

# The Oracle

York University's  
Undergraduate Philosophical Review



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# CONTENTS

- 1 A Note of Thanks  
*Jeremy Larkins*
- 2 Editorial  
*Idil Boran*
- 4 Escaping from the Morass: A Critical Survey of  
Relativism and its Consequences  
*Tom Musetti*
- 17 T.M. Scanlon: Contractualism, Reasonableness, and  
Moral Intuition  
*Shawn Bartlett*
- 31 You Ought to Know Better: Acknowledgement and  
Epistemic Injustice  
*Benjamin James Pullia*
- 48 The Bane of Fairness  
*Aaron Lauretani*
- 63 New Thoughts on Consciousness  
*Mike Tkacz*
- 73 Notes on Contributors
- 74 How to Submit to the *Oracle*





# A Note of Thanks

There are many people to be thanked in the creation of a journal such as the Oracle, and I would like to recognize those people here. My thanks go out to:

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All our contributors – without you the Oracle would not exist!

And finally, to those I have forgotten, but have helped create this journal, you have my thanks.

Sincerely,

Jeremy Larkins  
Editor-in-Chief, 2010

## Editorial

All academic researchers, including those who end up being influential philosophers, have first been students. Some began finding their own voice and developing their positions as early as their student years. Others used years of reflection to make their most important contribution. But all have interacted with their mentors in an environment of exchange, learning, and exploration. Then, they moved on to establish themselves as participants to the rich and ongoing conversation that academic research is, having students of their own and continuing their investigations with them. Being a student, in other words, is an integral part of academic life and, fundamentally, no one ceases to be a student in the grand scheme of things.

During my undergraduate years in the 1990s in Turkey, I had the great fortune to be trained in an environment that had direct ties to the logical empiricist movement. This was no coincidence as, in the 1930s and 1940s, the then relatively young Republic of Turkey, had opened its doors to logical positivists who had to flee Nazi Germany. These scholars then moved on to the United States to seek greater opportunities in American Universities to pursue their research. The period was intellectually enriching and had an influence to the teaching environment when I enrolled as a student. As is well known, logical empiricism has had an extraordinary and much larger influence in the progression of the discipline of philosophy as it is practiced now, particularly in North America. My awareness of being in an exciting and open-minded context of learning, with such a strong heritage, has never stopped giving me a sense of excitement and motivation. When I moved to Canada, my adopted country, the intellectual transition was seamless, as I felt part of the same conversation. I met great professors, who continued to instill in me the urge to seek sound judgment, even if this means revising one's thoughts if needed.

The sense of excitement that I experienced from working under inspiring mentors is, to a large extent, similar to the sense of excitement I now feel working with some talented undergraduate



students, such as the ones who run Philosophia, York University's Undergraduate Philosophy Association. What the members of Philosophia are doing by collectively bringing their efforts together to publish this Journal, along with the other activities of the society, is to produce a body of work that contributes, though in small steps, to the larger conversation of philosophical research. They have maximized their interaction with their professors and with one another to produce work of their own. In doing so, they have also shown that being a student is indeed an integral part of university research and the academic profession.

It is extremely gratifying to be part of an environment of exchange and inquiry where students – not only the members of Philosophia but also contributing authors to the journal – show so much initiative and take an active part in knowledge production. The body of work that now appears in print, after months of preparation, should be of interest to everyone who has similar goals, at all levels in the research community.

Idil Boran  
Assistant Professor  
York University, 2010



# ESCAPING FROM THE MORASS: A CRITICAL SURVEY OF RELATIVISM AND ITS CONSEQUENCES

Tom Musetti

*"Almost every student entering the university believes,  
or says he believes, that truth is relative."  
- Allan Bloom*

## INTRODUCTION

Of the many topics pertaining to philosophical inquiry, perhaps the most significant is the issue concerning the nature of knowledge. Relativism as a philosophical doctrine has been heavily criticized and attacked as an incoherent and self-refuting position. A source of problem for anti-relativists is that most of the literature on the topic seems to suggest that relativism is a rather amorphous concept about which a plurality of opinions is held. Although it is the case that there are a plethora of views pertaining to the doctrine of relativism, it can be generally agreed that its fundamental principle is such that 'truth' is a contingent concept relative to individuals, communities, and/or language.

A *prima facie* look at relativism, even from the perspective of the most honest inquirer, often appears to be quite the seducer. The aim of this paper is to present a defence of a realist position pertaining to knowledge to show that relativism is in fact self-referentially incoherent

and cannot be defended objectively; furthermore, my focus shall be a criticism of relativism in general but, more specifically, relativism in the landscape of epistemology. This article is divided into two main parts. The first is an analysis of epistemology as it relates to relativism through the lens of three critical principles that I take to be essential to knowledge. Although not an exhaustive list, the principles (as part of a coherent system) are: *a*) the presumption that our cognitive faculties have a goal of maximizing true beliefs and minimizing false ones; *b*) the non-negotiability of the laws of logic; *c*) the reliability of sense perception. The second part presents the two possible options for the relativist: defeat or irrationality. Drawing from the contributions of Roderick Chisholm, Paul O'Grady and Alvin Plantinga to the debate, I shall attempt to show that neo-classical foundationalism serves as a defeater of relativism (i.e. one cannot continue to rationally hold relativism after accepting realism). As opposed to the classical Cartesian foundationalism that deduces all truth claims from only indubitable and infallible propositions, neo-classical foundationalism allows for a wider spectrum of truths drawn from an inference to the best explanation based not only on indubitable and infallible propositions but also *basic beliefs* such as the reliability of memory, testimony of others, phenomenal experience and sense perception. Note that I use *realism* to encompass both *foundationalism* and *properly basic beliefs*.<sup>1</sup> My working definition of knowledge in this article is: 'S knows that *P*' if and only if *a*) *P* is true, *b*) S believes that *P*, and *c*) S is justified in believing that *P*.

