A German version of this text appeared as Illies 2009.

Büchner, Ludwig. 1869. *Die Stellung des Menschen in der Natur in Vergangenheit, Gegenwart und Zukunft*. Leipzig: T. Thomas.

Burkert, Walter. 1996. *Creation of the Sacred. Tracks of Biology in Early Religion*. Cambridge (MA): Harvard University Press).

Buss, David M. 2004. *Evolutionary Psychology*. Boston: Pearson.

Butler, Judith. 1993. *Bodies that matter. On the discursive limits of 'sex.'* New York: Psychology Press.

Campbell, Donald T. 1960. "Blind variation and selective retention in creative thought as in other knowledge processes." *Psychological Review* 67: 380-400.

Cosmides, Leda. 1989. "The logic of social exchange: Has natural selection shaped how humans reason? Studies with the Wason selection task." *Cognition* 31: 187-276.

Cosmides, Leda and John Tooby. 1992. "Cognitive adaptations for social exchange." In *The Adapted Mind. Evolutionary Psychology and the Generation of Culture*, edited by Jerome H. Barkow, Leda Cosmides and John Tooby, 163-228. New York and Oxford. Oxford University Press.

Darwin, Charles. 1859. *The Origin of Species*. Reprint in *The Works of Charles Darwin*, 15 Vols., London 1988.

Darwin, Charles. 1838. "Notebook M." Accessed December 10, 2014. http://darwin-online.org.uk/content/frameset?pageseq=79&itemID=CUL-DAR125.-&viewtype=side

Dennett, Daniel C. 1996. *Darwin's Dangerous Idea: Evolution and the Meanings of Life*. Harmondsworth: Penguin Books.

Diamond, Jared. 1997. *Guns, Germs and Steel. The Fate of Human Societies*. New York: Norton & Co.

Diamond, Jared. 2005. *Collapse: How Societies Choose to Fail or Succeed*. New York: Viking Press..

Di Gregorio, Mario A. 1990. *Charles Darwin's Marginalia*. London and New York: Garland Publishing.

Eibl-Eibesfeldt, Irenäus. 1973. *Der vorprogrammierte Mensch*. Vienna, Zurich and Munich: Molden.

Eibl-Eibesfeldt, Irenäus. 1979. "Human ethology: concepts and implications for the sciences of man." *The Behavioral and Brain Sciences* 2: 1-57.

Fichte, Johann Gottlieb. 1800. *Der geschlossene Handelsstaat*, Tübingen: .

Fischer, Joachim. 2005. "Biophilosophie als Kern des Theorieprogramms der Philosophischen Anthropologie. Zur Kritik des wissenschaftlichen Radikalismus." In *Zwischen Anthropologie und Gesellschaftstheorie*, edited by Gerhard Gamm, Mathias Gutmann and Alexandra Manzei, 159-182. Bielefeld: Transcript.

Geertz, Clifford. 1973. *The Interpretation of Cultures*. New York: Basic Books.

Gehlen, Arnold. 1940. *Der Mensch. Seine Natur und seine Stellung in der Welt*. Frankfurt: Athenäum, 1974.

Gehlen, Arnold. 1961. "Mensch und Institutionen." In Arnold Gehlen, *Anthropologische Forschung*, 69-77. Reinbeck: Rowohlt.

Gehlen, Arnold. 1962. "Post-Histoire." In *Zur geisteswissenschaftlichen Bedeutung Arnold Gehlens*, edited by Helmut Klages and Helmut Quaritsch, 885-895. Berlin: Duncker & Humblot.

Gehlen, Arnold. 1964. *Urmensch und Spätkultur*, Frankfurt: Athenäum.

Gehlen, Arnold. 1969. *Moral und Hypermoral*, Frankfurt: Athenäum.

Haeckel, Ernst. 1875. *Natürliche Schöpfungsgeschichte*, Berlin: Gerg Reimer.

Haidt, Jonathan. 2001. "The emotional dog and its rational tail: A social intuitionist approach to moral judgement." *Psychological Review* 108: 814-834.

Haidt, Jonathan. 2003. "The moral emotions." In *Handbook of Affective Sciences*, edited by Richard J. Davidson, Klaus R. Scherer and Hill H. Goldsmith, 852-870. Oxford and New York: Oxford University Press.

Hamburg, David A. 1971. "Psychological studies of aggressive behaviour." *Nature* 230: 19-23.

Hamilton, William D. 1964. "The genetical evolution of social behaviour." *Journal of Theoretical Biology* 7: 1-52.

von Hayek, Friedrich A. 1960. *The Constitution of Liberty*. London: Routledge.

von Hayek, Friedrich A. 1969. *Freiburger Studien*. Tübingen: Mohr, 1994.

von Hayek, Friedrich A. 1973. *Law, Legislation and Liberty. Vol. 1: Rules and Order*. London: Routledge and Kegan Paul.

von Hayek, Friedrich A. 1976. *Law, Legislation and Liberty. Vol. 2: The Mirage of Social Justice*. London: Routledge and Kegan Paul.

von Hayek, Friedrich A. 1996. *Die Anmaßung des Wissens: Neue Freiburger Studien*, Tübingen: Mohr.

Hodgson, Geoffrey M. 2004. *The Evolution of Institutional Economics: Agency, Structure and Darwinism in American Institutionalism*. London and New York: Routledge.

Hodgson, Geoffrey M., and Thorbjorn Knudsen. 2006. "Why we need a generalized Darwinism, and why generalized Darwinism is not enough." *Journal of Economic Behavior and Organization* 61: 1-19.

Holloway, Carson. 2006. *The Right Darwin? Evolution, Religion, and the Future of Democracy*. Dallas: Spence Publishing Company.

Hösle, Vittorio. 1999. *Moral und Politik*. München: Beck.

Hösle, Vittorio and Christian Illies. 1999. *Darwin*. Freiburg: Buchner.

Huntington, Ellsworth. 1915. *Climate and Civilisation*. New Haven: Yale University Press.

Huxley, Thomas Henry. 1873. *Evidence as to Man´s Place in Nature*. New York: D. Appleton & Co.

Illies, Christian. 2005. "Darwin's Apriori Insight: On the Status of the Principle of Natural Selection." In *Darwinism and Philosophy*, edited by Vittorio Hösle and Christian Illies, 58-82. Notre Dame (IN): University of Notre Dame Press.

Illies, Christian. 2006. *Philosophische Anthropologie im biologischen Zeitalter*. Frankfurt am Main: Suhrkamp.

Illies, Christian. 2009. "Die Bedeutung von Anthropologie und Evolutionswissenschaften für die politische Philosophie." In *Politische Anthropologie. Geschichte, Gegenwart, Möglichkeiten*, edited by Jörke and Ladwig, 197-231. Baden-Baden: Nomos.

Kant, Immanuel. 1776. *Perpetual Peace: A Philosophical Essay*, translated with Introduction and Notes by M. Campbell Smith, with a Preface by L. Latta. London: George Allen and Unwin, 1917.

Kleeberg, Bernhard and Tilmann Walter. 2001. "Der mehrdimensionale Mensch. Zum Verhältnis von Biologie und kultureller Entwicklung." In *Die List der Gene. Strategeme eines neuen Menschen*, edited by Bernhard Kleeberg, Stefan Metzger, Wolfgang Rapp and Tilmann Walter, 21-72. Tübingen: Narr.

Lorenz, Konrad. 1935. "Der Kumpan in der Umwelt des Vogels. Der Artgenosse als auslösendes Moment sozialer Verhaltungsweisen." *Journal für Ornithologie* 83: 137-215 and 289-413.

Lorenz, Konrad. 1974. *Das sogenannte Böse*. München: DTV, 1983.

Lumsden, Charles J. and Edward O. Wilson. 1980. "Translation of epigenetic rules of individual behavior into ethnographic patterns." *Population Biology* 77: 4382-4386.

Markl, Hubert. 1986. *Evolution, Genetik und menschliches Verhalten*. Munich ad Zurich: Piper.

Montesquieu, Charles de. 1748. *De l'esprit des lois*. Geneva: Barrillot et Fils.

Moore, George Edward. 1903. *Principia Ethica*. Cambridge: Cambridge University Press..

Pinker, Steven. 1997. *How the Mind Works*. London: Norton, 1999.

Plotkin, Henry C. 1993. *Darwin, Machines and the Nature of Knowledge*. Cambridge: Cambridge University Press.

Rauscher, Frederick. 1997. "How Kantian can Accept Evolutionary Metaethics." *Biology and Philosophy* 12: 303-326.

Reckwitz, Andreas. 2006. *Die Transformation der Kulturtheorien. Zur Entwicklung eines Theorieprogramms*. Weilerswist: Velbrück.

Ridley, Matt. 1996. *The Origins of Virtue*. Harmondsworth: Penguin Books.

Rousseau, Jean-Jaques. 1755. *Discourse on the Origin and the Foundations of Inequality Among Men*. Translated by Ian Johnston. eBooks@Adelaide. Accessed December 10, 2014. https://ebooks.adelaide.edu.au/r/rousseau/jean_jacques/inequality.

Ruse, Michael. 1988. *Philosophy of Biology Today*. New York: SUNY Press.

Scheler, Max. 1928. *Die Stellung des Menschen im Kosmos*. Bern: Francke,1975.

Seligman, Martin E. P., Joanne. L. Hager. Eds. 1972. *Biological Boundaries of Learning*. Englewood Cliffs (NJ): Prentice Hall.

Sober, Elliott. 2000. *Philosophy of Biology*. Boulder: Westview Press.

Thies, Christan. 2007. *Arnold Gehlen zur Einführung*. Hamburg: Junius.

Toulmin, Stephen. 1972. *Human Understanding. Vol. 1*. Oxford: Clarendon Press.

Trivers, Robert. 1985. *Social Evolution*. Menlo Park (CA): Benjamin Cummings Publishing Company.

Voland, Eckart. 1999. "Das Verhalten des Menschen." In *Phänomen Mensch*, edited by Brockhaus, 548-579. Leipzig and Munich: Brockhaus Verlag.

Wetzel, Manfred. 2004. *Praktisch-Politische Philosophie. Vols. 1–3*. Würzburg: Königshausen & Neumann.

Wilkinson, Gerald S. 1984. "Reciprocal food-sharing in the vampire bat." *Nature* 308, 181-184.

Wilson, Edward O. 1978. *On Human Nature*. Harmondsworth: Penguin Books, 1995.

Realism, Human Action and Political Life. On the Political Dimension of Individual Choices

Gabriele De Anna

1. Realism and Political Philosophy

Discussions about realism are a characteristic trait of the last few decades of philosophical debate in the analytical tradition.[1] These debates have opened the way to a return of realism in many areas of philosophy and in different philosophical contexts.[2] Starting in the areas of metaphysics, epistemology and theory of cognition, discussions about realism have reached into philosophy of cognition, theory of action, theory of normativity (Dancy 2003) and ethics (Brink 1989; Smith 1994; Audi 2013).

The fields of theory of action, theory of normativity, and ethics are closely linked to political philosophy. Hence, discussions about realism should have important implications for political philosophy. These implications, however, are generally overlooked, with a few recent exceptions (Audi 2011; Groff 2013). In political philosophy, the leading paradigm is still dependent on the social contract tradition, and on the conception of human action which goes with it. According to this conception, human action is directed towards ends set by our psychological makeup, and reason has a purely instrumental role in reaching those ends. The political implication is that we can be free in a negative sense: i.e., to the extent that we have no internal or external constraints jeopard-

[1] Brock and Mares (2007) offer an overview of the debate. A paradigmatic example of the centrality of problems related to realism in contemporary philosophy is the work by Hilary Putnam. See De Anna 2001.

[2] Maurizio Ferraris has spoken of a "new realism" as a characteristic feature of contemporary philosophy at large (2012). His claims opened an interesting debate in Europe: cf., for example, Ferraris and De Caro 2012 and Gabriel 2012 and 2013.

izing the attainment of our ends.[3] Political power is hence always a burden to our freedom, although it might be a necessary one. These views about individual freedom and political power have important implications concerning the reasons which keep us together in a political community and, hence, on the ontological consistency of the political community.

This conception of human action has marked the social contract tradition from the times of Hobbes and is rooted on the naturalist metaphysics underpinning that tradition: it accounts for human action without the need to introduce "queer" properties in the world, e.g. values, norms, *teloi*, goodness, ideas, etc. This view still prevails in the contemporary leading paradigm of political philosophy due to the great influence of the work of scholars such as John Rawls.[4] It still recommends itself in the political arena, since it promises to grant political neutrality and to avoid all conflicts: it grants to each individual the possibility of acting according to his or her conception of the good, by trumping any attempt to offer an objective characterization of the good, which might have a claim to be imposed on everyone. On this view, the implication is that discussions about the good in political contexts (and by that I mean both in political philosophy and in political practice) should be avoided. Any claim about the good – it is said – would have disastrous, totalitarian implications, if brought into the political arena. Debates about realism, hence, are acceptable all the way up to moral philosophy, but should not be allowed to enter the realm of political discourse. The point is that political life is meant to bring about peace and agreement, by mediating among different perspectives of the good. In order to do this – it is usu-

[3] On this acceptation of the term 'negative freedom' and on its role in the social contract tradition see (Castellano 1993, 25-43; Ferry 2002).

[4] The claim that Rawls is committed to a negative conception of freedom could seem dubious. He openly claims (1971, 201 and ff.), indeed, that he wants to remain neutral about what freedom is, and that he accepts both conceptions of freedom (negative and positive) described by Benjamin Constant. However, Constant redefines the classical terms 'positive freedom' and 'negative freedom' from the political point of view, on the basis of assumptions about a conception of action and of practical reason (one typical of his time) which takes individual freedom to be merely the absence of internal or external constraints. Rawls follows Constant in this, as it is clear from the pages which immediately follow the reference to him.

ally thought – references to the good should be limited as much as possible, in order to avoid the possibility that theoretical disagreement might result in practical disagreement and ultimately in social conflict.

In this essay I would like to counter this implication, by making some considerations about the relevance of realism in action theory and in ethics for political philosophy. I will claim that the premises which are normally taken to ground the above implication are not warranted: considerations about action theory and normative theory suggest that – contra the leading paradigm – our practical reason is not purely instrumental (section 2) and political power is not necessarily a constraint to our freedom (sections 3). In my view, this calls for a revision of the ontological status of political communities (section 4), and suggests that discussions about the good are not only innocuous, but even required for the sake of social peace (section 5).

2. Human Action, Reasons and Normative Realism

What is a human action? By action I mean the control over one's causal powers which one can be understood to own and be held responsible for. As Elisabeth Anscombe (1957) famously noted, an action is such if there is a person who owns it. For someone to own an action means that there is someone who may respond by giving a reason to the question "why did you do that?" For example, a person gives some money to a beggar on the street and we ask him "why did you do it?" He can answer, for example, "because he's hungry." I say that he *can* answer so, because sometimes the person interrogated could lie and hide the reasons that she had.

We can grasp the full meaning of this definition of action if we think of cases where one does something, but that doing cannot be said to be, strictly speaking, one's action. Suppose that, without realizing that there is a friend of mine behind me, I turn around and accidentally slap her on her face. "Why did you slap her?," someone might ask. "I did not *slap* her," I would answer, "I just bumped onto her accidentally." In these cases, we would also refuse responsibility for what happened: to the question "why have you hurt her?" we would answer "It was not my

fault." Further, the person affected could not be angry to us, at least as far as she is rational.

It follows that a human being does what he does as human being (and not as a mere body that occupies space and moves) because he is guided by reason, and, therefore, is rational. Of course the amount of rationality that we need to claim that one owns certain actions and is responsible for them is pretty minimal, to use a term introduced by Robert Audi (2001, 50). Rationality is minimal in this sense: When we say that a person is rational in order to stress that she is "in herself," that she does not do things that are out of control, as when, for example, she acts under the causal influence of narcotics. We can imagine in such a case that when she wakes up – someone else can ask "is she rational *now*?". Rationality, in this sense, admits of weaker or stronger degrees to which a person or a belief can be rational. This definition of rationality can simply involve consonance with reason, or it can involve a stronger commitment to finding out truth and doing good. This distinction between degrees of rationality intersects with my argument to follow, but I will not have the space to discuss these intersections here. I am persuaded, however, that the notion of reason for action that I am employing applies across the board, even in the case of minimal rationality.

Reasons for actions have an objective side and a subjective side. The objective side depends on the fact that reasons purport to give a description of states of the world. In the example above: "he is hungry," i.e. a description of a state of the world is given as a reason to explain an action. This state of the world is not by itself a reason, however, and – besides other things – it must be *seen as a reason* by a subject in order to be such.

A key feature of the instrumentalist view about practical reason which underpins the leading paradigm of political philosophy, as mentioned in section one, is that it takes this subjective facet of reasons as proof that a reason is the conjunction of an objective element – a belief about states of affairs – and a subjective element – typically a desire concerning the relevant states of affairs (Davidson 1963). This leads to the view that our reason can rule our beliefs, without thereby being necessarily able to affect our agency: only if a relevant belief is also in place,

can reason affect our agency. This is why reason is only instrumentally relevant in satisfying desires, which are set independently from it.

The desire-belief analysis of reasons is particularly appealing to naturalistically oriented philosophers, since it seems to account for many morally relevant aspects of our experience, without committing one to the existence of moral facts or normative features of reality. Desires – i.e., perfectly natural features of our psychology – would explain normative features of our behaviour. Hence, this account of reasons is normally accompanied by some form of moral anti-realism. This view is now far from gaining a large consensus (Dancy 2003, Vogler 2002), however, there are still important grounds for complaint, as follows: If the view were correct, one could have a certain belief about a moral judgment, e.g. that "action *a* is mandatory," and not have a reason not to do *a*. Indeed, reasons – under these assumptions – would be conjunctions of beliefs and desires, and one could lack the desire to *a*. This finds itself in tension with a feature of our moral discourse, namely that moral beliefs give us reasons to act even when we lack the corresponding desires.

The shortcoming of the desire-belief account of reasons for action seems to me to suggest that the fact that reasons have subjective and objective facets should not lead to an analysis which breaks reasons for action into an objective and a subjective part. Rather, in analyses of reasons for action, subjective and objective aspects should be kept together. Let us see how this can be done.

The fact that a reason for an action has a content and, then, describes states of the world, entails that reasons for actions can, on the one hand, be adequate or inadequate, and, on the other hand, are objective. They may be adequate or inadequate, since their contents can be true or false: things can be as they suppose or not: "Why have I given him some coins? Because he was hungry." But the beggar could have not been hungry, and in this case the propositional content of the reason would be false. Furthermore, reasons are objective: whether the beggar was hungry or not does not depend on the feeling or the beliefs of the agent who thought he had those reasons for acting, but on how things were in reality. Even if the fact of wanting something is given as a reason by an agent, that wanting is a reason only in so far as that agent really had that

want, and this is an objective state of the world, no matter how questionable grounding a reason on that fact might be.

So far I have claimed that the reasons which explain our actions can motivate us, and have truth-evaluable contents, i.e. they are in a way objective. This does not imply that all we do is rational, since our practical rationality can fail in two primary ways. Firstly, agents do not always know the truth values of the contents of their reasons: one may have a partial view of the situation, and thereby believe true contents to be false, or the other way around. In cases of this sort, one's reasons may turn out to be inadequate. For example, one might think one has a normative reason to do what one does, but in realty, is not justified. Secondly, the reasons which explain one's action and moves one's will might fail to really justify one's choices: one's explanatory reasons may be motivating but fail to be normative (Audi 2010). Indeed, the justification one gives for one's actions may be bad reasons, and so may not really justify these actions. "Why did you steal the bag from the lady?" Answer: "The lady seemed quite rich; I was hoping to find a rich haul." All this suggests that an agent is an agent only if she is rational (if she is guided by reasons, and therefore the effects of her movements are not purely random), but also that the rational capacity of a human agent is in many ways limited.

Above, I said that reasons may be adequate or inadequate, and that this depends on the fact that their content can be true or false. This assumes that the reasons are not simply their contents. What are they? The above example shows that a person can express her reason to act by uttering a sentence as an answer to a why-question. This suggests that a reason is a function of its content determined by the particular situation in which a sentence expressing that content can be uttered (although, the sentence does not *have to be* uttered: often we have reasons to do what we do, even if we do not express them verbally, either aloud or in an introspective form). The content of a reason represents a state of affairs, which, in the eyes of the agent, justifies her action. This fact justifies, I believe, considerations about the conditions of its possibility, both on the subjective and on the objective side. A state of affairs can be seen as a reason by an agent, since that state of affairs is recognized as having some order – i.e., as something positive and good – but it is seen as an

order or an asset that is deficient in some ways and that can be improved by the agent herself. A reason for an action, then, expresses a way in which that action realizes a good, the possibility of which is recognized by the agent in reality. In our example, the utterance of 'he is hungry' can be seen as giving reason if these conditions are met: (i). There is an individual, i.e. a human, which is recognized as having an intrinsic order (e.g., being a living organism, with a digestive apparatus needing food) and being worthy as such; (ii). The individual is recognized as being deficient in his order (e.g., lacking the food he needs); (iii). The agent realizes that he has the power to complete the lack of order in that individual.