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<sup>1</sup> I distinguish neo-classical foundationalism from classical foundationalism by adding these properly basic beliefs. These beliefs are not indubitable, nor infallible.

CAN EPISTEMIC RELATIVISM BE DEFENDED OBJECTIVELY?

It is difficult to pinpoint exactly what epistemological relativism is. Paul O'Grady rightly states that the "multiplicity of positions labelled epistemological relativism arises due to the fact that the rejection of this absolutist view yields a variety of possible positions of varying degrees of strength."<sup>2</sup> One thing is certain, however, and that is that this position is diametrical to an absolutist conception of knowledge. The goal of epistemology for both the realist and the relativist is to arrive at knowledge; yet, the former claims that knowledge is absolute while the latter takes the position of knowledge being relative and subject to a particular framework. Some questions that revolve around the nature of knowledge are as follows: What is knowledge? How is knowledge achieved? What are the means of achieving knowledge? In this section I will attempt to provide a cluster of reasons why relativism about knowledge cannot be defended objectively and also that the attempt to defend relativism about rationality "invariably end[s] up showing the reverse" as John Searle pointed out.<sup>3</sup>

I want to first make it clear that most people (if not all) do not believe something that they *know* is not the case; in other words, 'S knows that *p*' is inconsistent with 'S believes  $\sim p$ '. For example, it happens to be the case that 'I am sitting in front of a computer typing a paper and that I am experiencing a mild headache (probably because I have not had my morning coffee yet)', call this statement *p*. It is

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<sup>2</sup> Paul O'Grady, *Relativism* (Montreal: McGill University Press, 2002) p. 89.

<sup>3</sup> *Mind, Language and Society* (New York: Basic Books, 1998) p. 5.

also the case that I happen to believe  $p$  and also that I am immediately justified in believing  $p$  through sense perception, phenomenal experience and memory. So I do have knowledge in this case and it would be irrational to know  $p$  and not believe it. But there are other fundamentals that need to be accepted before one can even make sense of knowledge. According to Chisholm, it is generally accepted in “western philosophy” that there are four sources of knowledge:

- 1) external perception
- 2) memory
- 3) self-awareness (reflection or inner consciousness)
- 4) reason<sup>4</sup>

One does not need to go very far to notice that Chisholm is correct. This creates a problem for relativism, however. If the advocate of relativism wants to make a knowledge claim, she must also accept these principles. It would be very difficult, if not impossible, for the relativist to overlook memory or self-awareness as a reliable source of knowledge. This, along with sense perception, must be acknowledged as an indispensable source of knowledge. These must be viewed and adopted by the honest inquirer as fundamental grounds in which without them knowledge cannot be attained. Thus it is the case that if the relativist adopts these fundamental principles she defeats the position she is defending. But there are other underlying issues that the relativist must account for and not merely circumvent. In the following paragraphs, I shall survey in-depth three principles that contribute to a coherent system.

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<sup>4</sup> Roderick Chisholm, *Theory of Knowledge*, 2nd ed. (New Jersey: Prentice-Hall, 1977) p. 122.

*The Goal of Cognition*

Here, I am working under the assumption that the goal of cognition – ignoring whether human cognition is a direct endowment from the divine or a product of evolution – is to provide the agent with a maximization of true or mostly true beliefs and a minimization of false beliefs. If this is the goal of cognition, we have reason to subscribe to the position that there are in fact mind-independent propositions and the aim of our cognitive faculties is to give us a reliable account of these propositions such that its aim would be to accept those that are true and reject those that are false. However, one does have the option to adopt the position that there is no such truth-maximizing – or at least truth-preserving – goal of cognition. Indeed there are unhealthy implications to the adherent of such position; but it will soon be clear that relativism must either adopt this self-defeating stance or resort to the truth-seeking function of our cognition faculties that flourishes only if relativism is not true.

To dig a bit deeper, we must analyze what exactly constitutes the nature of a goal-oriented cognition. I believe it is fair to say that human cognition plays a major role distinguishing us from other animals. Alvin Plantinga, who subscribes to an externalist view of epistemic justification, claims that there are conditions that must be met so that when added to true belief entails knowledge. He dedicates a whole book to this and, succinctly put, concludes that it is necessary that our cognitive faculties be working properly (i.e. one is not intoxicated or has a high fever) in a compatible epistemic environment (i.e. one is not subject to some sort of illusion) according to a plan successfully aimed at true or mostly true beliefs. He states

that if these conditions do not hold then one must render all beliefs suspect.<sup>5</sup> Although the limits of this paper restrict me from delving even deeper into Plantinga's work, it suffices to say that it is not reasonable to bring a charge against this truth-providing function of our cognitive faculties. Note that I am not making the 'strong' claim that our cognitive system must be aimed at *only* true beliefs; rather, it must – at minimum – be aimed at *mostly* true beliefs.

Here's the catch for the relativist. Given that knowledge is commonly accepted by epistemologists to be justified true belief as I stated in the introduction of this paper, the claim that knowledge is relative implies that truth is relative and vice-versa. The justification of any belief can be entirely internal to the agent; this is known as *internalism*. Thus, one can be a relativist in regards to her justification and also in regards to her beliefs, that is, she is allowed to believe whatever she wants by any internally justified means. A justified belief could be something like, 'I see the Sun moving in the heavens; therefore, it is the case that the Sun rotates around the Earth'. This is a case of a justified *false* belief. Hence, justified belief is not sufficient to yield knowledge, what is missing is a true proposition, a state of affairs outside the agent that has some relation to her.<sup>6</sup> Therefore, if truth is a necessary component to knowledge as I have shown to be, then epistemic relativism is by necessity false.

The relativist finds herself at odds with propositions and also with her beliefs about those propositions. As

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<sup>5</sup> *Warrant and Proper Function* (New York: Oxford University Press, 1993)

<sup>6</sup> Here I overlook phenomenal statements such as 'I know I am in pain,' which is an immediate justification of a private, ineffable states of one's own body.

noted, the relativist's beliefs are inscrutable, that is, unable to verify whether it is true or false, unless it is accepted that her cognitive faculties have the goal of providing true or mostly true beliefs. If the relativist accepts this to be true, she has established a foundational basis for her beliefs. Establishing such a foundation automatically presupposes that the purpose of this foundation (i.e. functional cognitive faculties aimed a true or most true beliefs) is to provide the most accurate account of the agent's environment. Thus if truth is relative, either the agent's cognitive faculties are malfunctioning or relativism is false.

*The Non-Negotiability of the Laws of Logic*

There are certain fundamental principles in this world that cannot be denied, defeated or overridden. I want to delineate here the importance of adhering to the laws of logic and its relation to relativism. The rejection of fundamental laws of logic such as the law of excluded middle and the law of non contradiction comes at a high cost for the relativist.

It happens to be the case that relativism is true if and only if it is not false ( $p \equiv \sim\sim p$ ), or stated positively, relativism is true if and only if it is true ( $p \equiv p$ ); if the relativist denies this, she will find her position indefensible and incoherent. Roderick Chisholm rightly affirms that it may be assumed that everyone "is subject to a purely intellectual requirement – that of trying his best to bring it about that, for every proposition  $h$  that he considers, he



accepts  $h$  if and only if  $h$  is true"<sup>7</sup>. Moreover, O'Grady informs us that,

"Logic is clearly fundamental to human reasoning. It governs the process of inferring between beliefs in a truth-preserving way, such that if one starts with true beliefs and then makes no mistakes in logic, one is guaranteed to have true beliefs as a conclusion. The central notion of logic, validity, is usually characterized in this fashion."<sup>8</sup>

If O'Grady is correct the laws of logic can only be broken at the expense of rationality. So, if such is the case, relativism can only hold a cogent and rational position if it adopts these fundamental principles. But relativism by definition resists any absolute truth. O'Grady sees the law of non-contradiction as one of many "core principles" that suffice to "curb relativistic excesses tending towards scepticism or subjectivism."<sup>9</sup> According to this law, it cannot be the case that it is true that  $p$  and also  $\sim p$ . One must presuppose the laws of logic in order to make sense of anything whatsoever. Furthermore, these laws must be universal and mind-independent.<sup>10</sup> Hence, the relativist position is one of extreme infelicity if this law is violated. If it is true that this law can be violated, it necessarily follows that relativism is true and false. In order for the relativist to avoid this problem, this law must be adopted, but only at the expense of relativism itself, so rightly Phillips: "the

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<sup>7</sup> *Theory of Knowledge*, p.14.

<sup>8</sup> *Relativism*, p.44.

<sup>9</sup> *Ibid.*, p. 140

<sup>10</sup> This would be against a conventionalist doctrine of truth that views logical and mathematical truths as human creation. See, O'Grady, *Relativism*, pp. 122-124 for an objection to this position.

'truth' of relativism is essentially ineffable and non-rational and no arguments can be offered to support it."<sup>11</sup>

*The Reliability of Sense Perception*

The reliability of sense perception (hereafter SP), I want to argue, is an inadmissible tool for justification of beliefs. SP must be adopted by the honest inquirer and cannot go overlooked. The reliability of SP permeates philosophical inquiry of many kinds but this does not mean that it is sufficient on its own. Before continuing on to show how SP relates to relativism, a brief moment is needed to delineate the limits of SP. Take the following statements:

- (1) No one is taller than himself.
- (2) There are no such things as 'square' triangles.
- (3) 17 is prime.