To say that the end of human action is a good is not to support an overly optimistic outlook on human nature, but only to recognize a feature of our agency which is compatible with our fallibility: the good sought by the agent is such in his view, but he can fail in the recognition of the good for the two kinds of limitations of our rationality seen above. The claim that the agent seeks a good by recognizing and completing an order which is already partially realized in reality can help us explain better the sources of our limitations. Indeed, the information on the basis of which an agent recognizes an order in reality and a way of improving it may be defective in ways which undermine the normative reasons one thinks that one has. For example, I believe that something is a living organism which needs food, but it is really just a sophisticated robot which only needs electric charge. Similarly, one might be defective in their subjective response to the lack of order to be found in reality and to the possible ways of improvement. So one might recognize that someone else needs food, and see providing him some spirits as the best way to make up for that. In both cases, one does not have the normative reasons one thinks one have.

So far I have highlighted connections between reasons for action, goods, and normativity. These notions can be interpreted in a moral and in a non-moral sense. There might be reasons, goods to be achieved, and normative grounds for incompatible directions of action. We have reason to follow, achieve and consider only *all things considered* reasons, goods, or normative grounds, respectively. Furthermore, not all *all things considered* reasons are moral: I may have a reason to go for a walk (e.g., it

may be just that I desire it), without that being a moral reason. A moral reason is one that is seen by the agent as requiring an obligatory response from him, as from any other rational agent who happens to be in a situation similar in relevant ways. Where the border between the realm of non-morally relevant and morally relevant reasons lies depends on what the agent sees at good, and, consequently, it might or might not be justified.

The conclusion we have reached shows that human action is in a sense intrinsically normative: not in the sense that it can be always explained by reasons which are normative, but in the sense that it can be explained only by reasons that the agent fallibly beliefs to be normative. This leads to a form of normative realism: the grounds of normativity – a partial order and ways of implementing it – can be found in reality. However, this is an epistemically moderate sort realism: the good as such can only be recognized from the point of view of an agent and practical rationality of agents is fallible, as we have seen. Let us now look at practical fallibility in further depth.

"Video meliora proboque, deteriora sequor," as Ovid wrote: our practical fallibility is a common human experience of all times. The point is that our practical rationality is limited, and the study of its limitations is one of the major contributions of contemporary moral philosophy. Firstly, there are the epistemic limitations we have already considered above: an agent always has a practical vision of the situation in which she acts, and facts which elude her recognition could be relevant for her choices. Secondly, our practical reason is not just a form of reasoning, but it is a network of cognitive and volitional capacities which include both reasoning and insight. Often, we just see what is good or bad, without having to reason about it. The interaction between these faculties offers several occasions for failure. Thirdly, we often have different reasons suggesting different courses of action and must choose between them. Our choice can be less than fully rational because of our epistemic limitation, but also because of the influence that our desires and our habits exercise on our deliberative processes. Virtue theory is relevant in this connection: our habits are virtues when they enable reliable rational deliberative processes in us, and shape the structure of our desires in ways which are conductive to recognizing and following good reasons for action. Habits

are also important in shaping our insights about good and evil, and in establishing the weight we give to different reasons in our deliberative processes. Fourthly, and finally, we are free to act against our best judgments, even if our tendency to rationalize our bad deeds suggests that thus acting violates and forces our nature in important ways.[5]

3. Politics as Something We Do

The limitations of our practical rationality suggest important ways in which our agency is connected to, and depends on, the communities to which we belong. First, communities contribute to the constitution of our moral identity; second, communities can help our moral flourishing; third, communities can be burdens to our flourishing. Let us consider these points in turn.

Communities contribute to the constitution of our identity in two main ways (De Anna 2012b, Chs. 3 and 4). First, our practical rationality depends on our linguistic abilities, and our linguistic abilities are shaped by community-based linguistic norms. Furthermore, pragmatics has shown many ways in which our community-normed language can create rituals and social facts which are both contents of our practical deliberations and grounds for our practical judgments. Second, our habits, our virtues and our vices, are largely influenced by the education we received and, even as adults, by the social environment in which we live. However communities *shape* our moral identities, they do not *determine* them: our practical rationality and our freedom are constitutive of us in ways that a community cannot change.

Communities can help us to improve our practical rationality for at least two reasons. First, they furnish us with rules for interpreting moral reality which are the result of long traditions and often survived because they were good-conducive. This puts us in a better position than we

[5] This fourth point is only available to compatibilists and libertarians about free will. I think that an acceptable conception of free will must lay in one these two families of positions, since I believe that deterministic conceptions of action fail to account for our experience of freedom and for our moral experience: two sections of our experience which are too basic to be bracketed away. I will not argue for this point here, however.

would be in if we had to start moral reasoning from scratch. Second, in communities we have to confront views of the good different from our own, endorsed by others: this forces us to press our epistemic limits and to improve our outlook of reality, and pushes us to develop our reasoning abilities for the sake of being able to justify our choices to others (Mill 1859, Ch. 1).

Communities can, however, also be burdens to us: if we grow up in an abusive context we might develop quite distorted conceptions of what is good, and even in adult life, by being embedded in vicious social contexts, we might end up acquiring habits which put our capacity to recognize and respond to good reasons at risk.

The political community has a special role – among other communities – in shaping moral individuality. We can distinguish various kinds of community, depending on the purpose for which they exist and for which humans form or remain in them. The political community is different from other communities, since it does not exist for a particular purpose: the family is formed for the sake of everyday life (procreation and mutual support), an entrepreneurial society for the sake of a certain business, a sports club for practicing a certain sport. The political community, however, has no particular purpose of this kind. Why does the political community exist? We can note that by being in the political community we can do, at our best, anything we want to do. The political community helps us to excel in what we want to do. This means that it helps us to be better agents. The purpose of the political community, therefore, is to help us to develop our practical rationality, and it survives and keeps existing to the extent that, at least in a limited way, it fulfils this function (De Anna 2012a, Ch. 2).

These claims are relevant both at the descriptive and at the normative level. What the political community does, and what it must do, is perfecting us. This is not a conceptual confusion, but it is a necessary consequence, once we have abandoned the Humean assumption that human action is reducible to the combination of a desire and a belief. Since the political community is the result of our actions, it can only be understood as a good, a reason we have to stay together. The aim of perfecting its members in practical rationality is therefore what causes a political community to be what it is, and what allows us to identify it as an "ob-

ject." Being a functional object, the political community has an end which is both the principle of identity and the normative ground for the choices that the community needs to make. Hence, its aim is also a criterion for assessing a community.

This account of the political community also explains a fact of our experience: the political community is superordinate to other communities, since it assesses whether and how they carry out their tasks, and rules them. All communities are outputs of our actions. Since the political community aims at allowing us to do what we do at our best, it will also help us to make the most of the actions with which we constitute other communities. Hence, the political community also perfects other communities. To do this, it will have to take a stand about what is good for each of them, and it will have to rule them.

Authority is the mode through which the political community achieves its end (Green 1990). By "authority," I mean that the political community cannot use mere power, contra a common assumption of the social contract tradition: its ability to act is based on the recognition, on the part of its members, that it pursues a good and that it is reliable. Hence, authority is based on consent, seen as a rational recognition of a good, not as an option for any project whatsoever. This does not mean that every individual will agree with any decision of the authority. Rather it means that, although we can often be critical of the institutions and their decisions , we continue to think that, for the role they have taken in the course of their history, they are still worthy of our trust and that it is more rational to follow their prescriptions than to ignore or dismantle them. Authority is therefore not followed because it uses force (although sometimes it will also have to do that) and its exercise is always morally qualified, the criteria being whether it achieves a good that the community can share and whether there is a normative reason for its decisions. The choices of authorities can be good or bad.

To say that the political community should help its members to recognize and pursue the good does not mean that it should always enforce what seems good on those who have a decision-making function, for two reasons. First of all, even those who are in a position to make a decision that has political significance have limited practical rationality. For this reason, they should always doubt their understanding of what is true

and good. Second, those who hold political decision-making roles should not fully enforce all the goods that they recognize, since they must also consider the beliefs and expectations of the members of the community in which they have a role of authority, for three reasons. First, they shall only impose those goods that can be recognized as such, at least by a (non-necessarily numerically) significant section of the community, otherwise authority collapses. Second, if an objective good radically transcends the possibility of recognition of the members of the community, given their epistemic level, imposing it would de-humanize those on whom it is imposed. Human action is based on the ability to act freely and rationally. To impose an end on someone's action when one genuinely cannot recognize that good as such, despite one's sincere efforts, would amount to forcing one to act against what one sees as good and that kind of action would be to treat them as non-human. Third, even in the case of agents who want to do what they recognize as evil – i.e., who want to use their freedom in dubious ways, political authority must sometimes tolerate evil, in matters of no great moral weight: the growth of moral identity can sometimes require the experience of pain and the sense of defeat or loss that follows from moral failure. Accepting minor evils can lead to greater goods.

These observations on the nature of the political community suggest that the community is something we do, and something we have a reason to do, i.e. something which we see as good for us, since it helps us to reach a practical good which is such for all of us, i.e. the common good. The recognition and the pursuit of that good cannot be decided in the abstract, but only in the historical circumstances of the life of a community, i.e. from the point of view of the agents who give rise to the community or keep it existing by consenting to it. The upshot is that a certain plurality of visions of the good can and should be accepted, according to the concrete historical circumstances of the community. The structure of the community, i.e. the features of all the individuals who constitute it and the arrangement of the kinds of humans that thereby shape it, define the range and the scope of the common good which a political community can recognize and seek.

4. Moderate Political Realism

We have seen that the notion of a good is fundamental in shaping the choices of individual agents and in constituting the communities that individuals give rise to, including the political community. This epistemically modest moral realism marks a considerable distance from the leading paradigm of political thinking, according to which political societies are aimed only at peace, seen as the end of conflict, i.e. at allowing people to satisfy at the highest possible degree their desires – or whatever pro-attitudes they might have – under the assumption that those desires are the rulers of reason, and are not ruled by it. By contrast, the role that I have attributed to the good in human action suggests a quite different outlook concerning the relation between individuals and political communities. Political communities turn out to be more ontologically consistent than the leading paradigm suggests. Moral realism leads to a form of political realism.

Given the role of the good in shaping individual action and, hence, political consent, when political authority takes a position on a certain issue, such a commitment is seen as a moral judgment by the members of the community, and, thereby, it will influence their perception of the good and their moral reasoning. Similarly, when authority does not take a stand about a certain moral issue, even its silence will have a moral role, since it will be read – for example – as the statement that all alternative courses of action are morally on a par with this one. The silence of authority, then, is not neutral, but it has moral significance.

This conclusion indicates that there is a quite strong tie between the political sphere and the individual sphere. The nature of the political community suggests various ways and different forms in which individual choices can influence the political sphere. In general it can be observed that, if, as we have seen in the last paragraph, the end of the political community is the good and the true, and if, as we have seen in the second paragraph, the goal of the individual is the good, then every human action is, in principle, politically relevant and therefore has a political dimension. This does not mean, of course, that every human action must conform to a political decision or, still less, that it must depend on one: it just means, on the one hand, that each action can be evaluated by

political authorities and, secondly, that the mere fact that an action is performed calls for a public, political recognition of its legitimacy.

We could say that the moral identity of an agent is shaped (though not determined) by his membership to a community, and primarily to a political community. Moral individuality is politically significant because the actions to which it gives rise, in their individuality and particularity, question, challenge and test the notion of the good that is recognized by the political community through the functions of its legitimate authority.

This link between the individual and the public or communitarian dimension is also realized in other forms of community. Think of the linguistic community at large. The linguistic act with which one makes a promise is effective if it follows a certain ritual: for example, the person who performs it should pronounce the words with a serious tone, looking at his interlocutor in the eyes, without laughing or making strange gestures in the meantime. Now suppose that I want to accomplish effective speech acts in order to produce a promise, but I do not follow the ordinary ritual. Of course, my actions will not deviate too much from the original ritual because otherwise my gestures would be ineffective. But suppose that I begin to perform acts that are intended to be valid only if, while I utter certain ritual words, I jump up and down. Among my friends, the rumour might spread that I give that meaning to this kind of acts and they may begin to use the same ritual. My new ritual might eventually be accepted by the entire community (and thereby acts which follow it will be accepted in the eyes of all members of the community) only if my new rule is universally accepted, that is if it gives birth to a recognized alternative of the rite of promising. My claim that one can promise in a certain way, in short, cannot be limited to my actions, but must have a "public" recognition.

The case of the political community is different from that of other communities, due to the specific features of the political community: its direction to a good pertaining to all. An action done by a member of a political community has a claim to be recognized as good or at least neutral by the whole community. We have seen that political authority may have to tolerate evil actions for the sake of avoiding greater evils. This silence can be read in an ambiguous way by the members of the community. Nevertheless, when one wants to do X, one thinks that X is good

or neutral, and one cannot therefore be satisfied if the authority lets someone do X for the sake of *mere tolerance*: she expects the recognition of the goodness or neutrality of X. For this reason, the acceptance of a plurality of mutually incompatible positions about the distinction between what is morally neutral, what is morally obligatory or permissible, what is tolerable and what is not tolerable will always be an unstable position, which calls for a solution to the epistemic and social problems which sometimes justify it. In short, political authority cannot but compromise itself about truth and about the good.

The upshot of this is that by deciding to regulate a certain kind action or not to regulate it, authority cuts spaces of privacy from the realm of the public. The realm of privacy is then defined by the range of actions which are considered morally indifferent or tolerable. The realm of the public is that concerning matters in which authority judges that actions of members must be regulated. The sphere of moral indifference is filled with reasons that an agent is not obliged to respond to. The sphere of the tolerable is filled with reasons that an agent is obliged to respond to, although political authority judges that it is not reasonable to impose that obligation. The sphere of the public is filled with reasons that every rational agent has an obligation to respond to and such that authority judges necessary to enforce a response to them.

As we have seen at the end of the second section, the border between the domains of morally relevant and morally neutral reasons depends on the perception of the good of each individual agent. Given that the political community is something done by individual members in the ways considered in section three, the border between what is permissible, what is tolerable, and what must be publicly enforced cannot be set *a priori*: it depends on the perception of the good of the members of the community, on their shared traits – that is, their shared character and habits, and on the notion of a common good that they, as a political community, have reached at a certain point of their historical trajectory. This is not to say that such a distinction has no criteria of correctness: as we have seen, authority can persist and strengthen itself to the extent that it can reliably conduct its members to the good. The point, however, is not trivial. It suggests that we cannot expect that communities with different existential trajectories recognize the same borders between the

private and the public, between what is morally indifferent or at least tolerable, and what is to be ruled. Like the good, an explanation of an action can only be recognized from the point of view of the agent, and just as an agent's response depends both on his rationality and on the features of his moral identity, so the common good of a community can only be practically recognized from the point of view of the community, i.e. from the point of view of its members. The moral identity of the members, however, is shaped, although not determined, as we have seen, by the political community in which they live. We can now add that habits and moral individualities are not homogenous within a community: any community has an internal articulation of groups and sub-communities which is the result of its historical development. In a way, the articulation of a community constitutes its individuality. Just as human individuals can recognize the goods to reach towards with their actions only from the points of view of their moral individualities, so a community can only recognize the common good which can be accessed from the point of view of its articulation.

The conclusion we have reached constitutes a sort of moderate political realism: it takes political communities to have a certain degree of ontological consistency. The tie which binds the community together is the fit between the habits and the moral individualities of its members and the articulation of the community. This marks an important difference from the view of society supported by the leading paradigm: according to that view, individuals are independent atoms united only by the need for protection and by the desire to maintain the highest possible degree of independence. Virtually any set of rational beings can be bound together in that way. By contrast, my view purports that only humans suitable for a certain community can find a place where they fit in its articulation.

The suggested realism, though, is moderate. By this I mean that the unity of the political community cannot be overstated. The bond is not such that it can ontologically determine its members. One is what one is – i.e., a rational agent with certain individual features – even if one does not remain in one's community. According to the point of view that I am suggesting, a strong form of an organic conception of political entities, such as Hegel's, makes the opposite mistake to the leading paradigm.

An example is useful here to illustrate the half-way ontological status of political bonds that I propose. In our current multicultural societies, we often encounter people who have experienced abandoning their motherland and starting a new life abroad, very often in remote parts of the world. The very existence of migrants shows that the ontological status of a person is not determined by her motherland(s). Migrants can go somewhere else and live a rich and fulfilling life, a life which is very often – and this is usually what they hope when they leave – much better than the life they could have expected in their motherland(s). However, no matter how well integrated they are in their new countries, many experience the feeling that they cannot be fully understood by their new fellow citizens, and that they cannot fully understand them either. Often they search for ways of socializing or living a public life which remind them the typical modes of their homelands. It is as if their habits and their ways of responding to situations of life were tuned for a certain form of social and political life, and they keep looking for it. As is typical for human affairs, this is not universally true, and there are cases of people who cannot fit in their homeland and find relief in other political communities. But as usual, in human affairs, generalizations hold statistically, not absolutely. Furthermore, the very fact that someone does not fit in one's homeland and has to flee shows that a fit is required for a functional and successful relation between individuals and political institutions. Hence, even if we are not ontologically made to be in our communities, in a sense we are shaped by them and for them.

5. The Good in Political Discourse

I started off by pointing out that, according to the leading paradigm, talking about the good in political contexts should be avoided, because it can fuel disagreement, whereas politics should seek the end of conflict. This normative implication is normally grounded – among others – on two premises: (i). That the ends of human actions are not ruled by reason, but by desires which are potentially divergent and irreconcilable across different people; (ii). That political societies are formed for the sole sake of maximizing desire satisfaction. In the above sections I have

supported a view of human action and the political community which denies the views of practical reason and political society proposed by the leading paradigm. This takes the ground from under the feet of the normative implication about talking of the good in politics. My points, however, set the stage for two other steps, one descriptive and one normative: I would like to claim that talking about the good in political discourse is both unavoidable and, further, welcome.

Ought implies can. So, we ought not to speak about the good in political contexts only if this can be avoided. However, the points I have made above about individual action and the political community suggest that we cannot avoid speaking about the good in political contexts. Hence, it is not true that we ought not to speak about the good in political contexts. This means that the normative implication of the leading paradigm on which I have been focusing from the beginning of this essay is not only ungrounded, it is also false. One might wonder: why do the points I made above about individual action and the political community suggest that we cannot avoid speaking about the good in political contexts? Well, recall that individual human agents aim always at what they see as good, and political communities aim always at what they can see as the common good. This implies that even if we do not use the word 'good' – or one of its derivatives or analogues – we still speak about the good when we speak about human action, individual or political. By not using the world 'good' – or one of its derivatives or analogues – we do not avoid really speaking about the good, but we speak about it in disguise.

An apt example can be found in the leading paradigm itself. That paradigm promises to be neutral about the conceptions of the good that individual citizens embrace, and affirms that political discussions should focus on other issues. At the same time, however, it cannot really allow that all conceptions of the good which can possibly be held by citizens be equally acceptable, since those which deny equal respect for the opinions of all should be ruled out from the spectrum of reasonable, acceptable positions. This claim, however, conceals a commitment toward a certain conception of the good, according to which a certain good is ranked as the highest, and as setting criteria for the evaluations of actions: this is the conception according to which the human will, or hu-

man freedom (seen as the possibility of realizing at the highest possible degree one's desires or pro-attitudes) is the highest good. My contention here is not that this conception is wrong, it is simply that it is a *conception of the good*, even if it is under disguise. My last, normative point is this: if commitment and reference to a conception of the good in political contexts is unavoidable, then political philosophy and political practice should openly discuss the good in individual and political action, rather than in disguise. There are at least three simple reasons which support this normative claim. First, as Mill pointed out (1850, Ch. 1), when a statement, a theory, or a worldview, albeit true, is passed through a processes of public scrutiny and discussion, the rational warrant and the conviction of those who hold it are strengthened. Openly discussing the good reinforces confidence in it. Second, when conceptions of the good belonging to different political stake-holders are not openly discussed, unwarranted alliances can be formed, and these are likely to lead to unexpected breakdowns, which are likely to ruin trust and cohesion among citizens. Third, when supporters of different conceptions of the good argue openly in favour of their views, they might eventually come to realize – when that is the case – that they lack knock-down arguments which might convince all fellow-citizens of their views. When this happens, members of the community can be more tolerant toward positions different from their own, since they are able to recognize that other people hold views different from theirs, and do so rationally , not as a result of bad faith or hidden agendas. Hence, trust and collaboration will increase.