The above-mentioned are examples of beliefs that cannot be verified through SP and demarcates the limits of it. Statement (1) must be taken to be true and there is no way that it can be verified through SP, even if SP is a reliable faculty. It would be irrational for one to say "it could be the case that there is no one taller than himself, but that may not be the case in some other world." The underlying issue here is that one must appeal to something other than SP to have knowledge of this truth. Statement (2) is also unverifiable by virtue of the fact that a 'triangle' by definition is different than a 'square' by definition. An enclosed figure with three angles with sum equal to  $180^\circ$  cannot be the same thing as an enclosed figure with four angles with sum equal to  $360^\circ$ . So for the realist, where ' $3 \neq 4$ ' is a necessary truth, this truth is merely contingent to a

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<sup>11</sup> *The Challenge of Relativism* (New York: Continuum, 2007) p. 47

given framework according to the relativist. Statement (3) is true by virtue of the definition of 'prime' i.e. a natural number which has 1 and itself as the only natural divisors.

Continuing on with the limits of SP, take two more sets of statements that should not be put to question:

(4) SP is reliable

(5) There are minds other than my own

My purpose here is to show that (4) and (5) are examples of veridical statements that must be presupposed for any rational conjecture. One cannot formulate an argument for the veracity of these two statements; one must assume them to be true (and not false) in order to achieve coherence. Interestingly, almost everyone takes it for granted that their SP apparatus actually provides them with accurate information about the material world.

How do these few paragraphs relate to relativism? Briefly stated, I outlined that SP is not necessarily sufficient to provide true beliefs leading to knowledge (thought at times it is). There are *a priori* truths that are entirely independent of SP such as (1), (2), and (3). Moreover, (4) presupposes SP and (5) is a metaphysical presupposition necessary for rationality and also survival. One is thought to be insane to deny (5). Furthermore, there are no arguments that accompany the acceptance or denial of anyone of these statements. On a realist account, these are fundamental truths.<sup>12</sup> The relativist will find herself in a very unpleasant, incoherent position that leads to nonsensicality if she denies the reliability of SP. The reason why I chose to focus on SP is because it is the most reliable faculty that provides us with information about the

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<sup>12</sup> I hold to the belief that (4) and (5) are also fundamental, even though (4) is an example of epistemic circularity (which differs from logical circularity).

physical world<sup>13</sup>; thus, it cannot be the case that the reliability of SP is a relative concept. For the relativist to make any rational claims about the physical world, she must assume that SP is a reliable source of knowledge about the world. In doing so, relativism about the source of knowledge of the physical world must be false. To prevent from missing the point here, I'd like to make clear that my reason for showing the limits of SP was to emphasize the fact that some sources of knowledge must be justified by appeal to such a fallible and dubitable apparatus.

THE END OF THE RELATIVIST ROPE: DEFEAT OR  
IRRATIONALITY

According to William Alston, 'realism' as opposed to 'antirealism' (or relativism) "is often concerned to assert that physical objects, universals, propositions, or whatever, enjoy an "independent" existence."<sup>14</sup> I propose here to show that realism, serves as a defeater of relativism, that is, one cannot continue to rationally hold to relativism when realism is adopted by that individual. Examples of defeaters are ample in (but not limited to) the history of science. One recalls that the heliocentric model of the universe combined with Newton's gravitational laws defeated the geocentric model of the universe held by Aristotle and Ptolemy. This defeat is something active in the mind of an individual so that if, after accepting a position that defeats the previously held position by the

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<sup>13</sup> For a detailed work on the topic, see William Alston's *The Reliability of Sense Perception* (Ithaca: Cornell University Press, 1993).

<sup>14</sup> *A Realist Conception of Truth* (Ithaca: Cornell University Press, 1996) p. 73.

individual, it becomes irrational to continue to accept the previous position. In other words, a defeater does one of two things: it either completely removes the justification of a certain belief, or severely weakens it. I propose here the conclusion that foundationalism serves as a defeater of relativism by undercutting its justificatory ground.

The focus of this paper is to evaluate whether relativism can be defended objectively. The abovementioned case is an instance of a rebutting defeater, where reason is given to believe  $\sim q$  (where  $q$  is geocentric model). One learns, despite the appearance of the heavenly objects rotating around the Earth, that the Earth is actually not the center of the universe and that only one heavenly object rotates it; therefore, it would be irrational for one to still believe  $q$ , because the evidence against  $q$  rebuts it. Likewise, in the case of relativism, realism serves as an undercutting defeater such that one cannot continue to rationally adhere to relativism when the claim of realism is cognitively and honestly acknowledged.

So a relativistic framework can only be rationally defended if it adopts its defeater. Adopting the defeater undercuts the ground necessary to rationally continuing adhering to relativism. Therefore, relativism is defeated such that "it fails to establish the truth of the relativist's claim universally."<sup>15</sup>

## CONCLUSION

Putting together the threads of this essay, it is clearly seen that the primary concern was with relativism's inability of defending its position objectively. I have labored to show that epistemic relativism fails in every direction, especially

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<sup>15</sup> Phillips, *The Challenge of Relativism: Its Nature and Limits*, p. 31

when it tries to defend itself objectively. I approached this discussion first by establishing the goal of cognition: to provide true or mostly true beliefs. As such, if the relativist denies that a truth-inducing cognitive faculty is necessary for knowledge, it follows that knowledge claims have no epistemic value. Furthermore, if one claims that truth is relative, then either her cognitive epistemic faculties are malfunctioning or relativism is false. The non-negotiability of the laws of logic showed us that violating these laws leads to a self-referentially incoherent position, whereas adopting these laws defeats relativism. Finally, I showed that sense perception is an indispensable tool for providing us with facts about the physical world. Though not infallible and indubitable, it is unreasonable to raise suspicion in regards to its reliability; thus the relativist must either subscribe to the reliability of the senses as a basic belief or always be sceptical about information received from the senses. We have seen that relativism is a self-defeating or at best, incoherent philosophical doctrine. According to Christopher Norris, relativism is something that is made to appear plausible by crafty arguments, though most people, including its defenders at times, are always inclined to know it to be false.<sup>16</sup>

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<sup>16</sup> *Truth Matters* (Edinburgh: Edinburgh University Press Ltd, 2002) p. 23.



## T.M. Scanlon: Contractualism, Reasonableness, and Moral Intuition

Shawn Bartlett

In his article “Contractualism and Utilitarianism”, T. M. Scanlon formulates a contractualist account of moral wrongness. For Scanlon, a morally permissible principle is one that cannot be reasonably rejected within the context of an “informed, unforced general agreement.”<sup>1</sup> Scanlon posits a hypothetical situation between agents who share a mutual recognition of each other’s value as persons. These persons are assumed to be rational individuals who are capable of formulating their own particular visions of the good<sup>2</sup>; this situation is the figurative space in which a principle can be held up to the standard of reasonable rejection. Scanlon’s formulation of moral wrongness hinges on this notion of reasonableness. If we are to use it as a standard of rejection, it must be clear what Scanlon considers reasonableness to be. The goal of this paper is to clarify the meaning of reasonableness in Scanlon’s contractualism, consider how it functions within the hypothetical space of mutual recognition, and challenge its sufficiency as a standard of moral wrongness in relation to our moral intuitions.

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<sup>1</sup> Scanlon, p. 110

<sup>2</sup> Kumar, p. 14

Scanlon is attempting to sketch out a characterization of moral wrongness that differs from the utilitarian standard of moral deliberation grounded in aggregate 'well-being'. He admits that there seems to be something intuitively correct in the idea that the well-being of persons is morally good. Scanlon argues that it is this moral intuition that makes utilitarianism an appealing standard for moral deliberation. However, utilitarianism can often result in counter-intuitive normative judgements that fail to reflect the overall scope of moral feeling.<sup>3</sup> Thus, Scanlon's contractualism is an attempt to develop an account of the nature of morality that can make sense of utilitarianism's appeal, while avoiding the pitfalls that normative utilitarianism entails.<sup>4</sup> One could argue, contra Scanlon, for what Peter Railton refers to as "sophisticated consequentialism". This entails choosing to perform an action, out of those actions available to an agent, that would bring about the objectively best state of affairs.<sup>5</sup> Under this view it could be argued that the most good would be promoted by acting in accordance with common moral intuitions, as opposed to conforming all our individual actions to a consequentialist standard of moral worth (Railton refers to this as "subjective consequentialism").<sup>6</sup> The sophisticated consequentialist still defines moral wrongness in terms of the consequences of an action and the overall good that said actions brings about. He/she is applying the standard of moral wrongness to a state of affairs which is not limited to the perspective of a single individual, but positing an objective

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<sup>3</sup> Scanlon, p. 108

<sup>4</sup> Ibid, p. 110

<sup>5</sup> Railton, p. 152, 153

<sup>6</sup> Ibid, p. 152



state that applies to all who are affected by the consequences of an action. Not wishing to diverge too much from our central topic, I will just point out that this form of consequentialism assumes a standard of moral wrongness that is, by definition, beyond the perspective of an individual moral agent. Railton opposes decisions based on objective and subjective consequentialist reasoning. It is questionable whether the individual knower is capable of viewing moral dilemmas from such a God's-eye view perspective, whether a moral agent is able to recognize which action is the moral action from an objective point of view; thus, sophisticated consequentialism entails assuming a standard that cannot be perceived. This vagueness is problematic to say the least.

Returning to Scanlon, well-being does factor into moral consideration, but it cannot act as the standard that exclusively defines which acts are moral and which are immoral. We see here right from the outset that Scanlon's conception of reasonableness is set in opposition to utilitarianism. He does not consider the aggregation of well-being to be a reasonable way to conduct moral deliberation.<sup>7</sup> For instance, from the perspective of 'act' utilitarianism, it might be moral to harvest organs from John, a single, healthy individual, in order to save the lives of another five patients who will die without organ transplants. For the vast majority, such a decision is strongly counter-intuitive; one would be hard pressed to find a doctor and five patients who would actually agree to participate in such an act. Why is this? Because it violates a commonly held moral intuition that it would be immoral to place such a heavy burden on a single

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<sup>7</sup> Parfit, p. 74

individual, to sacrifice him against his will, even if it would result in an increase in the collective well-being of the five dying patients. As Scanlon argues, we have an intuitive sense that the individual's life is valuable and it would be unreasonable to demand a disproportionate sacrifice from one individual for the benefit of the group.<sup>8</sup>