The leading paradigm does not question the legitimacy of talking about the good in political contexts for mistrust of these reasons, but rather for the fear that such a talk could be dangerous and increase social conflict. I would like now to argue that this fear is totally unwarranted. Certainly, the fear would be warranted if the assumptions of the leading paradigm that we have discussed were true, i.e. if practical reason were just an instrument for the satisfaction of desires which are quite arbitrary and criterion-less, and if the political community only had the role to stop, through its power, the conflict which would certainly arise among citizens entirely guided by potentially irreconcilable desires. Indeed, in this case, if everyone were to bring their own personal concep-

tions of the good as objective and real matters that everyone else should recognize and approve, conflict would increase.

I have countered those assumptions, and the views that I have proposed in their place promise very different results. I have suggested that human reason is not just the instrument for the satisfaction of criterionless desires, but the capacity to recognize an already partially realized order in reality and to find ways to improve it. I have also contended that the political community is not just an expedient to anesthetize conflict, but it is a way to reach a common good sharable by all members of the community. If this is so, the political discussion of different perspectives of the good is not likely to increase disagreement, but to overcome it. Furthermore, disagreement would be overcome not by the imposition of arbitrary solutions to all parts through the exercise of mere power, but by the rational agreement on a sharable perspective on the good reached through a discussion concerning what is good.

The key point of the argument is that reasons have a content which presuppose the recognition of an order partially realized in reality and of possible ways of implementing it. Disagreement originates in the limitations of our practical rationality, which I mentioned in section 2. The partiality of the point of view of each individual, and the constraints which might bias our responses to the normative reasons which we might otherwise recognise, play the fundamental role in generating disagreement. Unlike desires which are deft to reason, however, our different perspectives on the good can, in principle at least, be reconciled through rational processes. The first step would be to reach a sharable description of the facts which constitute the landscape in which a decision has to be taken.

My point is not that once all the facts are spelled out properly practical disagreement will necessarily be overcome. Such a thesis would not be supported by my arguments. The account of practical reason given in section two is consistent with the possibility that two subjects might disagree about what reasons they have, even if they agree on all the relevant facts. Indeed, I claimed that there is a subjective aspect of reasons, and different subjects may respond in different ways to the same facts. If one could show that human subjects are all akin in their metaphysical structure such that they will respond in similar manners when facing the

same situations a stronger case for the possibility of agreement could be made. But I have not said anything to support that thesis in this essay. My argument here, however , does not rest on such a strong thesis. In order to reach my conclusion, it is enough to claim that discussions about the good increase the chances of overcoming disagreement in respect to strategies in which reference to the good is avoided.

My point is that if we do not try to rationally assess and compare our different perspectives on the good, the disagreement among our views will certainly be maintained, and all the sacrifices which will have to be made of the parties in order to give equal satisfactions to everyone, will be taken ultimately as unjust frustrations of one's desires. On the other hand, if we try to assess and compare our perspectives on the good, it is at least possible that some of us can correct our judgments about order in a direction leading to agreement. Even in less fortunate cases, when one does not revise one's own response to normative reasons which lead to disagreement with others, realizing that others have grounds for their reasons will make accepting this alternative reason as an obligation more tolerable. Hence, political practice *should* involve also a rational assessment and a discussion of the perspectives on the good supported by the members of the community.

It can be concluded that the debates about realism in epistemology, action theory, normative theory and ethics have important consequences on political philosophy too, and that a careful study of latter is needed.[6]

References

Anscombe, Elisabeth. 1957. *Intention*. Oxford: Basil Blackwell.

Audi, Robert. 2001. *The Architecture of Reason. The Structure ad Substance of Rationality*. New York: Oxford University Press.

[6] This essay ensues from discussions had during the workshop "Moral realism and political decisions: a new framework of practical rationality for contemporary multicultural Europe," Bamberg University, 19-22 December 2013. A previous version of the essay was presented at the workshop "Agency and Ethics," Third University of Rome, 16 June 2014. I am grateful to the participants to those two workshops for their comments.

Audi, Robert. 2010. "Reasons for Action." In *The Routledge Companion to Ethics*, edited by John Skorupski, 275-285. New York. Routledge.
Audi, Robert. 2011. *Democratic Authority and the Separation of Church and State*. Oxford and New York. Oxford University Press.
Audi, Robert. 2013. *Moral Perception*. Princeton: Princeton University Press.
Brink, David. 1989. *Moral Realism and the Foundations of Ethics*. Cambridge and New York: Cambridge University Press.
Brock, Stuart, and Edwin Mares. 2007. *Realism and Anti-Realism*. Montreal and Kingston: McGill-Queen's University Press.
Castellano, Danilo, 1993. *La verità della politica*. Naples: Edizioni Scientifiche Italiane.
Dancy, Jonathan. 2003. *Practical Reality*. Oxford: Oxford University Press.
Davidson, Donald. 1963. "Actions, Reasons, Causes." *The Journal of Philosophy* 60, 685-700.
De Anna, Gabriele. 2001. *Realismo metafisico e Rappresentazione mentale. Un'indagone tra Tommaso d'Aquino e Hilary Putnam*. Padua: Il Poligrafo.
De Anna, Gabriele. 2012a. *Azione e rapresentanza. Un problema "metafisico" del liberalismo contemporaneo*. Naples: Edizioni Scientifiche Italiane.
De Anna, Gabriele. 2012b. *Scienza, normatività, politica. La natura umana tra l'immagine scientifica e quella manifesta*. Milano: FrancoAngeli.
Ferraris, Maurizio, and Mario De Caro, eds. 2012. *Bentornata realtà. Il nuovo realismo in discussione*. Turin. Einaudi.
Ferraris, Maurizio. 2012. *Manifesto del nuovo realismo*. Rome-Bari: Laterza.
Ferry, Jean-Marc. 2002. *Valeurs et normes. La question de l'éthique*. Brussels: Université de Bruxelles.
Gabriel, Markus. 2012. *Il senso dell'esistenza. Per un nuovo realismo ontologico*. Rome: Carocci.
Gabriel, Markus. 2013. *Warum es die Welt nicht gibt*. Berlin: Ullstein.
Green, Leslie. 1990. *The Authority of the State*. Oxford: Oxford University Press.

Groff, Ruth. 2013. *Ontology Revisited. Metaphysics in Social and Political Sciences*. New York: Routledge.
Mill, John S. 1859. *On Liberty*. London: John W. Parker and Son.
Ralws, J. 1971. *A Theory of Justice*. Cambridge (MA): Harvard University Press.
Smith, Michael. 1994. *The Moral Problem*. Oxford: Blackwell.
Vogler, Candace. 2002. *Reasonably Vicious*. Cambridge (MA): Harvard University Press.

Determining *Ius* according to Thomas Aquinas. A Realistic Model for Juridical Decisions[1]

Elvio Ancona

1. The New Role of Jurisdiction in the Contemporary Juridical Universe and the Problem of the Criterion of Judgment in Determining what is Just

One of the most significant phenomena in the transformations underway in the contemporary juridical universe is the centrality that jurisdiction has taken on in States of constitutional law and in the global juridical space.[2] This is not a matter merely of its decisive role in shaping a just legal system and in applying the laws, a matter which, however, has already been highlighted by the various exponents of juridical hermeneutics.[3] Neither is it simply a matter of the new institutional role carried out by the judiciary, invested with the task of "substituting" for the legislator, a role exercised in the spaces left empty by an incomplete, contradictory, or even inexistent legislation. This role reached imposing dimensions above all in the post-war social welfare State.[4] The increased cogency of superior sources, such as the Constitution and international and supranational treatises, centred on safeguarding fundamental rights, makes the situation even more complex, creating a pluralistic and polycentric layout, on account of which, even if there were laws and these were clear and could be easily applied, oftentimes it would not be sufficient merely to refer to them in resolving the hard cases of our times.[5] In this situation, then, the

[1] The work for this publication was partially supported by the Italian National Project PRIN 2012 *L'Universalità e i suoi limiti* (prof. Loris Sturlese, National coordinator), Research Unit of the University of Udine, Dipartimento di Studi umanistici (Prof. Andrea Tabarroni, Unit coordinator), funded by the Italian Ministry of Research.

[2] Cf. Malleson 1999; Ferrarese 2002, 187 ff.; Bork 2003; Allard and Garapon 2005; Cassese 2009.

[3] Cf. Esser 1972; Zaccaria 1996. For other precedents in the post-war philosophy of law of the thesis of the primacy of judgment in administering justice, cf. Bastit 2006, especially 144.

[4] Cf. Cappelletti 1984.

[5] Cf. Garapon 1996.

judge takes on weight and importance, since he is now obliged to base himself to a much greater degree on principles and on values than on the rules, and thus finds himself restored to his classic role of procurator of justice,[6] no longer being able to be considered a mere spokesman for the law.[7]

But at this point, a grave problem emerges. Once the role of positive law has been re-dimensioned, how can the judges' discretion be oriented, and how can their whims be limited? And no less an issue, how can a just decision be guaranteed? Perhaps there are other parameters to be observed? Are there other limits to the creativity of the courts? It thus becomes necessary to answer the question regarding the criterion of judgment.

It immediately becomes evident, regarding this issue, that, to avoid the difficulties just mentioned, if this criterion cannot be subjective, neither can it be the abstract objectivity of the law. We must thus ascertain whether there exists another type of objectivity.

The Thomistic reflection on *ius* offers in this regard some interesting indications. It presents itself, in fact, as a particularly privileged observatory, since in it, too, the legal system finds in judgment its fulcrum and judgment proves to be regulated by a criterion that is not primarily the application of the law but the achievement of justice.

Achieving justice is carried out, however, in this case according to an essentially realistic kind of objectivity,[8] as shown by the definitions of *ius* as *ipsa res iusta* and of the *medium iustitiae* as *medium rei*, and as will emerge in the following pages from the study of the thought that underlies them.

In this essay, what will be firstly sought is to specify the conception of judicially-oriented law promoted by Thomas Aquinas; then, an examination of the peculiar solution proposed by Aquinas to the problem of the measure in judicial decisions will follow. So it will be possible to understand better, in its realistic objectivity, recognizable through dialectics, the meaning and role of justice in the Thomistic doctrine of *ius*.

---

[6] The reference is to the known Aristotelian representation of the judge as «living justice» (*Nicomachean Ethics*, V, 1132 a 20 ff.).

[7] The reference is to the known Montesquian representation of the judge as "the mouthpiece of the law" (*Esprit de loix*, XI, 6).

[8] On realism in the Thomistic legal thought, De Bertolis (2000, 33-34) gives particular attention.

2. *Ius* as *Ipsa Res Iusta* according to the Thomistic Conception

Let us begin then with an initial consideration. The Thomistic reflection on *ius* proves particularly interesting because for Aquinas as well, judgment, in determining what is just, carries out a leading role and carries it out precisely as an expression of justice, so that, through judgment, what is just is determined correctly not only on the basis of the application of the law, but, perhaps in an even greater measure, on the basis of the ways in which it is applied.[9] This is due, above all, precisely to the role that the first of the moral virtues[10] plays here, and thus to the close relationship that the Dominican master establishes between *iustitia, ius* and *iudicium*, since what Thomas calls *ius* is nothing other than *obiectum iustitiae*[11] and *iudicium* is *actus iustitiae*.[12]

To understand, then, how Thomas conceives the determining of *ius* it is firstly necessary to keep in mind that *quaestio* 57 *de iure* appears in the *Summa Theologiae* at the beginning of the part in the *Secunda secundae* dedicated to the virtue of justice.[13] This is a placement made to some degree necessary by the fact that, since justice, as for that matter every *habitus*,[14] is specified by its own formal object, its respective treatment could not but begin with the defining of this object, which is *ius sive iustum*.[15]

---

[9] See, in particular, in this regard, *Summa Theol.*, II-II, q. 60, a. 5 and ad 2, with the excellent comment by Villey 1987, 57-74. We note that in this present essay the Thomistic texts are cited, always by referring to the *editio optima* (cf. http://www.corpusthomisticum.org/reoptedi.html) and without mentioning each time the name of the Author, with the customary abbreviations.

[10] Cf. *Summa Theol.*, I-II, q. 66, a. 4.

[11] Cf. *Summa Theol.*, II-II, q. 57, a. 1.

[12] Cf. *Summa Theol.*, II-II, q. 60, a. 1.

[13] We are referring to the part of the *Secunda Secundae* that goes from q. 57 to q. 122 and about which – Thomas writes in the proemio – "quadruplex consideratio occurrit: prima est de iustitia; secunda de partibus eius; tertia de dono ad hoc pertinente; quarta de praeceptis ad iustitiam pertinentibus." See in this regard Ambrosetti 1974, 1-20.

[14] Cf. *Summa Theol.*, I-II, q. 54, a. 2.

[15] Regarding this endiad, it is necessary to recall how it presupposes the identification established both in the commentary to the *Nichomacean Ethics*, where it is said that the jurists "idem nominant [...] ius quod Aristotiles iustum" (*Sententia Ethic.*, V, l. 12, vv. 15-16), and in the passage of the *Etymologiae* di Isidoro (Lib. V, cap. 3; PL 82, 199) referred to in

To be able to adequately define it, yet, Thomas had to be able to distinguish its main meaning from those secondary to or derived from it. Like the *nomen medicinae,* in fact, so too *ius* is an analogous term, which possesses multiple meanings. Aquinas lists them with precision: "the term *ius* was initially given to the just thing in itself [*ad significandum ipsam rem iustam*]; subsequently it was extended to the art through which one knows what is just; then it came to indicate the place where justice is done, as when one says that someone appears *in iure*; and finally it was named *ius* also that which is established by he by whose office is responsible for rendering justice, even when what he decides is unjust."[16]

We can easily understand that it is with the enucleation of the first meaning, the main one, that we have the acceptation on the basis of which *ius* is qualified as *obiectum iustitiae*.[17] The *ipsa res iusta* is truly nothing other than the *iustum*, which for Thomas constitutes the object of the acts of justice,[18] and which is precisely identical to the *ius*.[19]

The acceptation of *ius* as *ipsa res iusta* remains, however, still somewhat mysterious and vague, telling us only that it involves "something objective"[20] and being able to refer equally to a thing, an action or a performance of a work.[21] Its meaning can, moreover, be specified precisely

---

the *Sed contra* of article 1 of this *quaestio*: "ius dictum est quia est iustum" (*Summa Theol.*, II-II, q. 57, a. 1, s. c.).

[16] "[...] etiam hoc nomen ius primo impositum est ad significandum ipsam rem iustam; postmodum autem derivatum est ad artem qua cognoscitur quid sit iustum; et ulterius ad significandum locum in quo ius redditur, sicut dicitur aliquis comparere in iure; et ulterius dicitur etiam ius quod redditur ab eo ad cuius officium pertinet iustitiam facere, licet etiam id quod decernit sit iniquum" (*Summa Theol.*, II-II, q. 57, a. 1, ad 1).

[17] Cf. *Summa Theol.*, II-II, q. 57, a. 1.

[18] Cf. *Ibid.*: "Sic igitur iustum dicitur aliquid, quasi habens rectitudinem iustitiae, ad quod terminatur actio iustitiae."

[19] Cf. *Ibid.*: "Et hoc quidem est ius."

[20] So it is for Giuseppe Graneris: "qualcosa di oggettivo e non soggettivo" (Graneris 1961, 78); so it is also for Ambrosetti: "qualcosa di reale e di obiettivo" (Ambrosetti 1974, 7). For a widespread treatment, see in any case Darbellay 1963, 59-77.

[21] Cf. Delos 1932, 231, n. 1; Darbellay 1962, 68; Ambrosetti 1974, 7 (all of which refer to the *Summa Theol.*, II-II, q. 61, a. 3). See also Finnis 1996, 223: "per 'cosa,' come si chiarisce dal contesto, egli [l'Aquinate] intende atti, oggetti e rapporti in quanto oggetto di relazioni di giustizia."

by considering the implications of the fact that, as we have just seen, it proves to coincide with the *obiectum iustitiae*.

Justice, in fact, is in turn defined as "the habit through which – with constant and perpetual will – one's own right [*ius suum*] is attributed to one."[22] Now, - Thomas writes a little further on – "it is said to be own of each person that which is due to him according to a proportional equivalence [*quod ei secundum proportionis aequalitatem debetur*]."[23] One deduces that the *ius*, the *ipsa res iusta*, is that which is each individual's "own," not inasmuch as it is already possessed, but inasmuch as it is due him by others. With one important clarification: *secundum proportionis aequalitatem*. Aquinas also defines it thusly: "that is said to be just in our activity what is proportional to the other according to a certain equality [*quod respondet secundum aliquam aequalitatem alteri*];"[24] or thus: "*ius,* or *iustum,* is a work adequate to the other according to a certain equality [*aliquod opus adaequatum alteri secundum aliquem aequalitatis modum*]."[25]

It must not, however, be understood in the sense of a *facultas*, the subjective power or right of each person over that which is due them, nor does it seem that this could be considered even as one of the secondary meanings of *ius,* like some scholars[26] retain on the basis of an interpretation with a fairly long lineage.[27] While it cannot be denied that occasionally Thomas has used the term *ius* in this sense,[28] he not only

[22] "[...] iustitia est habitus secundum quem aliquis constanti et perpetua voluntate ius suum unicuique tribuit" (*Summa Theol.*, II-II, q. 58, a. 1).

[23] "Hoc autem dicitur esse suum uniuscuiusque personae quod ei secundum proportionis aequalitatem debetur" (*Summa Theol.,* II-II, q. 58, a. 11).

[24] "[...] illud enim in opere nostro dicitur esse iustum quod respondet secundum aliquam aequalitatem alteri" (*Summa Theol.,* II-II, q. 57, a. 1).

[25] "[...] ius, sive iustum, est aliquod opus adaequatum alteri secundum aliquem aequalitatis modum" (*Summa Theol.,* II-II, q. 57, a. 2).

[26] Cf., to quote the most representative ones: Hering 1939, 295-297; Thomas 1956 (*Introducción* by T. Urdánoz), 187 ss., 196 ss.; Lamas 1991, 317 ff.; Finnis 1998, 132 ff.

[27] Cf. F. De Vitoria, *Comentarios a la Secunda Secundae de Sancto Tomás*, q. 62, n. 5; F. Suarez, *De legibus*, l. I, c. 2, n. 5. See, on this point, Folgado 1960.

[28] Hering 1939 has identified fourteen Thomistic passages in which *ius* appears as subjective right. This makes sense, as Tierney has observed, because "the canonists often used the word *ius* to mean a subjective right, and when Aquinas discussed the same or similar issues [...] he unreflectively borrowed their language" (Tierney 2002, 416-417).

fails to mention it in his "official"[29] list, but in all likelihood did so on purpose. It has been authoritatively recalled, in fact, that he could not have confused *ius* with the faculty to exercise it,[30] nor the limitation of a power with the power itself.[31]

But if it is not subjective right, neither is *ius* the *lex*, as is sustained by an even more ancient and venerable line of interpretation.[32] Indeed, *lex* is something other than *ius* proper. Responding to a specific question on this point,[33] Thomas states this clearly: *"lex non est ipsum ius, proprie loquendo, sed aliqualis ratio iuris."*[34] *Aliqualis ratio iuris*: many translations have been proposed,[35] but we may note that they are all linked by the idea that in this passage, *ratio* denotes the *lex* as a measure of the *ius*. *Lex*, therefore, is not the *ius*, but the measure, the principle, in reference to which the *ius* is determined by justice.

The *lex*, however, both the *lex naturalis* and the *lex positiva*, constitutes only that which one might call the "extrinsic measure" of the *ius*,[36] a measure, for that matter, common to the objects of all the moral vir-

[29] Cf., *supra*, n. **15.**

[30] Cf. Lachance 1933, 401.

[31] Cf. Villey 1969, 149.

[32] See on this matter, regarding the tradition that originates with the biblical exegesis of the Fathers of the Church, Villey 1976, 19-50. For more specific reference to the second Spanish Scholastic age, cf. Folgado 1960, I, 22.

[33] Cf. *Summa Theol.,* II-II, q. 57, a. 1, arg. 2.

[34] *Summa Theol.,* II-II, q. 57, a. 1, ad 2. It is hardly the case to recall how in the literature on the Thomistic juridical doctrine the relation between *ius and lex* has been understood in many ways: it goes from opposition (cf. Villey 1973, especially 28) to complementarity (cf. Tierney 2001, 26), to identification, by metonimia (cf. Kalinowski 1973, 64, 70, 72) or, with specific reference to the expressions *lex naturalis* and *ius naturale*, to equivalence (cf. De Bertolis 2000, 71 and n. 105).