Thus, Scanlon argues that "an act is morally wrong if its performance under the circumstances would be disallowed by any system of rules for the general regulation of behaviour which no one could **reasonably**<sup>9</sup> reject as a basis for informed, unforced general agreement."<sup>10</sup> This statement is Scanlon's formulation of moral wrongness itself. A principle that could be rejected by another sufficiently informed, uncoerced participant is immoral, under the condition that the grounds for rejection are reasonable. An informed agreement entered into freely must be presupposed in this situation in order to ensure that there is a certain amount of equality between the participants. Scanlon's characterization of moral wrongness would be distorted if it allowed for the manipulation of others through misinformation, or if it allowed an agent to take advantage of those who do not have the capacity to reject an unreasonable principle. A sufficient level of accurate information must be presupposed within the space of consideration. Otherwise, false beliefs concerning the consequences of an action would change the normative implications within a given situation and the result would not be in keeping with our intuitions concerning moral wrongness.<sup>11</sup> In general,

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<sup>8</sup> Ibid, p. 74

<sup>9</sup> Emphasis added.

<sup>10</sup> Scanlon, p. 110

<sup>11</sup> Ibid, p. 111

Scanlon's formula presupposes a recognition of the other's agency as a rational, self-governed individual. The goal of Scanlon's contractualism is to specify the subject of moral argumentation, to "give us a clearer understanding of what the best forms of moral argument amount to and what kind of truth it is that they can be a way of arriving at."<sup>12</sup> Thus, all forms of reasoning in contractualism exclude the possibility of manipulation since the parties involved in moral deliberation are only concerned with arriving at a principle that no one could reasonably reject.<sup>13</sup> Within the conceptual space of the hypothetical agreement, it is assumed that the participants are rational individuals whose agency is being respected.<sup>14</sup> This situation is meant to be an ideal that can be used to guide moral deliberation and argumentation in a less ideal real world.

When considering the various factors that apply to reasonable rejection, mutual recognition will help specify the factors that will act as relevant grounds for rejection. Relevant concerns can be identified by how central they are to an agent's ability to shape what they consider to be a meaningful life plan. A principle that negatively impacts an agent's ability to pursue their own vision of the good must be weighed against the opposing factors when positing whether one has a relevant consideration for reasonable rejection.<sup>15</sup> For instance, in the case of John mentioned above, where, under utilitarian reasoning, it would be permissible to kill one individual in order to save the lives of five others, it would be unreasonable to

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<sup>12</sup> Ibid, p. 107

<sup>13</sup> Ibid, p. 111

<sup>14</sup> Kumar, p. 24

<sup>15</sup> Ibid, p. 25

expect the person being harvested for organs to reasonably assent to the procedure. Even if we posit that the individual is particularly self sacrificing and was willing to do such a thing, it would still be immoral to use that person in such a way because it would not be unreasonable for him/her to reject such a principle. It is presumed by contractualism that an individual and their life plan have an objective value within the hypothetical space of decision that cannot be overridden by aggregate concerns, even if such an individual agrees to a principle which will result in an unreasonable amount of self sacrifice.<sup>16</sup>

It is this presupposed mutual recognition of agency that Scanlon uses to counter the utilitarian aggregation of well-being. The perspective of each individual within a moral situation must be considered. If any of these persons has a case for the reasonable rejection of a principle then such a principle is immoral. Scanlon argues that the sum total of well-being cannot be used to judge the morality of an act. According to Scanlon, it is the strongest claim that must be considered. It is the individual with the strongest claim that will suffer the most.<sup>17</sup> When we consider the situation of John and the five dying patients again, we see that none of the patients has an individual claim stronger than John's. Indeed, they are all individually facing death as a prospect. Individually, none of the patients would benefit any more from the collective survival of the whole group. Scanlon argues that it does not make sense to claim the notion of aggregate well-being as a moral standard.<sup>18</sup> No one patient would be benefiting any more from John's

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<sup>16</sup> Scanlon, p. 111

<sup>17</sup> Parfit, p. 74

<sup>18</sup> Ibid, p. 74

organs than if they were simply harvested as a one off trade between John and another patient. We would have to disregard John's agency, his dignity as a person, to perform such an act. Thus, we would, in fact, be doing more harm to John by using him in such a way than we would be doing to any of the other patients by letting them die of their ailments.

Let us consider another, less clear cut case in order to further flesh out Scanlon's conception of reasonableness and how it relates to mutual recognition. Jane, a wealthy woman in her late fifties living in Moscow, has fallen sick with a mysterious disease that can only be cured by a blood transfusion from Anne. If she does not receive the transfusion immediately she will die. Anne is a law student at York University. She comes from a poor family and has incurred substantial debt to get as far in her schooling as she has. Anne is preparing to take her final exams when she is notified that she must come to Moscow right away in order to save Jane's life. What is Anne reasonably required to do in this situation? If she refuses to put her life on hold and travel to Moscow then Jane will die. If she travels to Moscow she will miss her final exams and have to put off taking them for several months, with the result that her graduation will be further prolonged and her financial situation will be worsened.