[35] We limit ourselves here to mention the translations of the main national editions of the *Summa*: "la règle du droit" (Thomas Aquinas 1932, 14); "la norma remota del diritto" (Thomas Aquinas 1984, 32; Thomas Aquinas 1996, 446); "die Ursache des Rechts" (Thomas Aquinas 1987, 5); "cierta razón del derecho" (Thomas Aquinas 1956, 233; Thomas Aquinas 1990, 471); "an expression of right" (Thomas Aquinas 1947); "a design for a right" (Thomas Aquinas 1975, 7); "nějaký výraz práva" (Thomas Aquinas 1937-1940).

[36] Cf., in this sense, *Summa Theol.,* I-II, q. 90, *proemium*. G. Letelier Widow stresses suitably the need to discover the "extrinsic" character and not "external" of the Thomistic *lex* (Letelier Widow 2010-2011, 212-215).

tues. In addition to it, there is an intrinsic measure, exclusive to the *ius* inasmuch as it is an *obiectum iustitiae*. Precisely as *obiectum iustitiae,* in fact, the *ius* is characterised by a specific *rectitudo* proper to it, which arises *per comparationem ad alium*, and not, as occurs with the other virtues, only in relation to the moral dispositions of the acting subject. "This is why," Aquinas argues, "the object of justice, which is called *iustum*, is determined in itself [*determinatur secundum se*] in a special way with regard to the other virtues. And *ius* is, precisely, this."[37]

The *ius* is therefore determined as *aequalitas* according to a twofold measure, that is, both in relation to the *lex*, and in relation to the interests of others, or more completely, it is termed *aequalitas* with respect to what is due by *lex* to others. And so it is that *ius* attributes its "own" to each one, realising in this way, as we have seen,[38] the *opus* typical of justice.

One may therefore conclude that the *ius* is determined in the manner in which justice determines it, according to its own peculiar modes of action. There remains, moreover, still to understand how exactly this determination is made, that is, more concretely said, how its relation with its two measures is articulated. Well, we can doubtless find a great help in our search by considering that the specifying act of the virtue of justice is *iudicium*.[39] In fact, it is through *iudicium* that justice determines the *ius sive iustum*.[40] To this now, we must therefore turn our attention.

3. The Judicial Determination of the *Ipsa Res Iusta* as *Medium Iustitiae*

To *iudicium* Thomas dedicates the six articles of *quaestio* 60 of the *Secunda secundae*.

In the first article, *Utrum iudicium sit actus iustitiae*, he affirms that the determination of the *ius* occurs in judgment. Judgment, in fact,

[37] "Et propter hoc specialiter iustitiae prae aliis virtutibus determinatur secundum se obiectum, quod vocatur iustum. Et hoc quidem est ius" (*Summa Theol.,* II-II, q. 57, a. 1).
[38] Cf., *supra*, **n. 24**.
[39] Cf. *Summa Theol.,* II-II, q. 60, a. 1.
[40] *Ibid*.

writes Aquinas, "properly indicates the action of a judge as such. A judge, moreover, is such inasmuch as he is *ius dicens*. Now, as we have seen, *ius* is the object of justice. Therefore judgment, according to its first definition, implies the defining or determining [*definitionem vel determinationem*] of the *ius sive iustum*. The fact, however, that one defines correctly what regards virtuous ations depends properly on the habit of the virtue, so he who is chaste evaluates correctly what regards chastity. Therefore, judgment, which implies the upright determination of what is just [*rectam determinationem eius quod est iustum*], belongs properly to justice [*proprie pertinet ad iustitiam*]."[41]

Judgment is therefore the act that says, defines, or determines, the *ius sive iustum*. One can well understand then that from the consideration of the factors that have seemed to us relevant to the meaning of *ius*, one can deduce the primary requisites of judgment. We may list them in the following terms: judgment must be an act of justice,[42] judgment must determine that which is each person's own (or that which is due each person),[43] judgment must be emanated in accordance with the *lex*,[44] judgment must re-establish equality in relations with others.[45] It is only when judgment is described in this manner that it states, defines, or determines the *ius*.

If all this can be recognised without difficulty, other specifications are necessary, however, regarding the role of justice in the determination of the *ius* that takes place in judgment.

On this matter, it is necessary above all to highlight an important implication underlying the affirmation that "judgment belongs, properly

[41] "[...] iudicium proprie nominat actum iudicis inquantum est iudex. Iudex autem dicitur quasi ius dicens. Ius autem est obiectum iustitiae, ut supra habitum est. Et ideo iudicium importat, secundum primam nominis impositionem, definitionem vel determinationem iusti sive iuris. Quod autem aliquis bene definiat aliquid in operibus virtuosis proprie procedit ex habitu virtutis: sicut castus recte determinat ea quae pertinent ad castitatem. Et ideo iudicium, quod importat rectam determinationem eius quod est iustum, proprie pertinet ad iustitiam" (*Ibid.*).

[42] Cf. *Ibid.*

[43] Cf. *Summa Theol.,* II-II, q. 67, a. 4.

[44] Cf. *Summa Theol.,* II-II, q. 60, a. 5.

[45] Cf. *Summa Theol.,* II-II, q. 63, a. 4.

speaking, to justice.»[46] Given that judgment, as we have described it, is first of all the act of the judge, it is necessary straightaway to specify that it is not merely reducible to this act, but must be understood, more generally, as the act of the just man, whoever he may be.[47] The judgment of the judge constitutes only the main analogous instance of it.

Judgment, in addition, takes other meanings in the Thomistic text: "the term *iudicium,* which in its first meaning designated the correct determination of what is just [*rectam determinationem iustorum*], was later employed to denote the correct determination in any field [*rectam determinationem in quibuscumque rebus*], both on in speculative contexts and in practical contexts."[48] Here, what comes into relief, in addition to the judgment of the judge and of the just man, is the reference to an even wider meaning of the term, common to various types of intellectual operations, but above all what emerges is the note that identifies it with precision: the *recta determinatio*. The *rectitudo* of the *determinatio*, in fact, does not in itself imply justice, but only the congruousness in identifying the action proper to each object, in the speculative context as well as the practical realm.[49]

The problem, therefore, that Thomas poses, given that it is not only a question of justice, is to ascertain whether, as the *argumenta* which introduce the article suggest,[50] there come together, in the formation of the different types of judgment, other *habitus*, in particular prudence, charity, and the other moral virtues. And anticipating this eventuality, Aquinas asks, moreover, whether there is a contribution they make to that specific judgment that consists in determining the *ius*, and, if so, what virtue would have pre-eminence.

In the answers, the Dominican master develops and clarifies his own thought. In the first and third, he affirms that there is not only the

---

[46] Cf., *supra*, n. 40.

[47] Cf. *Summa Theol.,* II-II, q. 60, a. 1, ad 2 e 4.

[48] "[...] nomen iudicii, quod secundum primam impositionem significat rectam determinationem iustorum, ampliatum est ad significandum rectam determinationem in quibuscumque rebus, tam in speculativis quam in practicis" (*ivi*, ad 1).

[49] See in this regard the distinction between «three senses of *quod est rectum*» proposed by Pattaro 2010, 689-691.

[50] Cf. *Summa Theol.,* II-II, q. 60, a. 1, argg. 1, 2 e 3.

judgment of the just man, but there are as many judgments, albeit in a wider sense [*extenso tamen nomine iudicii*],[51] as there are moral virtues: «thus, in the things regarding justice judgment proceeds from justice; in the same way, in the things regarding fortitude, it proceeds from fortitude»[52]. Nevertheless, the judgment of the just man maintains its own specificity, at least inasmuch as – since justice regulates relationships with others – it is mainly identified with the judgment of the superior who in such relationships serves as an arbitrator [*qui utrumque valeat arguere*].[53]

Among the types of judgments considered, there is then the judgment of the spiritual man, inspired by charity, in regard to which we read in the second answer the following parallel: "The spiritual man receives from the habit of charity the inclination to judge uprightly of everything according to the divine laws, observing which he pronounces his judgment through the gift of wisdom; the just man pronounces his judgment according to the human laws through the virtue of prudence."|[54]

More articulate is the discourse on prudence, which is invoked in this passage and had already been widely discussed in the first reply. The first reply stated that the upright judgment presupposes two factors: the *dispositio iudicantis*, on which depends the inclination to judge rightly, and the *virtus proferens iudicium*, the faculty empowered to directly articulate the judgment. If, therefore, under the first aspect, at least *in his quae ad iustitiam pertinent*, the judgment proceeds from justice, under the second, the judgment is an act of reason and thus requires the exercise of prudence.[55]

---

[51] Cf. *Ivi*, ad 3.

[52] "Et sic in his quae ad iustitiam pertinent iudicium procedit ex iustitia: sicut et in his quae ad fortitudinem pertinent ex fortitudine" (*ivi*, ad 1).

[53] Cf. *Ivi*, ad 3.

[54] "[...] homo spiritualis ex habitu caritatis habet inclinationem ad recte iudicandum de omnibus secundum regulas divinas, ex quibus iudicium per donum sapientiae pronuntiat: sicut iustus per virtutem prudentiae pronuntiat iudicium ex regulis iuris» (*ivi*, ad 2).

[55] Cf. *Ivi*, at 1: «[...] ad iudicium duo requiruntur rectum. Quorum unum est ipsa virtus proferens iudicium. Et sic iudicium est actus rationis: dicere enim vel definire aliquid rationis est. Aliud autem est dispositio iudicantis, ex qua habet idoneitatem ad recte iudicandum. Et sic in his quae ad iustitiam pertinent iudicium procedit ex iustitia [...]. Sic

Now, we know that the specific task of prudence is to determine rationally within the moral virtues the *medium virtutis*.[56] But we also know that in the case of justice the *medium* is the *aequale* in relationships with others.[57] As writes Thomas, "the happy medium of justice [*medium iustitiae*] consists in a certain equality of proportion [*in quadam proportionis aequalitate*] of an external reality with an external person."[58] We must therefore conclude that the specific duty of the prudence proper to the judge or the just man is to determine rationally the *aequalitas* in what is due to each one. And *aequalitas* is, as we have seen,[59] an essential and indispensable attribute of the *ius*, its formal constitutive element.

The *ius* is therefore realised in judgment by justice as its efficient principle, but specified by prudence from the point of view of formal causality, i.e. – we could more succinctly say – It is "determined" in judgment as willed by justice and known by prudence. And since, as we have seen,[60] the prudential *determinatio* is the work of reason,[61] it is then

---

ergo iudicium est quidam actus iustitiae sicut inclinantis ad recte iudicandum: prudentiae autem sicut iudicium proferentis. Unde et synesis, ad prudentiam pertinens, dicitur 'bene iudicativa.'" On the rational nature of jurisprudence, see, in particular: *Super III Sent.*, d. 33, q. 2, a. 4, qc. 4; *Summa Theol.*, I-II, q. 56, a. 2, ad 3; *ivi*, II-II, q. 47, aa. 1 and ff.; *Sententia Ethic.*, VI, l. 4.

[56] Cf. *Super III Sent.*, d. 33, q. 2, a. 3; *Summa Theol.*, I-II, q. 66, a. 3, ad 3; *ivi*, II-II, q. 47, a. 7.

[57] See, in this regard, the *lectiones* 4-10 of of the Thomistic commentary to book five of the *Nicomachean Ethics*, as well as: *Super IV Sent.*, d. 14, q. 1, a. 1, qc. 4, ad 4; *ivi*, d. 15, q. 1, a. 1, qc. 2; *Summa Theol.*, II-II, q. 58, a. 10; *ivi*, q. 61, aa. 2-3; *ivi*, q. 81, a. 5, ad 3; *ivi*, a. 6, ad 1; *ivi*, III, q. 85, a. 3, ad 2; *De malo*, q. 13, a. 1.

[58] "[...] medium iustitiae consistit in quadam proportionis aequalitate rei exterioris ad personam exteriorem" (*Summa Theol.*, II-II, q. 58, a. 10).

[59] Cf., *supra*, nn. 22-24.

[60] Cf., *supra*, n. 54.

[61] Particularly significant in this regard is the introduction of the famous passage that ends with the definition of the *lex* as *aliqualis ratio iuris*: "[...] illius operis iusti quod ratio determinat quaedam ratio praeexistit in mente, quasi quaedam prudentiae regula. Et hoc si in scriptum redigatur, vocatur lex" (*Summa Theol.*, II-II, q. 57, a. 1, ad 2). One should also note that here the decisive action of prudence in judging is manifest also in the application of the *lex*. It is in relation to the latter aspect that, referring to the process of positivisation of natural *lex* described in *Summa Theol.*, I-II, 95, 2, Massini Correas highlights another connotation of *determinatio*: "en la prudencia se trata no sólo de una mera *conclusión*, sino también de una *determinación*, precisión o especificación de lo correcto, adecuado o debido

properly also as a rational expression of prudence that the judgment, restoring the *aequalitas* in relationships, determines the *ius*.[62]

This result, however, creates a problem. We have to ask ourselves: how does the objectivity of prudential reason manifest itself in Thomistic juridical language? Which epistemic forms does it take in the judicial search for the happy medium? What scientific measures does it adopt? What in substance is its specific *rectitudo*? Thomas does not offer us much more than his references to the "equality of proportion," i.e. to the criteria of distributive justice and geometric proportionality, but we can nevertheless find some further information on this point in his doctrine of *medietas*, and in doing so, we make further headway in this last leg of our journey.[63]

4. The Determination of *Medium Iustitiae* as *Medium Rei* in the *Via Media*

In the wake of his Master, Albert the Great,[64] Thomas believes that, unlike other moral virtues, in the case of justice the *medium virtutis* is not only *medium rationis* but coincides with the *medium rei*.[65] And the *medium rei* is precisely what can be discovered judicially only through a careful comparison of the respective juridical positions of the parties.

---

en una situación concreta" (Massini Correas, 18). For other meanings taken on by the term *determinatio* in the lexicon of the Late Medieval university institutions, cf. Weijers 1987, 348-355, 404-407.

[62] Cf. Thomas 1956 (*Introducción* by T. Urdánoz), 311-312. More generally, on the interaction between prudence and the moral virtues, see Ramirez 1978, 187-188.

[63] The "equality of proportion of an external reality with an outside person" (see, *supra*, n. 57) which takes place in the judgment implies that geometric proportionality which shapes distributive justice (cf. *Summa Theol.,* II-II, q. 61, a. 2). We limit ourselves here to refer to this, and not also to commutative justice, certainly not to deny the importance of the latter, but because only the former is required in every kind of judgment, even when the judgment relates to swaps or trades (see *Summa Theol.*, II-II, q. 63, a. 4).

[64] Cf. Albertus Magnus, *De bono. Quaestio IV (addita)*, a. 7; Id., *Super Ethica commentum et quaestiones libri quinque priores,* V, l. 5; *ivi*, l. 8. Some references to the Albertine doctrine of *medium rei* are found in Tarabochia Canavero 1986, 123-126 and 129, n. 49.

[65] Cf. *Super III Sent.*, d. 33, q. 1, a. 3, qc. 2; *Summa Theol.,* I-II, q. 64, a. 2; *ivi*, II-II, q. 58, a. 10; *ivi,* q. 61, a. 2, ad 1; *De virtutibus,* q. 1, a. 13, ad 7; *Quodlibet* VI, q. 5, a. 4; *Sententia Ethic.*, V, l. 1, vv. 35-38.

The judges themselves are presented as *medii vel mediatores* in this sense, "as if they reach what is the medium in that they lead to what is just," i.e. on the grounds that they establish "what is equal between the parties [*quod est inter partes aequale*], where the equal is the middle [*medium*] between the more and the less."[66]

However, an important clarification is necessary at this point. On the one hand, as the *medium rei*, the *medium iustitiae* cannot regard only the claims of the parties, addressing rather their effective right; on the other hand, the claim of each party is not at all insignificant in finding the *medium iustitiae*, since it is always beginning from that claim that what is right can be recognized.

This is a fundamental implication of the Thomistic perspective, and it shows its difference from all the theories that conceive of what is just as a mere enforcement of laws. This difference is in fact strictly linked to the role that the parties play in determining the *ius* and to the consequences that derive from it also on the epistemological level.

Indeed, although on the topic there exist in the treatise *de iustitia* of the *Summa Theologiae* some particularly significant articles,[67] to find the most interesting indications from the epistemological point of view, we have to abandon the terrain of reflection on the *ius* and consider the theological and philosophical contexts that serve as a backdrop for a peculiar branch of the doctrine of *medietas,* which surfaced through the technical use of

---

[66] *Sententia Ethic*., V, l. 6, vv. 152-153, 157-158. But consider the whole sentence that contains the passages mentioned: "[...] quia iustum est medium inter damnum et lucrum, inde est quod, quando homines dubitant de hoc, refugiunt ad iudicem, quod idem est ac si refugerent ad id quod est iustum; nam iudex debet esse quasi quoddam iustum animatum, ut scilicet mens eius totaliter a iustitia possideatur. Illi autem qui refugiunt ad iudicem videntur quaerere medium inter partes quae litigant, et inde est quod iudices vocant medios vel mediatores, ac si ipsi attingant medium in hoc quod perducunt ad id quod est iustum. Sic ergo patet quod iustum de quo nunc loquimur est quoddam medium, quia iudex qui determinat hoc iustum medius est, in quantum scilicet constituit id quod est aequale inter partes, aequale autem medium est inter plus et minus, ut supra dictum est" (*ivi*, vv. 143-159).

[67] Cf. *Summa Theol.,* II-II, q. 67, a. 3; *ivi*, q. 68, a. 2. It should be noted, among other things, how in these articles, even in an era when the inquisitorial procedure was widely being used, above all in the ecclesiastical jurisdictions, Thomas shows his preference for an accusatory-type legal system. See on this point: Laingui 1994, especially 37-38.

the phrase *via media*. We read what perhaps is the most effective description of it in the passage of the *Contra impugnantes Dei cultum et religionem* where Aquinas invokes the Boethian controversy against the opposing heresies of Nestorius and Eutyches. There he proposes: "because, as Boethius writes in the book *De duabus naturis*, the way of faith 'is the intermediate between two heresies [*via fidei inter duas haereses media est*] in the same way as the virtues lie in the middle (between two vices) [*sicut virtutes medium locum tenent*], virtue consisting of the happy medium [*omnis enim virtus in medio rerum decore locata consistit*],' and since, if an action is fulfilled either this side or that side of what it should be, it strays from the virtue, let us try to understand about the themes we are discussing what lies this side or that side of the truth, so that we can judge all this erroneous, and the middle way as the truth of faith."[68]

Two operations are accomplished in this passage: first, the identification of *via media* as the way of truth between two errors; secondly, the assimilation of the *via media* with the Aristotelian doctrine of the *medium virtutis*.[69] The *medium virtutis* thus must be found in the same way in which the *via media* between two errors is found.

To understand well this thesis, we must consider that, normally, the expression *via media* designates a doctrine elaborated by combining two opposing opinions.[70] The *via media*, therefore, corresponds to a type of solution frequently found in scholastic disputes, where, as Villey noted, "la détermination du Maître a moins pour rôle de *réfuter* l'une des deux

[68] *Contra impugnantes*, c. 4, § 6, vv. 335-343: "Quia vero, ut Boetius dicit in Lib. *de duabus naturis*, via fidei "inter duas haereses media est, sicut virtutes medium locum tenent: omnis enim virtus in medio rerum decore locata consistit:" si quid enim vel ultra vel infra quam oportuerit fiat, a virtute disceditur; ideo videamus quid circa praedicta sit ultra vel infra quam rei veritas habeat: ut hoc totum reputemus errorem, mediam autem viam fidei veritatem." A similar reference to Boethius is found in the *Summa Theol.*, I-II, q. 64, a. 4 arg. 3. The quoted text is the treatise *Liber de persona et duabus naturis contra Nestorium et Euthychen*, par. 7 (P.L. 64, col. 1352C).

[69] Cf. Aristotle, *Nicomachean Ethics*, II, 1106 to 26 ff.

[70] The original meaning of the *via media* was therefore methodological, and only later it took on a ecclesiological-political connotation, when the phrase was used, in the first half of the 14th century, in the polemical context of the dispute regarding the two powers. See, in this regard, Pacaut 1958.

thèses antagonistes que de les *concilier*, les coordonner."[71] It is necessary at once to alert the reader that this is not always the path Thomas follows, and that indubitably in his writings the *via media* does not always correspond to the way of truth. But, as results from studies by Philipp W. Rosemann,[72] we can say that, when he considers it, for the most part Thomas prefers it.[73] Why? Because for Thomas, there exists a "relation privilégiée" between the truth and that which is in the middle.[74]

The strength of this relation depends above all on the fact that the *medium* gathers in itself all that is true in the extremes, casting off their respective excesses. Aquinas affirms this in several places,[75] even giving

[71] Villey 1987, 70. Enlightening in this regard are also the observations of M.-D. Chenu: "La risposta agli argomenti che, nella seconda parte dell'alternativa, talvolta in ambedue, non concordano colla posizione assunta, si presenta il più delle volte sotto forma di una distinzione. È raro che la posizione avversaria venga respinta del tutto; piuttosto si circoscrive la parte di verità sulla quale faceva leva; si distingue l'aspetto, il punto di vista che essa riusciva a cogliere felicemente ("haec ratio procedit de..."); si colloca, in qualche modo, la sua verità particolare in un complesso che le assicura cittadinanza, senza respingerla" (Chenu 1953, 81).

[72] Cf. Rosemann 1994; Rosemann 1996, spec. 40-45.

[73] Rosemann has found, according to research conducted with the aid of the *Index* of P. Busa, that of the seventeen times in which the expression occurs in the Thomistic corpus in its technical meaning at a distance of no more than one word, in fourteen cases it refers to a doctrine sustained by Aquinas (*Secundum aliquid*, cit., 115). For the passages in which the *via media* is preferred, see: *Super II Sent.*, d. 9, q. 1, a. 2, ad 3; *Super III Sent.*, d. 36, q. 1, a. 6; *Super IV Sent.*, d. 7, q. 3, a. 1, qc. 3; *ivi*, d. 43, q. 1, a. 5, qc. 3; *Contra Gentiles*, IV, c. 7, n. 25; *Summa Theologiae*, I, q. 84, a. 6; *De ver.*, q. 6, a. 2; *ivi*, q. 11, a. 1; *ivi*, q. 24, a. 12; *De malo*, q. 5, a. 3; *De virtutibus*, q. 1, a. 8; *Super Decretale*, n. 1; *Contra impugnantes*, c. 4, § 6; *Sentencia De sensu*, I, l. 10, n. 10.

[74] Cf. Rosemann 1996, 40.

[75] Cf. *Contra Gentiles*, III, c. 108, n. 7: "[...] verum medium est inter duos errores, quorum unus est secundum plus, alter secundum minus;" *Summa Theol.*, II-II, q. 109, a. 1, ad 3: "[...] verum secundum suam rationem importat quandam aequalitatem. Aequale autem est medium inter maius et minus;" *ivi*, a. 4, arg. 2: "[...] veritatis medium non est propinquius uni extremo quam alteri, quia veritas, cum sit aequalitas quaedam, in medio punctuali consistit;" *De virtutibus*, q. 1, a. 13: "Inter affirmationes ergo et negationes oppositas accipitur medium virtutum intellectualium speculativarum, quod est verum;" *Contra impugnantes*, cap. 2, § 3: "Est enim errantium consuetudo, ut quia in medio veritatis non possunt consistere, unum errorem declinantes, in contrarium dilabantur;" *Sententia Ethic.*, II, l. 9, n. 8: "[...] medius est ille, qui dicitur verus, et medietas dicitur veritas;" *ivi*, IV, l. 15, n. 7: "[...] ille qui verum dicit, medium tenet, quia significat rem secundum quod est; veritas

the impression, noted by Rosemann, that he retains that "la vérité et l'erreur comme, pour ainsi dire, commensurables."[76] The scholar observes, in fact, that the truth seems situated, if we look at the expressions of the Dominican master, in the middle point of a continuum at whose extremes are located two contrary propositions, neither of which can be sustained[77]. In the *via media* one should notice that "chacun des deux solutions opposées correspond à un aspect particuler du probleme et que, pour obtenir une perspective total, plus large, il convient de les fusionner."[78]

It would, however, constitute a grave misunderstanding if, as may occur for the *medium iustitiae*,[79] the *via media* were to be understood in purely mathematical or arithmetic terms, modeled on a truth that appears, as Rosemann writes, "en un certain sens quantifiable."[80] Such an interpretation would be contradicted if nothing else by the comparison with *medium virtutis* invoked in the cited passage:[81] just as, in fact, the *medium virtutis* has a qualitative rather than quantitative meaning, the same must be said of the *medium veritatis*. It is useful, rather, to advance the hypothesis that the images and the lexicon of geometry and mathematics take on in this kind of cases an essentially metaphorical value.[82]

---

enim in aequalitate consistit quae est medium inter magnum et parvum;" *Super Hebraeos*, c. 13, l. 2: "[...] cum enim veritas consistat in medio, cuius est unitas, et ideo uni vero multa falsa opponi possunt, sicut uni medio multa extrema [...]."

[76] Rosemann 1996, 44. This is how he explains it: "En effet, loin d'être des opposés irréconciliables, elles se trouvent d'après le saint docteur sur une même échelle, où elles ont une mesure commune. Tomber dans l'erreur, dès lors, n'est pas défendre une position qui soit sans aucun rapport avec la vérité; c'est plutôt aller au-delà ou rester en deçà d'elle. Aucun erreur ne peut être si grande qu'elle tue tous les germes de vérité en elle. C'est pouquoi la vérité peut surgir au milieu de l'erreur" (*Ibid*.).

[77] Cf. *Ivi*, 30.

[78] *Ivi*, 43-44.

[79] We refer here to the case of commutative justice whose *medium* is determined precisely by recourse to arithmetical proportionality. Cf., in this regard, *Summa Theol.*, II-II, q. 61, a. 2, and ad 2.

[80] Rosemann 1994, 109.

[81] Cf., *supra*, n. **67**.

[82] This, too, is an Aristotelian thesis (cf. *Nichomachean Ethics,* II, 5, 1106 to 26 – 6, 1107 to 9) that Thomas has in several places taken over and made more precise (see, for example, *Super III Sent*., d. 9, q. 1, a. 1, qc. 3 ad 3; *Contra Gentiles*, III, c. 134, n. 7. *ibid*., par. 136, no.

The real characteristics of the relationships involved are instead primarily of the qualitative type. The *medium virtutis* is such because it stands for what is good between two evils. And the *medium veritatis* is such because it corresponds to what there is of truth between two falsehoods. Therefore, it is in this sense that the *via media* should be considered as the way of truth between two errors.[83]

On the other hand, if the doctrine of the *medium virtutis* helps us to grasp the true nature of the *via media*, the latter, in turn, demonstrating its usefulness on the epistemological level, shows us what it means to find the *medium virtutis*, at least when it coincides with *medium iustitiae*.

In this regard we must first note that if the *via media* combines in itself what is true in two opposing but equally unsatisfactory solutions to a problem, reaching it means to recognize the truth that might be present, albeit only in part, *secundum aliquid*, in the two theses to be rejected. "*Utrumque vere opinatum fuit ... et secundum verum est aliquid utrumque*"[84] and "*Utraque enim pars obiectionum vera est ... secundum aliquid*"[85] are the

---

12; *Summa Theol.*, I-II, q. 64, a. 1, and ad 2; *ivi*, II-II, q. 147, a. 1, ad 2; *De malo*, q. 14, a. 1, ad 6; *ivi*, q. 15, a. 1, ad 9; *Sententia Ethic.*, II, l. 2, vv. 134-136; *ivi*, l. 6, vv. 63 ff.). Livio Melina notes in this regard: "La sottolineatura più diffusa è quella che ricollega il criterio del *medium virtutis* alla *ratio recta*: il criterio che permette di stabilire la medietà non è meccanico o quantitativo, ma implica una valutazione razionale propriamente morale" (Melina 1987, 109). See in this sense also Elders 1978, especially 369.

[83] We must bear in mind in this regard that Thomas, in his commentary on the Aristotelian *Ethics*, considers *typo*, or *figuraliter*, argument as the most appropriate way of proceeding to the expositive method of moral science: "[...] oportet ostendere veritatem figuraliter, idest verisimiliter, et hoc est procedere ex propriis principiis huius scientiae. Nam scientia moralis est de actibus voluntariis: voluntatis autem motivum est, non solum bonum, sed apparens bonum" (*Sententia Ethic.*, I, l. 3, n. 4); "[...] omnis sermo qui est de operabilibus, sicut est iste, debet tradi typo, idest exemplariter, vel similitudinarie, et non secundum certitudinem" (*ivi,* II, l. 2, n. 4); in particular, we read: "[...] dictum est de virtutibus in communi et earum genus typo, id est figuraliter, manifestatum est, dum dictum est quod sunt medietates, quod pertinet ad genus propinquum, et quod sunt habitus, quod pertinet ad genus remotum" (*ivi*, III, l. 13, n. 12); "[...] intendendum est tractare de iustitia secundum eamdem artem, secundum quam tractatum est de praedictis virtutibus, scilicet figuraliter et aliis huiusmodi modis" (*ivi*, V, l. 1, n. 3). On the use of Thomistic similes, analogies, and metaphors, see Chenu, *Introduzione*, cit., 145-147.

[84] *Summa Theol.*, II-II, q. 1, a. 2.

[85] *Summa Theol.*, III, q. 64, a. 3, ad 1.

two Thomistic utterances on which Chenu has drawn the reader's attention[86] for the first time and which were faithfully reproduced in subsequent studies of Villey[87] and Rosemann.[88] But even a quick consultation of the *Index Thomisticus* highlights how widely spread in the production of Aquinas is the use of similar expressions. Within a maximum distance of 10 words, only examining correlations between the lemma *veritas* and the lemma *uterque*, there are eleven instances where they are associated with this meaning,[89] while the co-occurences of the inflected forms of *verus* and *uterque* appear with this meaning forty-five times in forty-two places.[90] So we have a total of at least fifty-six contexts, distributed in fifty-one texts,[91] which show in what ways Thomas concretely

[86] Chenu 1953, 166.

[87] Villey 1987, 70.

[88] Rosemann 1996, 30.

[89] Cf. *Super II Sent.*, d. 15, q. 3, a. 1; *ivi*, a. 3; *ivi*, d. 38, q. 1, a. 5; *Super III Sent.*, d. 25, q. 2, a. 2, qc. 3; *Super IV Sent.*, d. 45, q. 2, a. 4, qc. 1; *Summa Theol.*, I, q. 43, a. 8; *ivi*, I-II, q. 71, a. 5; *De malo*, q. 2, a. 1; *In I Phys.*, l. 11, n. 12; *In Meteor.*, I, c. 1, n. 7; *Catena in Mc.*, c. 14, l. 4.

[90] Cf. *Super I Sent.*, d. 4, q. 1, a. 3, ad 4; *ivi*, d. 16, q. 1, a. 4; *ivi*, d. 28, q. 2, a. 3, expos.; *ivi*, d. 33, q. 1, a. 2; *ivi*, d. 37, q. 4, a. 2; *Super II Sent.*, d. 1, q. 1, a. 3; *ivi*, d. 25, q. 1, a. 5, expos.; *ivi*, d. 27, q. 1, a. 3; *ivi*, d. 32, q. 2, a. 3, expos.; *ivi*, d. 42, q. 1, a. 5, expos.; *Super III Sent.*, d. 7, q. 2, a. 2; *Super IV Sent.*, d. 19, q. 2, a. 2, qc. 2; *Summa Theologiae*, I-II, q. 100, a. 10; *ivi*, II-II, q. 1, a. 2 (2 times); *ivi.*, III, q. 35, a. 5; *ivi*, q. 64, a. 3, ad 1; *De veritate*, q. 10, a. 12 (2 times); *ivi.* q. 22, a. 8, ad arg.; *ivi*, q. 22, a. 14; *ivi*, q. 24, a. 12; *De spiritualibus. creaturis*, a. 8, ad 10; *ivi*, a. 10; *De malo*, q. 2, a. 1; *Quodlibet VIII*, q. 5, a. 2; *In Phys.*, I, l. 11, n. 12; *ivi*, l. 13 n. 5; *Sententia Politic.*, III, l. 3, n. 8; *Sententia Ethic.*, IX, l. 8, n. 8; *In De generatione*, I, l. 6, n. 7; *Super De Trinitate*, II, q. 4, a. 1, ad 4; *In Jeremiam*, c. 29, l. 3; *Super Threnos*, c. 5, pr.; *Catena in Mc.*, c. 5, l. 3; *Catena in Lc.*, c. 24, l. 4; *Catena in Io.*, c. 4, l. 1; *Super Io.*, c. 2, l. 1; *ivi*, c. 4, l. 2; *ivi*, c. 6, l. 1; *ivi*, c. 14, l. 2; *ivi*, c. 20, l. 2 (2 times); *Super Rom.*, c. 10, l. 3; *Primae redactiones Summae contra Gentiles*, III.

[91] The total number of contexts is obtained by summing the passages that use the two correlations, the total number of texts is taken from the sum of the places of the correlations, subtracting the duplications (*Summa Theologiae*, II-II, q. 1, a. 2; *De veritate*, q. 10, a. 12; *De malo*, q. 2, a. 1; *In I Phys.*, l. 11, n. 12; *Super Iov.*, c. 20, l. 2). Inevitably, we don't consider the other, more numerous, possible lemmatic combinations which would allow us to find in the Thomistic corpus the adoption of the proceedings in question. This sampling is therefore a purely illustrative and non-exhaustive list, since, for the purposes of our research, it is enough to know that, as demonstrated by the citations listed in the previous two notes, this method was used by Aquinas throughout his Scholastic career.

practiced and sometimes even theorized the technique that grounds the *via media*.

Now, precisely on account of the parallelism that is identified in passage shown above[92] between the domain of theology and that of ethics, the same approach can be applied in the field of moral virtues, in particular that of justice.

This transposition, however, can be implemented in a non-artificial or fallacious manner[93] for the same reason that, according to Rosemann, justified the transfer of the ethical principle of the happy medium from the practical level to the level of theory in the above passage, where Aquinas quoted Boethius: "elle s'explique par le fait que pour les penseurs chrétiens de la patristique et du moyen âge, le savoir intellectuel, d'une part, et la vie morale et spirituelle, d'autre part, n'étaient pas encore nettement compartimentés, comme c'est souvent le cas aujourd'hui."[94]

More precisely, we should say that this mutual influence between *medium virtutis and via media* is a particular manifestation of the doctrine of the convertibility of the transcendentals. Precisely because "*verum et bonum convertuntur,*"[95] we can follow the *via media* also as the way of *virtus* and of *ius*, indeed, to be more specific, also as the way of that *virtus iustitiae* which, together with prudence, presides over the determination of the *ius*.

Indeed, the *via media* is not so much suited to determining the *medium virtutis* generally, as it seems particularly suited to the object of this research, the determination of the *medium iustitiae*. Even in the case of the *via media*, in fact, the *medium* found is not only the *medium rationis*, it is also the *medium rei*. Thanks to the model of the *via media*, therefore, we can better understand what it means on the epistemological level that the *medium rei* which is the object of justice does not refer only to claims of the parties, but more radically to what is just in them: how to individuate

---

[92] Cf., *supra*, **n. 67.**

[93] The reference is of course to the so-called "naturalistic fallacy" violating "Hume's law." In this regard, however, see D'Agostino 1996, 75-87.

[94] Rosemann 1994, 109.

[95] Cf. *Super I Sent.*, d. 19, q. 5, a. 1, ad 3; *ivi*, d. 46, q. 1, a. 2, arg. 1; *Summa Theol.*, I, q. 59, a. 2, ad 3; *ivi*, I-II, q. 29, a. 5, arg. 1, and ad 1; *ivi*, II-II, q. 109, a. 2, arg. 1 and ad 1; *De virtutibus*, q. 1, a. 7, s.c. 2; *Super Heb. [rep. Vulgate]*, c. 11, l. 1. See also, Aertsen 1996, especially 284-289.

the *via media* is equivalent to detecting what there is of truth in the theses of the disputants, similarly finding the *medium iustitiae* coincides with ascertaining what is just in the claims of the parties. "[...] *iudex inter accusatorem et eum qui constituitur medius constituitur ad examen iustitiae*," we read in the treatise *de iustitia* of the *Summa*.[96] The determination of what is just in the claims of the parties then connotes, under a qualitative measure, the geometric proportionality, according to which one determines prudentially the right of each one.

5. Conclusion

There are now a couple of problems that can help us to verify the consistency of the results achieved. We have to ask ourselves: how can prudence recognize the *medium iustitiae*, and thus what is just in the claims of the parties? And how can one find the *medium iustitiae* when in the claims of the parties there is no justice?

To answer we must not do anything but recall two important methodological implications of the Thomistic discourse. As far as it corresponds to the *medium iustitiae*, what is just in the claims of the parties is dialectically recognized as such in relation to common legal principles and rules. But even if what is just is not found by any means in the claims of the parties, or it only can be found in the requests of one of the parties alone, we must still refer to them in order to pick out – in these principles and rules – the common measure, which makes it possible to

[96] *Summa Theologiae*, II-II, q. 68, a. 2. While there are no explicit statements about it, one can assume that this is the sense of the passages in which Thomas conditions the activity of judging by the hearing of the parties: "[...] *in his quae pertinent ad iustitiam requiritur ulterius iudicium alicuius superioris, qui utrumque valeat arguere, et ponere manum suam in ambobus*" (*Summa Theol.*, II-II, q. 60, a. 1, ad 3); "[...] *in iudiciis nullus potest iudicare nisi audiat rationes utriusque partis*" (*In Metaphysic.*, III, l. 1, n. 5); "[...] *cum enim duo homines ad invicem contendunt, iudicem possunt habere qui utriusque dicta examinet... oportet quod in iudice sit altior sapientia quae sit quasi regula ad quam examinentur dicta utriusque partis*" (*Super Iob*, c. 9).

establish the juridical outlook and the entitlements of each, the *medium iustitiae*, that is.[97]

The critical confrontation with the claims of the parties thus proves decisive in determining the *ius*, which will not therefore be only the application of the *lex*, being also commensurate to the specific circumstances of the case.

But if in this respect the philosophical reflection of Aquinas on *ius* simply seems to anticipate the most sophisticated acquisitions of contemporary doctrine, in the reference to justice we can seize the indication of an alternative foundation, which is moreover able to correspond to the deepest needs of today's debate on the criterion of judgment.

Based on this foundation, the determination of the *ius* which takes place in judgment appears steered by a qualitative factor, which operates both through the directives of the *lex*, both natural as well as positive, and through comparisons between the juridical positions of the parties. This foundation, moreover, also imprints upon the determination of the *ius* an important realistic connotation, since the *medium iustitiae* identifies with the *medium rei* and so the *ius* becomes the *ipsa res iusta*. Justice therefore plays in this perspective a decisive discriminatory role, as appropriate as it is unfortunately unknown, apart from rare exceptions, to the jurists and legal theorists of our time.[98]

The realistic connotation of the Thomistic discourse on justice and *ius*, however, emerges also on the methodological level: the Dominican master in fact shows us the way by which to "prudentially" proceed to the determination of the *ius* according to the distributive measure of justice. It is the way of dialectics:[99] dialectics is the way that leads to the discovery of rules and principles that are common to the parties, and dialec-

[97] I refer, for a discussion of these issues, to Ancona 2008-9 and Ancona 2012, 41-56.

[98] See, in particular, among the latest doctrines: Hofmann 2000; Gentile 2008; D'Agostino 2011; Castellano 2011. There cannot, vice versa, be grouped with these doctrines the constitutionalist theories, which, when they speak of justice, normally link it to values that are widely shared and constitutionalized, rather than to the entitlements of human nature. Cf., in this sense, Zagrebelsky 1992, especially 123 ff.

[99] On the dialectical forms of judicial reasoning according to the Thomistic reflection, cf. especially Villey 1987, 71, 164.

tics is also the way that, starting from these principles and rules, leads to the identification and confirmation of the *medium iustitiae*. But above all dialectics is the *via media,* which, when used in the field of the *ius*, determines the *medium iustitiae* as *medium rei*, that is as a solution that ascertains what is just in the claims of the parties. It is particularly suitable, especially in complex and pluralistic societies like ours, for judging according to an objective criterion of justice in attributing to each his own right.

References

Aertsen, J.A. 1996. *Medieval Philosophy and the Transcendentals. The Case of Thomas Aquinas*. Leiden - New York - Cologne: E.J. Brill.

Allard, J., and Garapon, A. 2005. *Les juges dans la mondialisation. La nouvelle révolution du droit*, Paris: Seuil.

Ambrosetti, G. 1974. "Introduzione al trattato sulla giustizia". In AA.VV., *S. Tommaso e la filosofia del diritto oggi. Saggi*, 1-20. Rome: Pontificia Accademia Romana di S. Tommaso; Città Nuova Editrice.

Ancona, E. 2008-9. "Casi difficili contemporanei e soluzioni classiche. La via della metodologia tomista." *Atti dell'Istituto Veneto di Scienze, Lettere ed Arti. Classe di scienze morali, lettere ed arti* 167/III-IV: 493-516.

Ancona, E. 2012. *Via iudicii. Contributi tomistici alla metodologia del diritto*. Padova: Cedam.