From a contractualist perspective, it is fairly obvious that Anne should travel to Moscow in order to save Jane. Anne will certainly be harmed by putting off her exams and incurring further debt. Indeed, Anne's life plans, which she has put a considerable amount of effort into realizing, will be frustrated. They are obviously of great importance to her and we can see that their interruption would be something she'd likely object to. However,

considering the threat to Jane's person we cannot say that Anne's rejection of this principle would be reasonable. Despite the cost to Anne, she will still be able to continue with developing her life the way she wants to. It will involve further hardship, but it is nothing compared to the utter termination of her life and the pursuit of her desired goals. Thus, we see that Jane's concern is more pressing and, therefore, it would be unreasonable of Anne not to make the effort to assist her.

In order to come to this decision we have taken the perspectives of both participants into account. What have been considered as relevant considerations are those things which we can objectively say are important to either individual's ability to pursue the kind of life that they wish. In making this decision, Anne can know objectively that Jane's life is something which is of the utmost importance to her well-being. Anne is able to discern such a thing due to the commonalities between herself and Jane as persons. Reasonableness in contractualism is not concerned with discovering what Jane, in actuality, considers to be the most important thing for her well-being. If Jane believed that a prayer from Anne would save her, Anne's moral responsibility would not be to pray for Jane. The decision would be the same whether Jane recognizes the value in the duty performed or not. Anne, as a moral person who values Jane's agency and the life plans which stem from it, is bound to promote that agency through her life saving action, if it is reasonable for her to do so. Considering the cost to herself would be relatively minimal, it would be unreasonable for her to refuse. Anne would not be able to reasonably justify herself to Jane if she let her die simply so she could avoid putting off her

exams. According to Scanlon, it is this need to justify our actions to others that motivates us to act morally.<sup>19</sup>

In establishing this form of reasoning, Scanlon is presupposing that there are certain things we can identify as objectively beneficial to an individual from their own point of view. This is where Scanlon's position departs from subjectivism. A reasonable interest is not determined by a subjective claim made by a particular agent. Consider the aforementioned case of Jane and her desire for prayer. It does not matter that she believes this to be the moral response to her situation. A blood transfusion is what is necessary to save her life and ensure she can continue to pursue her valued aims. It is possible for someone to be objectively wrong about what will benefit them and facilitate the fulfillment of their valued desires. However, what is objectively correct in Scanlon's contractualism will vary depending on the specific context of a given moral dilemma. Consideration of a particular situation and whether the solution can be reasonably rejected hinge on there being an objective cross over of interests that can be identified by the considering agent. According to Scanlon, these objective, identifiable considerations exist by virtue of the fact that we are rational individuals who value the pursuit of those things we identify as meaningful. Even if we do not understand the other's perspective, we can understand that what is important to another should be given weight. As moral agents, we are capable of identifying objective considerations if we can recognize what is important to another from their own perspective, framed in contractualist terms.<sup>20</sup>

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<sup>19</sup> Scanlon, p. 113

<sup>20</sup> Kumar, p. 23-25

Scanlon is undoubtedly correct in assuming that there will be a certain amount of cross-over in terms of necessary material conditions. There are certain minimal standards in terms of food, clothing and shelter that humans require to flourish. A principle that deprives a person of such things is likely going to be reasonably objectionable no matter what the individual's point of view. Beyond these commonalities, objective standards will vary depending on one's individual and social context. In order to reason from a contractualist perspective one must be capable of making sense of a wide variety of differing views. For instance, an individual could be in a position where he/she must evaluate how central another person's religious beliefs are to their conception of self. This would be necessary in order to decide how much these religious convictions would count as a grounds for reasonable rejection in a hypothetical contractualist agreement. If it is not someone who is fairly well known to you then this may be difficult to discern. Many individuals perform the rituals that accompany belonging to a specific faith without investing much of themselves in the practice of that religion. However, such an individual's behaviour would be outwardly identical to that of a truly faithful person. How, then, does one tell what is important to whom when outward behaviours can be deceiving? This poses a problem for Scanlon. Contractualism posits a hypothetical dialogue that, in actuality, is meant to take place within the mind of a single individual. If the reasoner cannot represent an accurate version of another's point of view then there is no hope that he/she would be able to formulate a reliable set of reasonable considerations in the eyes of the other.



Scanlon seems to be relying on our ability to intuitively interpret the behaviour of others and, from this, to form a general idea of their relevant interests that we can work with. This process of evaluation is grounded in an informal, intuitive form of moral reasoning. Consider the aforementioned situation concerning religious faith. I am trying to decide how much another's religious beliefs mean to that individual. She goes to church regularly; I have seen her pray. Her outward behaviour certainly indicates she is an ardent believer. But how do I know she is not just "going through the motions"? "Well," I say. "She certainly seems like a genuine person. She really acts like she sincerely believes." Not only do I judge the outward behaviour of the other, but if I am in relation to them I also use my intuitive sense of their character to help make the decision. Contractualist reasoning in everyday life is not exact and is forced to rely on vague, imperfect intuitions about others in the process of decision making.