Bastit, M. 2006. "¿Qué es juzgar?" In *Dalla geometria legale-statualistica alla riscoperta del diritto e della politica. Studi in onore di Francesco Gentile / De la geometría legal-estatal al redescubrimiento del derecho y de la política. Estudios en honor de Francesco Gentile,* ed. by M. Ayuso, 143-157. Madrid-Barcelona: Fundación Francisco Elías de Tejada; Marcial Pons.

Bork, R.H. 2003. *Coercing Virtue: the worldwide rule of judges*. Washington D.C.: AEI Press.

Cappelletti, M. 1984. *Giudici legislatori?*. Milan: Giuffrè.

Cassese, S. 2009. *I tribunali di Babele. I giudici alla ricerca di un nuovo ordine globale*. Rome: Donzelli.

Castellano, D. 2011. *Ordine etico e diritto*. Naples: Edizioni Scientifiche Italiane.

Chenu, M.-D. 1953. *Introduzione allo studio di S. Tommaso d'Aquino*. Italian trans. by R. Poggi and M. Tarchi. Florence: Libreria Editrice Fiorentina.

D'Agostino, F. 1996. *Filosofia del diritto*, 2nd ed. Turin: Giappichelli.

D'Agostino, F. 2011. *Diritto e giustizia. Per una introduzione allo studio del diritto*. Cinisello Balsamo: San Paolo.

Darbellay, J. 1963. *L'objectivité du droit*, in AA.VV., *Mélanges en l'honneur de Jean Dabin*, I, 59-77. Bruxelles-Paris: Bruylant; Sirey.

De Bertolis, O. 2000. *Il diritto in San Tommaso d'Aquino. Un'indagine filosofica*. Turin: Giappichelli.

Delos, J.T. 1932. "Le fondement de la philosophie du droit: le droit et la relation juridique dans la doctrine de S. Thomas d'Aquin." In S. Thomas D'Aquin, *Somme Théologique. La justice, t. I, 2a-2ae, Questions 57-62*. French trans. by M.S. Gillet, 226-244. Paris-Tournai-Rome: Société Saint Jean l'Évanéliste; Desclée & Cie.

Elders, L. 1978. *The Criteria of the Moral Act according to Aristotle and their Criticism by St. Thomas. Doctor Communis* 31: 362-375.

Esser, J. 1972. *Vorverständnis und Methodenwahl in der Rechtsfindung. Rationalitätsgrundlagen richterlicher Entscheidungspraxis*, 2nd ed. Frankfurt a.M.: Athenäum Fischer Taschenbuch Verlag.

Ferrarese, M.R. 2002. *Il diritto al presente. Globalizzazione e tempo delle istituzioni*. Bologna: Il Mulimo.

Finnis, J.M. 1998. *Aquinas. Moral, Political, Legal Theory*. Oxford: Oxford University Press.

Finnis, J.M. 1996. *Legge naturale e diritti naturali*, ed. by F. Viola. Italian trans. by F. Di Blasi. Turin: Giappichelli.

Folgado, A. 1960. *Evolución histórica del concepto del derecho subjectivo. Estudio especial en los teólogos-juristas españoles del siglo XVI*, 2 vv. Madrid: San Lorenzo de El Escorial.

Garapon, A. 1996. *Le gardien des promesses. Justice et démocratie*, Paris: O. Jacob.

Gentile, F. 2008. *Legalità, giustizia, giustificazione. Sul ruolo della filosofia del diritto nella formazione del giurista,* Naples: Edizioni Scientifiche Italiane.

Graneris, G. 1961. *La filosofia del diritto nella sua storia e nei suoi problemi*. Rome: Desclée & C.; Editori Pontifici.

Hering, H.M. 1939. "De iure subjectivo sumpto apud sanctum Thomam." *Angelicum* 16: 295-297.

Hofmann, H. 2000. *Einführung in die Rechts- und Staatsphilosophie*. Darmstadt: Wissenschaftliche Buchgesellschft.

Kalinovski, G. 1973. "Le fondement objectif du droit d'après la 'Somme théologique' de saint Thomas d'Aquin." *Archives de philosophie du droit* 18: 59-75.

Lachance, L. 1933. *Le concept de droit selon Aristote et S. Thomas*. Montréal-Paris: Levesque: Recueil Sirey.

Laingui, A. 1994. "L'*ordo iudiciarius* selon saint Thomas." In *L'educazione giuridica. VI – Modelli storici della procedura continentale. Tomo I – Profili filosofici, logici, istituzionali*, ed. by A. Giuliani e N. Picardi, 33-47. Naples: Edizioni Scientifiche Italiane.

Lamas, F.A. 1991. *La experiencia juridica*. Buenos Aires: Instituto de Estudios Filosóficos Santo Tomas de Aquino.

Letelier Widow, G. 2010-2011. *Autonomia come partecipazione. Un'indagine sulla legge come causa dell'atto umano ovvero sul problema del governo su uomini liberi e uguali*. Scuola di dottorato di ricerca in Giurisprudenza – XXIII ciclo. Padova: Università degli Studi di Padova.

Malleson, K. 1999. *The New Judiciary. The Effects of Expansion and Activism*. Dartmouth: Ashgate.

Massini Correas, C.I. *Determinación del derecho y prudencia. El conocimiento jurídico y su hábito intelectual*. http://www.uca.edu.ar/uca/common/grupo57/files/det_del_dcho_y_prud.pdf.

Melina, L. 1987. *La conoscenza morale. Linee di riflessione sul Commento di san Tommaso all'Etica Nicomachea*. Rome: Città Nuova Editrice.

Pacaut, M. 1958. "La permanence d'une "via media" dans les doctrines politiques de l'Église médiévale". *Cahiers d'histoire* 3: 327-57.

Pattaro, E. 2010. "Jus, Ratio and Lex in Some Excerpts of Aquinas". In *Sergio Cotta (1920-2007). Scritti in memoria*, ed. by B. Romano, 687-715. Milan: Giuffrè.

Ramirez, S. 1978. *La prudencia*. Madrid: Ediciones Palabra.

Rosemann, P.W. 1994. "«Secundum aliquid utrumque verum est»: *media via* et méthode scolastique chez S. Thomas d'Aquin." In *Actualité de la pensée médiévale*. Recueil d'articles éd. par J. Follon e J. McEvoy, 103-118. Louvain-Paris: Editions de l'Institut supérieur de philosophie; Éditions Peeters.

Rosemann, P.W. 1996. *Omne ens est aliquid. Introduction à la lecture du "système" philosophique de saint Thomas d'Aquin*. Louvain-Paris: Éditions Peeters.

Tarabochia Canavero, A. 1986. "Alberto Magno: la giustizia dopo la lettura del V libro dell'Etica Nicomachea". *Medioevo. Rivista di storia della filosofia medievale* 12: 111-129.

Thomas Aquinas. 1932. *Somme Théologique, La justice,* tome premier, 2ª-2ae, questions 57-65, French trans. by M.S. Gillet, notes and appendices by J.T. Delos. Paris-Tournai-Rome: Société Saint Jean l'Évanéliste; Desclée & Cie.

Thomas Aquinas. 1937-1940. *Theologická summa*, doslovný překlad, red. E. Soukup OP. Olomouc: Krystal. E-text in http://krystal.op.cz/sth/about_cz.php.

Thomas Aquinas 1947. *Summa Theologica*, translated by Fathers of the English Dominican Province, Second and Revised Edition. New York: Benzinger Brothers. E-text in http://www.ccel.org/ccel/aquinas/summa.pdf.

Thomas Aquinas 1956. *Suma Teológica de Santo Tomás de Aquino. Tomo VIII. Tratado de la Justicia*, version, introductions and appendices by Fr. T. Urdánoz. Madrid: La Editorial Católica.

Thomas Aquinas. 1975. *Summa Theologiae*, Latin text, English translation, Introductions, Notes, Appendices and Glossaries. Volume 37: Justice, 2a2æ. 57-62, ed. by T. Gilby. New York and London: McGraw-Hill Book Company; Blackfriars in conjunction with Eyre and Spottiswoode.

Thomas Aquinas. 1984. *La Somma Teologica,* translation and commentary by the Italian Dominicans, Latin text of the Leonine edition, XVII: *La giustizia*, II-II, qq. 57-79. Bologna: Edizioni Studio Domenicano.

Thomas Aquinas. 1987. *Recht unt Gerechtichgkeit. Theologische Summe II-II, Fragen 57-79.* Nachfolgefassung von Band 18 der Deutschen

Thomasausgabe. Neue Übersetzung von J.F. Groner. Bonn: IfG Verlagsgesellschaft.

Thomas Aquinas. 1990. *Suma de Teología,* edition directed by the Regentes de Estudios de las Provincias Dominicanas en España, III: Parte II-II (a), translation and technical references of the text by O. Calle Campo y L. Jiménez Patón. Madrid: La Editorial Católica.

Thomas Aquinas. 1996. *La Somma Teologica*, trans. by the editorial department of the ESD, *Seconda sezione della Seconda parte – 1, La fede, la speranza, la carità, la prudenza, la giustizia*. Bologna: Edizioni Studio Domenicano.

Tierney, B. 2001. *The Idea of Natural Rights. Studies on Natural Rights, Natural Law and Church Law 1150-1625*. Grand Rapids, Mich.: William B. Eerdmans Publ.

Tierney, B. 2002. "Author's Rejoinder." *The Review of Politics* 64: 416-420.

Villey, M. 1969. *Seize essais de philosophie du droit, dont un sur la crise universitaire*. Paris: Dalloz.

Villey, M. 1973. "Bible et philosophie gréco-romaine de Saint Thomas au droit modern." *Archives de Philosophie du droit* 18: 27-57.

Villey, M. 1976. "Dikaion-Torah I-II". In Id., *Critique de la pensée juridique moderne*, 19-50. Paris: Dalloz.

Villey, M. 1987. *Questions de Saint Thomas sur le droit et la politique*. Paris: Presses Universitaires de France.

Weijers, O. *Terminologie des universités au XIIIe siècle*. Rome: Edizioni dell'Ateneo.

Zaccaria, G. 1996. *Questioni di interpretazione*. Padua: Cedam.

Zagrebelsky, G. 1992. *Il diritto mite. Legge, diritti, giustizia*. Milan: Einaudi.

Reason, Morality, and Skill[1]

John Stopford

In this paper I discuss the relationship between reason, morality, and skill in a well-ordered liberal democracy.[2] I argue that while skill played an important role in the ethical life of the ancient world, the marginalization of skill and craftsmanship has blinded us to the importance of a public culture of skill in the modern world. This applies, in particular, to the public role of skill as one of the "cultural conditions of autonomy" (and *a fortiori* of political autonomy) in a liberal political regime (Stopford 2009, 39-45). Not only do citizens need certain basic kinds of skill to express their autonomy. Such skills may also contribute to the capacity for "flourishing within limits" that some ecological economists regard as a key factor in the development of sustainable human societies.[3]

Skillful work shaped the cultural life of the archaic Greek world. The craft worker was an established figure in the community, honored for their contributions to a commodious life. The public craftsman or *demioergos* (δημιουργός - Homer's word) was "a bringer of civilization," distinguished by competence and know-how, the member of a community of skilled producers whose focus was on quality and doing good work (Sennett 2008, 25). Craft workers acquired their know-how in

---

[1] An early version of this paper was read at the workshop on "Moral realism and political decisions: a new framework of practical rationality for contemporary multicultural Europe" organized by members of the Universities of Bamberg and Trieste in Bamberg, Germany, on 19 - 22 December 2013. I would like to thank the organizers, Professor Gabriele De Anna of the University of Bamberg, and Professor Riccardo Martinelli of the University of Trieste, for the opportunity to participate in the workshop. The methodological framework of my discussion is "political not metaphysical" in the sense of Rawls (1985; 1996, 10). For this reason I focus mainly on questions of practical rationality, leaving all but the most important metaphysical and epistemological issues to one side.

[2] I use "well-ordered" in the sense of Rawls (1971, 4-5) to refer to a society that is effectively regulated by a public conception of justice.

[3] See Jackson (2009), Chapter 9.

long and painstaking apprenticeships, developing and modifying their skills throughout their lives (25-26).

The work of the *demioergos* was more than a job. Someone who does a *job* does not produce a *work*. But what was the work of the public producer in Greece? Philosophical phrases such as 'form-giving activity,' which we associate with the production of works, are not informative if we are interested in understanding how a work comes into existence (in German: *wie es entsteht*). How can we study form-giving activity? Producing things involves a number of related but distinct skills that even the producer may not always be aware of using. Sculpting, molding, weaving, embossing, and whittling engage maker and material in ways that are often inscrutable.

Skillful activity tends to be "transparent" (*durchsichtig*) in the sense of Heidegger (Heidegger 1927, 146; 1962, 187). The more competent we become in exercising a skill, the less we may notice ourselves as we exercise it. Skill may be all but invisible to an onlooker. Everyday language lacks words to describe the subtleties of skillful activity. The Latinized expressions 'form,' 'creation,' or 'product' shed little light on the engaged material consciousness of the *demioergos*. Evocative expressions such as the necessary poetry of things (MacGregor 2010) work at the level of metaphor but may miss something that is important about crafting with one's hands.

Although the public status of the *demioergoi* was in decline by the 4th century BCE, craftsmanship and skill still exercised a decisive influence on the philosophers of classical Greece: "[t]he craftsman lets *kosmos* appear through the artifact" (McEwen 1993, 73). Plato's hierarchy of Reality pairs the various levels of being with different kinds and qualities of craftsmanship. "That which truly is" is the work of the World Craftsman (*demioergos*) of the *Timaeus* who endows the world with motion, order and beauty in order that it should thus participate in His goodness (Lavecchia 2012, 13). Plato, his criticisms of the poets notwithstanding, characterizes the true craftsman as someone who seeks the perfection of that which he creates.

In the early dialogues Plato often identifies craft with knowledge (Parry 1996, 15). In the *Republic*, it can be argued (though it is not a matter of consensus) that Plato holds justice in its most developed form

to be a craft (101), perhaps a "second-order craft" or "supercraft".[4] Surveying antiquity from a post-Cartesian perspective we sometimes suppose that representations and what they represent belong to discrete ontological orders. But for Plato, craftsmanship is the source of a seamless continuity between intellectual objects and the visible cosmos.

Aristotle's distinction between *technê* as *poïesis* (*ποίησις*) and praxis (*πρᾶξις*) seems to preclude the identification of virtue with craftsmanship. Craftsmanship involves the production of things --- bringing something forth --- rather than acting, far less acting rightly. And virtue produces not things but actions. In the *Nicomachean Ethics* Aristotle argues that virtue is not a craft. Scholars have inferred from this that it is a mistake to focus on the role of craft in Aristotle's ethical theory.[5] This does not imply that Aristotle's view of ethics and practical reasoning is not influenced by a craft model, however (Angier 2010, 36), or that his views on craft are without significance for ethical and political theory. This holds, in particular, of any approach that is not committed to a rigid dichotomization of production and action. Thus Murphy asks if it is "really plausible that there is no moral dimension to production or that there are no techniques of action?" (Murphy 1993, 92).

A craft and its products may be used for morally good or bad ends, and such ends are normally considered to be external to the craft. We do not charge a knife with a crime just because it is sharp. Skill and craftsmanship may be ethically significant in other ways, however. Murphy cites Rawls's *Aristotelian Principle* (Rawls 1971, 426) to illustrate the importance of skill to human flourishing (*εὐδαιμονία*): "we are willing to undergo the stress of practice and learning [... because ...] we anticipate the rewards of mastering complex new skills" (Murphy 1993, 6). The

[4] Plato uses both *demioergos* and various cognate forms of *technê* (variously translated as 'craft,' 'skill,' 'expertise' or 'know-how') in the *Republic* and elsewhere. On the translation of *technê* and the relation between *technê* and *epistêmê* see Parry (2014). Here I follow Parry (1996) in rejecting the view that craft is only instrumental in the *Republic,* and hence that virtue, which is desired for itself and not merely instrumentally, cannot be a craft. Angier, while concluding that Plato fails to develop the case for a "genuine virtue-*techne,*" thinks that Aristotle's ethical views are nevertheless influenced by the craft model (Angier 2010, 1, 32).

[5] For a comprehensive discussion of the relation between craft (*technê*) and virtue (*aretê*) in the *Nicomachean Ethics*, see Parry 2014.

ability to exercise skills, and in particular complex skills, is an important feature of a good life, even if attaining and maintaining them requires considerable effort.

At another level, skill might be said to play a structural role in the ability to produce things autonomously. In this respect, a morally autonomous person can be compared to the skilled craft worker who both conceives and executes a plan. In such cases we can speak of *the unity of conception and production* (*νόησις* and *ποίησις*) (Aristotle, *Metaphysics* 1032b15; Murphy, 8). The dignity of skilled work depends on the ability of the worker to execute a plan they have themselves conceived (8). The unskilled worker, by contrast, merely executes a plan that has been conceived by someone else.

Once immersed in the productive dialectic of conception and execution, the skilled worker draws on the principles of their craft to solve problems of execution while reciprocally deepening their grasp of those principles on the basis of their experiences with a particular material (8). Producing things according to a plan that is one's own not only leads to the development of more complex skills (8). When they work according to their *own* plan people learn to produce autonomously. "Through this dialectic of conception and execution we become autonomous subjects, rather than mere instruments, of labour" (8).

Perhaps we can draw on this image of the craft worker to model the role of cultural skills in liberal democracy (Stopford 2009, 39-45). The cultural conditions of autonomy are the practices, traditions and ways of doing things that constitute a cultural context within which autonomous choice is possible. Such practices and traditions are not simply given: they have a history, vary from culture to culture, and must be learned. The *subjective* cultural conditions of autonomy are the competences and skills that are implicit in an understanding of its objective conditions (40-41). When we act autonomously and make choices about how to live we do not reflect theoretically on the practices and traditions that form the cultural context of our choices: we simply engage that context skillfully, making use of the tools and materials that our culture provides.

One of the consequences of the marginalization of skill is that public recognition of skill is reduced as the functions of conception and execution are distributed between different individuals and classes. Aristotle

writes at a time when the publicly recognized skill of the *demioergos* was beginning to be marginalized, and the "hand" separated from the "head" (Sennett 2008, 23; Stopford 2011, 29). Aristotle sometimes replaces the traditional word for a craft worker, *demioergos,* with *cheirotechnon* (χειροτεχνῶν) – 'handworker' – arguing in the *Metaphysics* that "the architects (*architektonikon*) in every profession are more estimable and know more and are wiser than the artisans because they know the reasons of the things which are done" (*Metaphysics*, 981a30-b2; Sennett 23).[6] Such linguistic shifts not only confirm the division of intellectual and manual labour, but also the diminished public standing of the artisan:

> [...] while the work of the artisan was admired, he was neglected or down-graded as a person [...]. And what is more important, there never was, except in the constructions of some theorists, like the town-planner and philosopher Hippodamus of Miletus, any such thing as a category of artisans (Vidal-Naquet 1977, 12).

By the early 20th Century, proponents of scientific management recommended shifting all planning activities from workers to management (Taylor 1917, 38; Murphy, 8). For Taylor it is "clear that in most cases one type of man is needed to plan ahead and an entirely different type to execute the work" (Taylor, 38). Taylor may have believed that there are inherent differences between people that make some more suited for conceptual work than others, a view that Adam Smith might well have rejected. Smith acknowledges in *The Wealth of Nations* that the repetitive performance of a small number of simple tasks rather than innate deficiency is to blame for the mental and moral torpor of the "labouring poor," arguing that government should provide education to counteract these effects.[7]

Here, as in his *Theory of Moral Sentiments,* Smith accepts the human costs of the division of labour and commercial society as the price of

[6] As quoted by Sennett 2008, 23. ἀρχιτέκτονας is translated by Tredennick (1933, 7) as "master craftsmen" rather than "architects".

[7] See Smith (1909), Book 5, especially Article II, "Of the Expense of the Institution for the Education of Youth" (485ff).

economic growth and opulence, at least in its early stages. More recently, Rainer Marten has argued that the capacity for sympathetic identification married to the moral perspective of the "impartial spectator," to which Smith appeals, is an unequal match for the disfiguring extremes of Schumpeterian capitalism.[8] Disruptive entrepreneurism cannot be tamed by feelings of sympathy. When such feelings do perform a moral function it can only be from within a social scheme that has already been humanized in other ways (Marten 2009, 69).[9]

To understand the characteristics of such a scheme it is necessary to look deeper into our ideas about the relationship between skill and wealth. Both Xenophon and Aristotle view the wealth acquired and used by households as an instrument or tool (Booth 1993, 41).[10] In *The Economist*, Xenophon's Socrates refers to wealth as an "instrument" (*ὄργανα χρήματα*) that he has never possessed (Xenophon 1971, 13).[11] In

[8] See e.g. Schumpeter 1994, 83: "This process of Creative Destruction is the essential fact about capitalism. It is what capitalism consists in and what every capitalist concern has got to live in."

[9] But see Schumpeter 1954. The question of the "coherence" of Smith's economic and moral theories is too complex to present in the space available here. For a recent informative discussion of these issues, see the introduction to Haakonssen 2006.

[10] The fact that Aristotle sometimes treats *money* as conventional, and sometimes as a commodity like other commodities does not seem to detract from his underlying view that true wealth is "the knowledge how to use things rightly." See Barker 1959, 380-381.

[11] On this interpretation of *organa chremata* see Booth (1993, 41). Booth notes that *chremata* is related to *chreia* suggesting "need" rather than demand, and cites Aristotle, *Nicomachean Ethics* 1097a28 and *Politics*1253b31-32 in support of this reading. Aristotle distinguishes *oikonomia* from chrematistics. *Oikonomia*, in the words of Daly and Cobb (1994, 138-139) deals with "the management of the household so as to increase its use value to all members of the household over the long run;" chrematistics concerns the "manipulation of property and wealth so as to maximize short-term monetary exchange value to the owner." See also Anielski (2007, 23). Aristotle distinguishes at least two kinds of chrematistics, one of which uses money as a means of exchange for the sake of the goals of the household, while the other makes the acquisition of money an end in itself: "[t]hat is why it appears on the one hand that all wealth must have a limit and yet why on the other hand we see the opposite happening in fact. For all those engaged in business increase money without limit. The reason is the closeness between them. For the two uses of business, being of the same thing, overlap, since property has the same use in both cases but not in the same respect: while of the one use, something else is the end; of the other, the end is

the same passage he compares the art of using wealth to that of performing on a musical instrument. To own a flute is to be able to play it. Without being able to play it one cannot own it. There is also a second sense in which one may use a flute without being able to play it, for the purpose of exchange. "So it is clear to us that a flute in the hands of a man who does not know how to use it, is not property to him, unless he sell it" (4). Wealth, we might likewise say, is useful in its primary sense when we know how to "play" it.

While this may seem to involve a "high redefinition" of 'wealth,' it is a view that flows directly into Aristotle's autarkic theory of the household (Booth, 41). The needs of the household for wealth are intrinsically self-limiting since "[n]o tool of any art is without limit in either quantity or size, and wealth is a multitude of tools for the arts of ruling household and city" (Aristotle 1997, 1256b26).[12] The soul has its proper objects, with which recognizable limits are associated. Food, for example, is the proper object of the nutritive soul. Its acquisition and use are governed by ethical requirements involving balance, proportion and the avoidance of excess (Stopford 2011, 30). The modern "food system," by contrast, decontextualizes food: as a vehicle for the delivery of nutrients to the body, on the one hand, and as a commodity with an exchange value on the other.[13] Here there is no room for skillful activity. The activities of

increase. As a result, it seems to some that increase is the work of the science of household management, and they end up thinking they must either preserve or increase their substance of money without limit." People confuse the two kinds of business "because they are more serious about life than about good life (…). And if they cannot get what they want through business itself, they pervert everything else into business instead." (Aristotle, 1997 1257b-1258a).

[12] See Aristotle (1997, 1256b26): "So, one kind of the science of property is naturally part of the science of household management, and this property must either be present or the science must provide it so that it is present. It consists in a store of things necessary for life and useful to the community of city or household. And true wealth at any rate would seem to be made up of these things. For self-sufficiency in this sort of property with a view to good life is not unlimited, contrary to what Solon says in the line: 'to wealth no limit has been laid down for human beings.' For such a limit has been laid down, just as it has in the case of the other arts. No tool of any art is without limit in either quantity or size, and wealth is a multitude of tools for the arts of ruling household and city." On the relation between Aristotle's theory of the "natural limit" and his ethical views see Finley (1970).

[13] On the sociology of food, the "food system," and "the world 'behind' our food" see Caro-

production, storage and preparation, which were the focus of the traditional household economy, are not essentially connected with consumption, which has become an abstract function without ethical constraints. Consumption and convenience, which formerly signified "fittedness" to the natural order, come to signify the kind of ethically neutral ease of use and access which makes skill disappear altogether (Stopford 2011, 30).

Marx writes in his remarks on Xenophon (1843-45) that useful is "everything which one knows how to use" (Marx 1971, 391).[14] Usefulness is not a natural or "real" property of things, but a relational property that holds of persons and things. A complete analysis of the commodity in terms of use and exchange values would have to take into account the skills and abilities involved in both types of value. Smith had originally discussed exchange value in the context of his theory of growth, tracing it back to a human "propensity to truck, barter, and exchange" (Smith 1909, 19). His account inaugurates what Graeber calls the "founding myth of economics" according to which money is introduced to replace barter. A successful barter system presupposes a "double coincidence of wants" between parties.[15] This occurs rarely enough to make the use of money, which does not depend on such coincidences, an improvement. The "founding myth" thus provides a plausible explanation of how money and subsequently credit arise out of an original human propensity to barter and exchange (Graeber 2011, 22-24).

Graeber questions the historical accuracy of this account, since the balance of anthropological evidence suggests that barter-based economies of this kind have never existed. Our familiarity with the distinction between exchange value and use value makes it easy to forget that to say something has a "use value" is also to say that someone knows how to use it. Here it is 'knowing how to use' that is primary and 'use value' that is secondary. Just as Smith's idea of a "propensity to truck, barter, and exchange" may be more retrospective reconstruction than anthropological fact, so also our ideas about use value. To

lan 2013, especially Introduction and Chapter 3.

[14] The translation of Marx is from Booth 1993, 250.

[15] A "double coincidence of wants" exists if and only if each party happens to be able to offer in exchange exactly what the other party wants to acquire.

understand the meaning of "use" we need to know more about the structure of the skillful activities on which it is based.[16]

Even Marx, who may have accepted some version of the founding myth of barter, does not offer his followers an account of the relationship between use and skill.[17] The managers of "real existing socialism" followed Western capitalism in regarding a certain fragmentation of the labour process as inevitable (Murphy 1993, 10). The marginalization of skillful activity thus gains momentum with industrialization. Deskilling and the disaggregation of skills became pervasive, leading to a loss of synergies between different kinds of skillful activity (Stopford 2011, 31). Economic policy divorces labour from its foundations in skill when it "fetishizes" macro-economic labour productivity as a criterion of economic success (Jackson, 131-132).[18]

This encourages the ongoing replacement of human labour by machinery and "labour saving devices." Even in societies that guarantee a reasonable social minimum, such arrangements deprive people of a key opportunity for the development and exercise of important skills (Stopford 2009, 120-123).[19] The alternative to fetishizing labour productivity may not be inefficiency, however, but the discovery of alternative configurations of skill and particular technologies that allow people to engage in meaningful forms of work (Jackson 2009, 132; Stopford 2009, 129-132).[20] As Jackson notes, this does not mean that policies to enhance labour productivity must be abandoned under all circumstances. But focusing on macroeconomic labour productivity without reevaluating the traditional functions of investment is "a recipe for undermining work, community and environment" (Jackson 2009, 132, 138).

Economic institutions are a *cultural* force and culture is an *economic* force. If the fetishization of labour productivity undermines the

[16] See Stopford 2009, 115-123, 148-60.

[17] On Marx's view of barter in precapitalist economies see Booth 1993, 189-91.

[18] For further discussion of a "low growth" approach to labour productivity see Jackson 2011, 101.

[19] On the "skillful self" see Stopford 2009, 45.

[20] On factors affecting the unity of conception and execution, including aptitudes, technology, worker expectations, and government policy see Murphy, 227-228.

development of skill it also detracts from the cultural conditions of autonomy. The "social logic that locks people into materialistic consumerism as the basis for participating in the life of society" (180) also affects their abilities to grasp and use the tools that their culture offers. Wealth is not an end in itself, but a means that we must know how to use. It is for this reason that "the art of using" (Booth 1993, 48) forms the core of Aristotle's theory of the household: "knowing how to use suggests the art of acquiring and employing with a view to the right end" (49). Since true wealth is acquired and used skillfully for a purpose it also has a natural limit which derives from that purpose. To acquire more than the natural limit prescribes is pointless. The art of using wealth thus leads naturally to the idea of a limit to the acquisition of wealth and of economic growth.

Smith's model of economic growth, centered on the rational self-interested economic agent, the division of labour, specialization, technological development and the extension of markets, is viewed by many economists as unsustainable. Smith himself acknowledges that economic growth will eventually end in a "stationary state".[21] Both Mill (1902, 334-340) and Keynes (1972, 326) believe that a society without economic growth is inevitable "in the long run." Neither author views this prospect pessimistically. Such a society need not be dismal and may even hold out the prospect of social, cultural, and moral progress.

Jackson argues, however, that industrial nations face a "dilemma of growth" that cannot be left to take care of itself in the long run. On the one hand economic expansion at present rates is unsustainable and modern industrial economies must learn to live with diminishing economic growth (Jackson 2009, 14-15). On the other hand, "de-growth" is socially and political unstable. Societies that cannot maintain economic growth face the evils of social instability associated "with declining consumer demand [...] rising unemployment, falling competitiveness and a spiral of recession" (65).

Jackson suggests that the systematic bias towards macro-economic labour productivity in mature economies can be addressed by encouraging structural shifts in economic organization towards a

[21] Smith 1909, 99-100.

"Cinderella economy" that is less material intensive and more labour intensive than economies that strive for a high labour productivity (130-132, 154, 194-197). Such shifts to a low- or post-growth economy can be politically stable and ecologically sustainable if they are wedded to a conception of human prosperity that acknowledges limits. The conception of prosperity that Jackson proposes is based on a set of central capabilities like that proposed by Martha Nussbaum, with the significant limitation that the goal of securing the central capabilities for each citizen must be compatible with economic and ecological criteria of sustainability (45-47).

Jackson follows Sen in rejecting theories that interpret the "living standard" in terms of commodity command (opulence), utility, and blunt proxies such as gross domestic product: "Commodity command is a *means* to the end of well-being, but can scarcely be the end itself [. . .]" (Sen 1985, 19).[22] Sen argues that well-being is a matter of how well someone is able to function rather than of what commodities they command. Human functioning with a given commodity bundle depends on a person's ability to convert commodities into functioning, and this in turn may depend on a variety of physiological, social, biographical, geographical and cultural factors (70-71). Seemingly egalitarian distributions of resources may be unjust because they fail to capture the injustices that arise out of such conversion inequalities. Nutritional policy, for example, should focus not on income or food as a commodity, but on the individual's ability to be well-nourished.

While Sen goes on to develop this line of argument in a way that emphasizes freedom, interpreted as capability to function rather than actual functioning, Nussbaum specifies a concrete list of central human capabilities owed to each citizen of a constitutional democracy. This list emphasizes both the broad range of human capabilities and the material

[22] The limitations of GDP as a measure of prosperity seem obvious when it is pointed out that a large prison population will increase it, whereas efficient and effective healthcare will tend to reduce it. The existence of economically unnecessary malnutrition in Western populations is an example of the way in which the affluence of a society tends to undermine assumptions on which welfarism is based. For discussion of the logic of abundance, the diminishing marginal utility of extra commodities, and the "life satisfaction paradox" see Jackson, Chapter 3, 40-41.

conditions for their development through legislation and social policy (Nussbaum 2000, 78-70; Stopford 2009, 133-134). One reason for drawing up such a detailed list may be practical: political theories should be concrete enough to make it possible to operationalize the idea of development. They must specify important functions in a way that facilitates practical applications (Jackson 2009, 44).

Nussbaum's list of capabilities belongs to a "political" conception of the person that excludes metaphysical pleading and seeks to achieve (taking Rawls's political liberalism as its model) an "overlapping consensus" through cross-cultural dialogue and democratic consultation (Nussbaum 2000, 74-75).[23] The central capabilities embody what she calls "a partial ideal" of truly human functioning, inspired by Aristotle and Marx, and by the idea that governments should not seek to shape citizens but rather put them in a position to shape their own lives (72).[24] An important aim, which Nussbaum shares with Sen, is to overcome structural sources of disempowerment such as adaptive preference to which welfarist and resourcist views are insensitive (114-115, 136-141).[25]

The proposal to focus government and constitutional policy around a normative view of political personhood exposes Nussbaum's view to the charges of perfectionism and paternalism (Stopford 2009, 133, 135-137).[26] In addition, her *prima facie* prioritization of individual functioning raises problems of distributive justice that she cannot easily address (136, 146-148). In a move that Pogge characterizes as "inverted Aristotelianism" Nussbaum claims extra social resources not for the

[23] On the idea of an "overlapping consensus" see Rawls 1996, 133-172.

[24] Nussbaum's list (78-80) embraces a broad range of physical, intellectual, practical, emotional and imaginative capabilities that are central to our relationship to ourselves, to others, to animals, and to the natural world.

[25] For further discussions of resourcism and welfarism, and the sense in which Rawls is a resourcist, see Pogge 2002, 176 f. and Stopford 2009, 21-2, 140-142.

[26] Nussbaum responds to such criticisms by arguing that the list of central capabilities specifies a "partial" rather than a full conception of the good for persons, and that functioning need be supported only up to a threshold below which truly human functioning is not available (2000, 75, 211-212). But the *level* of functioning is not at what is at stake. It is the legitimacy of the use of state resources to impose or enable human functioning at any level that is in question. In *The Skillful Self* I take the view that the role of the central capabilities in questions of distributive justice can only be heuristic (Stopford 2009, 141-142).

better but for the worse endowed, since the worse endowed will be entitled to an increased share of resources as part of the adjustment for conversion inequality. The limits of this redistributive project are unclear, since neither Nussbaum nor Sen proposes a metric for balancing claims across the entire social scheme. This in turn raises questions of feasibility and social stability (Pogge 2002, 206-209; Stopford 2009, 137-138). Such concerns are likely to be aggravated if the ecological and economic constraints of a low growth economy have to be taken into account.

As we have seen, Aristotle's theory of the household implies that the acquisition of wealth is circumscribed by a natural limit. Household wealth is not an end in itself but a means to a certain kind of life that is self-sufficient.[27] It provides a model for flourishing within limits that distinguishes between life and the "good life," treating the acquisition of household wealth as a means to the latter. Aristotle believes that people grow "acquisitive" when they lose sight of their original reasons for acquiring wealth and, having failed to discover the good life, allow the pursuit of wealth to become their ruling activity.

The resourcist's view of the basis of social expectations echoes the view of wealth as an instrument. "Primary goods," as Rawls calls them, are goods (obviously different in kind and scope from Aristotle's conception of household wealth) that people know how to make use of in pursuing their conceptions of the good (Rawls 1971, 90-95). The capability approach, however, goes a step further than Aristotle or Rawls – perhaps a step too far – if it makes functioning the basis of social expectations (Stopford 2009, 138). This "step too far" diverts attention from a third factor relevant to the way human beings function, alongside resources and capabilities, namely the *nonrepresentable skills* (177-179).

Skills are "representable" if they can be delegated to a third party without loss of function (for example when we pay a doctor to look after our health). There are, however, other cases in which skillful activity cannot be delegated without a loss of function (177). Capabilities can on-

[27] The word 'wealth' here denotes the generic objects of a household economy in the sense of Aristotle, not money, riches, or "net worth" in the modern sense. On the translation and interpretation of αὐτάρκης see Meikle 1995, 44-45.

ly be said to be "truly human" if they are grounded in skills that are non-representable in this sense: that each person must acquire and cultivate them for themselves.[28] It is by conceiving and executing a plan of our own making that we take the first and most important step towards acting in a truly human way.

Because it is skillful, this first step is also already a step towards the capacity for rationality that is prefigured in what Kant calls the human "technical predisposition" (Kant 1978, 240; Sennett, 150).[29] Both Kant and Aristotle, from their different perspectives, recognize that the human mind is formally flexible with regard to its objects. In the words of Aristotle: η ψυχη τα ὀντα πως ἐστιν (Aristotle 1907 III, 8, 431b20) - "Man's soul is, in a certain way, entities."[30] While for Aristotle this is an ontological fact, for Kant it is a state of affairs that can only be conceived in conjunction with the historical process by which humankind emerges from its roots in the animal world and develops the technical predisposition for realizing freely chosen ends (Allison 2012, 239, 250; Louden 2011, xxv-xxvi). Culture is not the site of a battle between bestializing and humanizing tendencies (Sloterdijk 2009, 15) but a gradual process by which a capacity for reason that is already prefigured in the manipulative abilities of the human hand unfolds.[31] Skill itself is

[28] On the semantics of 'capability' and 'skill' see Stopford 2009, 146.

[29] The technical predisposition of mankind is illustrated by the capacity of the human hand to manipulate any object whatsoever. The hand is not confined to holding a particular kind of object or grasping a particular type of tool. Its freedom consists in the predisposition by which it can adapt to any object whatsoever. In this respect the human hand anticipates the flexibility of reason itself. Thus Kant writes in the *Anthropology* that "the characterization of man as a rational animal is found in the form and organization of the human hand, its fingers, and fingertips. Nature has made them partly through their construction, and partly through their sensitivity, not only for manipulating objects in one particular way, but also in an open-ended way. Nature has made them, therefore, fit to be used by reason, and thereby Nature has indicated the technological gift, or the gift for skill, of this species as that of a rational animal" (Kant 1978, 240).

[30] Quoted with this English translation in Heidegger 1962, 34.

[31] See Sloterdijk 2009, 15-16. Sloterdijk argues that the humanistic "taming of man" has failed. But the humanism he describes - one that involves initiation into an "intimate society of letters" as the key to the "calming of the inner beast" - is perfectionist. Sloterdijk does not consider the possibility of a – to paraphrase Rawls – "political not metaphysical" conception of education which, rather than dramatizing the contest of culture and barba-

not moral, and the cultural, industrial, and scientific achievements that it makes possible may embody both progressive and regressive elements.[32] But a society that undermines the very feature of culture that prefigures the human predisposition to reason can never be moral.

Understanding the relationship between resources, capabilities and the nonrepresentable skills can throw light on the transition from a growth driven economy focused on consumption to a low growth economy which focuses on capability development "within limits." Such a transition calls for a conception of prosperity that is consistent with sustainable levels of economic activity and thus presupposes an acceptance and understanding of limits. While the list of capabilities proposed by Nussbaum might provide a starting point for such a conception, Jackson argues that the capability approach must be "bounded" – that is to say that only ecological and economic resources consistent with a low or no economic growth scenario should be devoted to the development of the core capabilities (Jackson 2000, 45). But what would it mean to promote human capabilities under such circumstances? How can we make sense of the transition to a society that is no longer wedded to economic growth and is nevertheless prosperous?

One clue to such a transition may be sought in the craft worker's approach to resistances and limits. What Sennett calls the "material consciousness" of the craftsman involves a kind of "dialogue" through which the skilled worker voluntarily submits to the constraints of their material (Sennett 2008, 168). Learning and applying a craft involves learning to deal with limits. Progress in skillful activity involves dealing with obstacles and material resistances that the craftsman must address and devise strategies to overcome. "Skill builds by moving irregularly, and sometimes by taking detours" (238). Sometimes the least obvious course or strategy is the right one, and sometimes the craft worker confronts obstacles that they have themselves introduced. (220-222). Dealing with resistances requires the craftsman to develop secondary skills such as patience and self-discipline (Stopford 2009, 176).

---

rism, focuses on the cultivation of the raw materials of human nature, recognizing that the growth of culture is slow and its progress uneven.

[32] See, for example, Kant's account of the "shining misery" to which the culture of skill leads (Kant 1987, §83).

Skills acquired in this way are nonrepresentable because each person must acquire and exercise them for themselves and one person cannot exercise them on behalf of another. "Thinking as making" and the "material consciousness" of the craft worker involve the development of nonrepresentable skills in a specific medium.[33] To learn to overcome such obstacles through these and other strategies may involve a slow and continuous process of development over many years. "Thinking as making," as Aristotle would agree, is not the same as "thinking as doing." To succeed the craft worker must learn to flourish within the limits of the available.

The craft worker's encounter with obstacles and resistances has parallels in other kinds of skillful activity that do not yield products and artifacts but are nevertheless skillful (175-84). Health, bodily integrity, the capacity for affiliation, and many other capabilities depend on forms of skillful activity that are liable to run into obstacles and resistances in much the way craft work does (148-60). Skills do not exist in isolation from one other but form networks. Skills acquired in one area of a network may be transferred and adopted in others. Each type of skillful activity may break down, whether occasionally or systematically. When a skill breaks down, the entire network of mutually supporting skills connected with it is likely to be affected. We can think of each human being as the custodian of such a network of nonrepresentable skills that is theirs and theirs alone (177).

What we discern here are the outlines of a culture of skill in which the craftsman's slow, sometimes awkward, unpredictable and painstaking encounters with obstacles, resistances, and limits provide a pattern for human flourishing within limits. Cultural progress is neither fast nor instinctive. Were it so, we would not enjoy the flexibility that allows us to interact with the world in an "open-ended" way. Instead, human culture depends on a slow process of "trial, practice and

[33] Sennett's account of "material consciousness" might be seen as an elaboration of Heidegger's (1927, §15) account of *Zuhandensein* , though Sennett's method is not phenomenological. Sennett uses the term "material consciousness" to signify not a "thematic" consciousness of an object, but rather a "productive awareness" that is disclosed by dealing with a material and expressed through phrases such as "thinking with one's hands" (Sennett 2008, 149-155).

instruction" (Kant 1991, 42). The skillful self does not respond to a problem by giving up, but by trying a different approach or looking at a difficulty in a different light. Rather than abandoning its goals, it seeks new ways and means to achieve them. "Skillpower is not willpower, and in craft as in art it often takes a long time to get from A to B."[34]

In a culture of skill people are concerned not with what they have but with what they have to do or what needs to be done. Such a culture is less susceptible than consumer culture to positional or "status goods" and unproductive status competition (Jackson 2009, 154-156) that adds "little or nothing to the levels of well-being" (53) and acts as a "material 'ratchet' that drives resources through the economy" (181).[35] When the skillful self is engaged with the task at hand it may not even notice other selves, far less compare itself with them. To understand others as skillful selves is itself a form of skillful activity (Stopford 2009, 155). The others are encountered not as isolated individuals but in the context of activities in which we notice them because they too are engaged in doing something skillfully.

The other is not someone who occupies the median position in a distribution or a consumer whose choices are mapped using demand curves, but a person who, like ourselves, has a task to do and does it more or less well. Rather than seeing others as economic agents whose material status we compare with our own, we see them in terms of what they can do and be. When citizens develop a skillful understanding of their own activities and have understood that others are also skillful selves who, like themselves, have their problems and obstacles to deal with, they are less likely to base their choices about how to live on the symbolic status of material commodities to which they lack a skillful relationship. Status syndrome and status anxiety are signs that the skillful self has lost touch with the essential context of everyday skillful activity.[36] The less dependent we are on status goods and unproductive status competition the more our participation in society can focus on needs that are "truly human."

---

[34] Stopford 2011, 37 (author's translation). The German text reads: „Die Kraft der Fähigkeiten ist keine Willenskraft, und im Handwerk wie in der Kunst braucht es oft eine lange Zeit, um von A nach B zu kommen."

[35] On consumer culture and the "iron cage" of consumerism see Jackson 2009, 87-102.

[36] On the essential role of contexts of purposes in use see Stopford 2009, 116-117.

A culture of skill thus furnishes a framework of less "materialistic" ways for people to participate in the life of society, reducing our dependency on material growth and preparing the way for a readjustment of the balance between investment, labour productivity and consumption (Jackson, 133-136). The restoration of a public culture of skill cannot by itself resolve questions of distributive justice and basic entitlements. Such issues remain on the day to day political agenda. But such a culture is necessary to sustain the kind of framework within which fairness is possible, holding bargaining and agreement about distributive shares and entitlements to within a manageable range, and laying the foundation for the reasonable management of social expectations.

Political communities that wish to encourage the development of a culture of skill must thus seek ways to resist the marginalization of skill that has become a systematic feature of modern civilization. This does not require us to oppose the "chief dimensions of globalization," but it does involve the search for configurations of economic and technological development that are consistent with a culture of skill and grounded in a democratic critique of technological rationality (Stopford 2009, 7-8, 123-132). [37] This may, in turn, lead to a political conception of prosperity that reflects a skillful understanding of what it means to flourish within limits, and from this position begin to address the dilemma of growth with which ecologically challenged societies are faced.

References

Allison, Henry E. 2012. *Essays on Kant*. Oxford: Oxford University Press.

Angier, Tom P. S. 2010. *Technê in Aristotle's Ethics: Crafting the Moral Life*. London: Continuum.

Anielski, Mark. 2007. *The Economics of Happiness: Building Genuine Wealth*. Gabriola Island (BC): New Society Publishers.

Aristotle. *De Anima,* trans. Robert Drew Hicks. Cambridge: Cambridge University Press, 1907.

[37] On the dimensions of globalization see e.g. Shaw (1999).

Aristotle. *Metaphysics I-IX*, ed. Hugh Tredennick. Cambridge, Mass.: Harvard Loeb Classical Library, 1933.

Aristotle. *Nicomachean Ethics*, trans. Terence Irwin. Indianapolis (IN): Hackett Publishing Co., 1999.

Aristotle. *The Politics of Aristotle*, trans. Peter L. Philips Simpson. Chapel Hill: University of North Carolina Press, 1997.

Barker, Ernest. 1959. *The Political Thought of Plato and Aristotle*. New York: Dover Publications.

Booth, William James. 1993. *Households: On the Moral Architecture of the Economy*. Ithaca: Cornell University Press.

Carolan, Michael S. 2012. *The Sociology of Food and Agriculture*. London and New York: Routledge.

Daly, Herman E., and John B. Cobb. 1994. *For the Common Good: Redirecting the Economy toward Community, the Environment, and a Sustainable Future*. 2nd ed. Boston: Beacon Press.

Finley, Moses I. 1970. "Aristotle and Economic Analysis." *Past and Present* 47: 3-25.

Graeber, David. 2011. *Debt: The First 5000 Years*. New York: Melville Publishing.

Haakonssen, Knud. 2006. *The Cambridge Companion to Adam Smith*. Cambridge: Cambridge University Press.

Heidegger, Martin. 1927. *Sein Und Zeit*. 11. Unveränderte Aufl. ed. Tübingen: M. Niemeyer, 1967.

Heidegger, Martin. 1962. *Being and Time*, trans. John Macquarrie and Edward Robinson. New York: Harper.

Humboldt, Wilhelm von. 1967. *Ideen Zu Einem Versuch, Die Grenzen Der Wirksamheit Des Staats Zu Bestimmen*. Stuttgart: Reclam.

Irwin, Terence. 1977. *Plato's Moral Theory: The Early and Middle Dialogues*. Oxford: Clarendon Press.

Jackson, Tim. 2009. *Prosperity without Growth: Economics for a Finite Planet*. London: Earthscan.

Jackson, Tim and Peter Victor. 2011. "Productivity and work in the 'green economy.' Some theoretical reflections and empirical tests." *Environmental Innovation and Societal Transitions* 1: 101-108.

Jowett, Benjamin. 1937. *The Dialogues of Plato*. New York: Random House.

Kant, Immanuel. 1978. *Anthropology from a Pragmatic Point of View*, trans. Victor Lyle Dowdell, Carbondale: Southern Illinois University Press.

Kant, Immanuel. 1987. *Critique of Judgment*, trans. Werner S. Pluhar. Indianapolis (IN): Hackett Pub.

Kant, Immanuel. 1991. *Kant: Political Writings*, ed. Hans Siegbert Reiss. Cambridge: Cambridge University Press.

Keynes, John Maynard. 1972. *The Collected Writings of John Maynard Keynes*. Vol. IX: *Essays in Persuasion*. London: Macmillan.

Lavecchia, Salvatore. 2012. "Agathologie. Denken als Wahrnehmung des Guten oder: Auf der Suche nach dem offenbarsten Geheimnis." In *Perspektiven der Philosophie. Neues Jahrbuch 38*, edted by Georges Goedert and Martina Scherbel, 11-30.

Louden, Robert. 2011. *Kant's Human Being: Essays on His Theory of Human Nature*. Oxford: Oxford University Press.

MacGregor, Neil. 2011. *A History of the World in 100 Objects*. New York: Viking.

Marten, Rainer. 2009. *Masslosigkeit. Zur Notwendigkeit des Unnötigen*. Freiburg i. Br.: Alber.

Marx, Karl. *Selected Writings*, ed. David McLellan. 2nd ed. Oxford: Oxford University Press, 2000.

Marx, Karl. 1972. *Xenophon: Von der Haushaltungskunst*. In Karl Marx, *Exzerpte und Notizen. 1843 bis Januar 1845, Marx-Engels-Gesamtausgabe (MEGA)*, IV.2 [1. Aufl.]. ed. Berlin: Dietz.

Marx, Karl. 1973. *Grundrisse: Foundations of the Critique of Political Economy,* trans. Martin Nicolaus. New York: Vintage Books.

McEwen, Indra Kagis. 1993. *Socrates' Ancestor: An Essay on Architectural Beginnings*. Cambridge, Mass.: MIT Press.

Meikle, Scott. 1995 *Aristotle's Economic Thought*. Oxford: Clarendon Press.

Mill, John Stuart. 1885. *On Liberty*. New York: J.B. Alden.

Mill, John Stuart. 1902. *Principles of Political Economy, with Some of Their Applications to Social Philosophy*. From the 5th London ed. Vol. 2. New York: D. Appleton and Company.

Murphy, James Bernard. 1993. *The Moral Economy of Labour: Aristotelian Themes in Economic Theory*. New Haven: Yale University Press.

Nussbaum, Martha Craven. 1996. *Women and Human Development: The Capabilities Approach*. Cambridge: Cambridge University Press, 2000.

Parry, Richard D. *Plato's Craft of Justice*. Albany: State University of New York Press.

Parry, Richard D. 2014. *Episteme* and *Techne*. *The Stanford Encyclopedia of Philosophy* (Fall 2014 Edition), ed. Edward N. Zalta, forthcoming URL http://plato.stanford.edu/archives/fall2014/entries/episteme-techne/

Pogge, Thomas W. 2002. "Can the Capability Approach be Justified?" *Philosophical Topics* 30: 167-228.

Rawls, John. 1971. *A Theory of Justice*. Cambridge, Mass.: Belknap Press of Harvard University Press.

Rawls, John. 1985. "Justice as Fairness: Political not Metaphysical." *Philosophy and Public Affairs* 14: 223-251.

Rawls, John. 1996. *Political Liberalism*. New York: Columbia Press.

Schumpeter, Joseph A. 1954. *History of Economic Analysis*. New York: Oxford University Press.

Schumpeter, Joseph A. 1994. *Capitalism, Socialism, and Democracy*. London: Routledge.

Sen, Amartya Kumar. 1985. *Commodities and Capabilities*. Amsterdam: Elsevier Science Publishers.

Sen, Amartya Kumar. 1998. "The Living Standard." In *Ethics of Consumption: The Good Life, Justice, and Global Stewardship*, edited by David A. Crocker and Tony Linden, 287-311. Lanham MD: Rowman and Littlefield.

Sen, Amartya Kumar. 1999. *Development as Freedom*. Oxford: Oxford University Press.

Sennett, Richard. 2008. *The Craftsman*. New Haven: Yale University Press.

Shaw, Martin. 1999. Introduction in *Politics and Globalization: Knowledge, Ethics, and Agency*, edited by Martin Shaw, 1-6. London: Routledge.

Sloterdijk, Peter. 2009. "Rules for the Human Zoo: a response to the *Letter on Humanism,"* trans. Mary Varney Rorty. *Environment and Planning D: Society and Space* 27: 12-28.

Smith, Adam. 1892. *The Theory of Moral Sentiments; to Which Is Added, a Dissertation on the Origin of Languages*, ed. Dugald Stewart. London: G. Bell and Sons.

Smith, Adam. 1909. *An Inquiry into the Nature and Causes of the Wealth of Nations*, ed. Charles Jesse Bullock. New York: P.F. Collier and Sons.

Stopford, John. 2009. *The Skillful Self: Liberalism, Culture, and the Politics of Skill*. Lanham: Lexington Books.

Stopford, John. 2011. "The Skillful Self: Das Fähige Selbst: Zweckmäßigkeit, Nutzbarkeit und die Idee von einem Netzwerk der Fähigkeiten," trans. Nicole Schmitt. *Mitteilungen* 18.

Taylor, Frederick Winslow. 1917. *The Principles of Scientific Management*. New York: Harper and Brothers Publishers.

Vidal-Naquet, Pierre. 1977. *Economic and Social History of Ancient Greece: An Introduction*, trans. M.M. Austin. Berkeley: University of California Press.

Xenophon. [1876] 1971. *The Economist*, trans. Alexander D.O. Wedderburn and W. Gershom Collingwood. New York: B. Franklin.

Contributors

Elvio Ancona is Permanent University Research Fellow in Philosophy of Law by the University of Udine. Therein he has taught *Political Philosophy*, *Philosophy of Law*, *History of Philosophy of Law*, and *Methodology of Law*. He has published several essays on the history of juridical thought, including the monographs *Alle origini della sovranità. Sistema gerarchico e ordinamento giuridico nella disputa sui due poteri all'inizio del XIV secolo*, Giappichelli, Torino 2004, *Marsilio da Padova. Indagine su un enigma storiografico*, Cedam, Padova 2012, *Via iudicii. Contributi tomistici alla metodologia del diritto*, Cedam, Padova 2012.

Thomas Becker was Professor at the University of Bamberg, where he held the Chair of German Linguistics. He had previously been Professor of German Linguistics at the University of Rostock, and Visiting Professor at the University of Caen Basse-Normandie (France), the University of Georgia (USA), the University of Erlangen-Nurnberg (Germany), the University of Wisconsin-Madison (USA), the University of Calgary (Canada) and the University of Stuttgart (Germany). He had studied Linguistics, German, Logic and Theory of Knowledge at the University of Munich, where he had received his *Habilitation* in 1995. He was the author of many articles and book chapters, and of three monographs.

Gabriele De Anna (PhD Padua, PhD St Andrews) is Juniorprofessor of Philosophy at Bamberg University, in Germany. He holds also a Reserach Fellowship at the University of Udine, in Italy, and was Visiting Fellow at the Centre for Philosophy of Science at the University of Pittsburgh (USA), Marie Curie Fellow at the Centre for Research in the Arts, Social Sciences and Humanities at the University of Cambridge (England). He wrote over thirty articles in professional journals and collective volumes, authored six monographs, and edited seven volumes.

Mario De Caro is Associate Professor of Moral Philosophy at Roma Tre University and since 2000 has also been teaching at Tufts University, where he is a regular Visiting Professor. He has been a Fulbright Fellow at

Harvard University and a Visiting Scholar for two years at MIT. He is the vice-president of the Consulta Nazionale di Filosofia, a past president of the Italian Society for Analytic Philosophy, and an Associate Editor of the *Journal of the American Philosophical Association*, forthcoming for Cambridge University Press. Besides authoring articles in five languages and three books in Italian, he has edited volumes for Harvard University Press, Columbia University Press, Springer and Kluwer. He is interested in action theory, moral philosophy, neuroethics, metaphysics, metaphilosophy, philosophy of film, and history of early modern thought.

Alexander Fischer studied Literature, Philosophy, Communication Science and Modern History (2006-2012) at the University of Bamberg, Germany. In 2010 he also received a Masters degree in German Studies from the University of Waterloo, Canada. He is currently working on his PhD dissertation concerning the ethical dimension of manipulation and does research and teaching at the University of Bamberg while working as a scientific assistant at the chair of Practical Philosophy. He has also worked for the ethics department of the *C.C. Buchner* publishing house in Bamberg for several years. His main fields of interests are Ethics, Political Philosophy, Philosophy Didactics and the relation of Philosophy and Psychology.

Marko J. Fuchs has been a researcher and an academic assistant at the department of philosophy, University Bamberg, since 2010. He studied studied philosophy, English literature, and history of art at the Friedrich-Schiller-University Jena (1996-2003), where he received also an M.A. (2003) and a PhD (2008). Subsequently he was a research assistant at the Martin-Grabmann-Institut, LMU Munich (2008-2009) and a substitution for an academic assistant at the department of philosophy, Otto-Friedrich-University Bamberg (2009-2010). In 2014 he submitted the *Habilitation* dissertation at the University Bamberg.

Christian Illies is Professor of Philosophy at Bamberg University, where he holds the Second Chair of Philosophy. He held visiting positions at the Universities of Berlin (Academy of Ethics and European College of Liberal Arts), Cambridge (UK), Hamburg, Notre Dame (USA). He previously taught at the Universities of Delft, Eindhoven and Essen. He re-

ceived his PhD from the University of Oxford and his *Habilitation* from the University of Aachen. He is the author of several articles and book chapters in German and international journals and collections, and the author of monographs, including *The Grounds of Ethical Judgement*, Oxford: Oxford University Press, 2003.

Paolo Labinaz is research fellow at the Department of Humanities of the University of Trieste, Italy. He received his PhD in Philosophy at the University of Trieste in 2010 discussing a thesis on "Standards of Rationality and Context". His primary research interests are in the fields of the philosophy of language, pragmatics, argumentation theory and the philosophy of cognitive science, with special focus on the relationship between reasoning and argumentation and on theories of rationality in philosophy and cognitive psychology. He participated, presenting papers, in national and international conferences and workshops (in particular, at conferences of the *European Society for Analytic Philosophy*, of the *Italian Society for Analytic Philosophy* and of the *Italian Society for Philosophy of Language*). He published the volume *La razionalità* (*Rationality*), Roma: Carocci, 2013, and various papers in philosophical journals (*Epistemologia*, *ApheX*) and collections.

Salvatore Lavecchia (1971) is Associate Professor for History of Ancient Philosophy at the University of Udine (Italy). Concerning Plato he is author of the monographs *Una via che conduce al divino. La homoiôsis theôi nella filosofia di Platone*, Milano, Vita e Pensiero 2006, *Oltre l'Uno ed i Molti. Bene ed Essere nella filosofia di Platone*, Milano/Udine, Mimesis 2010, *Generare la luce del bene. Incontrare Platone*, Bergamo, Moretti e Vitali 2015 (in print), and editor of the volume *Istante. L'esperienza dell'illocalizzabile nella filosofia di Platone*, Milano/Udine, Mimesis 2012. His present research concentrates on the metaphysics of light in Plato and in the history of Platonism, with particular regard to its associations with the notions of "good," "self" and "consciousness."

Massimo Marraffa is Associate Professor of Logic and Philosophy of Science at Roma Tre University and member of the School Board in Cognitive Neurosciences and Philosophy of Mind, The Institute for Advanced Study IUSS Pavia. His research focuses primarily on issues in

philosophy of mind and philosophy of psychology, on which he has published books, articles and book chapters in Italian and English.

Riccardo Martinelli is Associate Professor of History of Philosophy at the University of Trieste (Italy). He was three times Fellow of the Humbold Foundations, twice at the University of Konstanz, and one time at the Humbold University of Berlin. He was also Fellow at the University of Graz (Austria). He studied at the University of Bologna and received his PhD from the University of Florence. He specialises in the Philosophy of the Brentano School, in German Idealism, in Pragmatism and in the Philosophy of Music. He authored over sixty publications, including several articles and books chapters, four monographs, and two edited volumes.

Marina Sbisà is Professor of Philosophy of Language and Head of the Department of Humanities at the University of Trieste, Italy. She has done research in the philosophy of language, semiotics, discourse analysis and gender studies, with particular attention to pragmatic issues such as speech acts, presupposition, implicature, and context. She collaborated with J.O. Urmson on the revised edition of J.L. Austin, *How to Do Things with Words* (1975). She published the volumes *Linguaggio, ragione, interazione* ('Language, reason, interaction'), Bologna: Il Mulino, 1989 and *Detto Non Detto. Le forme della comunicazione implicita* (*Said not said. The forms of implicit communication*), Roma-Bari: Laterza, 2007. Her papers appeared in international journals (among which *Journal of Pragmatics, Language and Communication, Grazer Philosophische Studien*) and collections.

John Stopford was born and educated in England. He studied philosophy and psychology at Oxford University, and at the University of Hamburg in Germany, where he was awarded his doctorate in philosophy *summa cum laude* in 1985 for a dissertation on art and inquiry. He has taught philosophy in the United States at the School of the Art Institute of Chicago (Associate Professor 1991), and in Germany, where he has also worked in the music business and now lives. His publications include papers on semiotics and epistemology, political theory and culture, and the philosophy of music. His monograph *The Skillful Self: Liberalism, Culture, and the Politics of Skill* was published in 2009.

University
of Bamberg
Press

The challenge of realism is one of the common features of current philosophical debates, across different cultural traditions, and in many areas of investigation (epistemology, metaphysics, ethics, aesthetics, theory of action, etc.). The implications of realism for political philosophy and political practice, though, are just starting to become an object of systematic discussions. Such implications, however, are significant, since the area of politics is contiguous with that of ethics and action, for example. This volume intends to contribute to debates on the relevance of realism – especially moral realism – for politics. The essays included in the collection address a number of related issues, ranging from foundational problems of realism in ethics, action theory and politics, to questions about pragmatics, to difficulties in political theory, and to political hindrances related to economics and legal theory. The common focus of all essays is the relevance of realism for a conception of practical rationality in political contexts.

eISBN 978-3-86309-295-5

www.uni-bamberg.de/ubp