Scanlon's contractualism seems to be a method to help clarify our moral intuitions, to give them a theoretical explanation, a stable base to stand on. Unlike Gauthier's introduction of deliberative justification in place of moral justification, Scanlon is not seeking to eliminate our moral intuitions with an alternative form of judgment.<sup>21</sup> However, there is the possibility that Scanlon's formula undermines that which it is attempting to ground. His account of moral wrongness states that an action is wrong if the principles licensing it can be reasonably rejected. We cannot sacrifice the one to save the many because that individual can justifiably object to being used in such a way. However, this description of the wrongness of killing is counter-intuitive. Scanlon redefinition of moral

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<sup>21</sup> Gauthier, p. 98

wrongness changes what makes a specific act objectionable. We can no longer appeal to acts as wrong in and of themselves. Killing is no longer forbidden because it is wrong; it is forbidden because it is an action which is always reasonably rejectable.<sup>22</sup> This formulation of wrongness separates us from the legitimate horror we feel when such an act takes place. It sanitizes it, in a certain sense, and separates the actor from the violent character of the act.<sup>23</sup> Scanlon rejects utilitarianism partly because its conclusions diverge wildly from our moral intuitions. He does not believe that people are motivated by a desire to maximize aggregate well-being. However, it seems unlikely that individuals condemn certain acts because the victim can reasonably reject the principle the act was based on. Thus, he has fallen into the same trap as utilitarianism. His formulation of moral wrongness does not represent our moral intuitions about moral wrongness.

This would not be a problem for Scanlon if, like Gauthier, he was seeking to do away with our moral intuitions. However, not only is he seeking to legitimize and elucidate moral intuition, but, as we have seen above, contractualism relies on intuition in its decision making process. Because of this, Scanlon must find a way to accommodate his theory to the conclusions of moral intuition when the two diverge. An example of this is Scanlon's wholesale rejection of the aggregation of well-being. Contractualism contains an individualist restriction; there is no way in which we can sacrifice one individual for the greater good.<sup>24</sup> Scanlon must admit, however, that there are certain situations where our moral intuitions are

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<sup>22</sup> Parfit, p. 69

<sup>23</sup> Žižek, p. 46

<sup>24</sup> Parfit, p. 71

on the side of aggregation. For instance, if there is a choice between saving the life of a single individual and saving the lives of ten, it seems obvious that we should save the lives of the ten over that of the one. To accommodate these situations Scanlon proposes that the concerns of the single dying person are cancelled out by one of the ten. One individual is facing death, yes, but so is each out of the ten. Thus, there are still nine separate objections that must be taken into account and they are the ones that should be saved.<sup>25</sup> However, Scanlon fails to substantiate why he is suddenly justified in eliminating the point of view of the single dying individual when the contractualist formula is meant to account for the perspectives of everyone involved. This sudden exception seems to contradict the mutual recognition of individual agency that his theory is based off of. It seems, in formulating this principle, that he is making an accommodation to the intuitive rightness of utilitarian aggregation in this specific context.

I have argued that reasonableness in T.M. Scanlon's contractualism presents a contextually based standard of rejection that balances out the competing interests of those involved in a particular situation. The motivating factor of Scanlon's reasonableness is a mutual recognition of each individual's right to pursue their own vision of the good, which frames the relevant concerns in hypothetical deliberation. Thus, the contractualist conception of reasonableness maintains an objective standard while still placing substantial weight on the subjective values of individual moral agents. In formulating his conception of reasonableness Scanlon relies heavily on moral intuitions in both identifying relevant considerations and considering motivating factors for justification itself. This

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<sup>25</sup> Ibid, p. 75

forces Scanlon to accommodate contractualism to the conclusion of moral intuition when the two diverge. While contractualism has been able to represent an aspect of our moral reasoning, the difficulty Scanlon has with the aggregation of well-being suggests that his theory fails to represent moral wrongness in its entirety.

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## You Ought To Know Better: Acknowledgement and Epistemic Injustice

Benjamin James Pullia

“Knowledge is in the end based on acknowledgement.”  
– Wittgenstein, *On Certainty*, 378.

“...acknowledged, we might say, into being.”  
– Judith Butler, “Doing Justice to Someone.”

I would like today to talk about the connection between testimony and social experience, about how the ways one speaks and, moreover, is heard may affect the way in which one may negotiate his or her experience. I would like to see how a discussion regarding the relationships between identities, social groups, prejudices, and knowledge claims may lead to a greater understanding of how who ‘we’ (in a specific socially stratified sense) are may affect what ‘we’ (in both general and specific senses) can know. Examining the relationships between attempts at speaking and being understood, attempts at understanding one’s experience, attempts at negotiating one’s social identity, and attempts at knowing about the world, all with an aim towards virtuous action, will, I hope, provide a space to speak toward both how the ways in which situated individuals attempt to know and how such individuals are situated in society may influence

what can be known by both the individuals involved and society at large.

Beyond an aim for greater lucidity regarding these relationships, I hope to further suggest ways in which individuals and societies can come to 'know better'. Such a phrase suggests both a moral and epistemic reading; one may come to normatively 'know better' than to consciously participate in epistemically unjust practices (practices that emerge from social prejudices often based upon gender or race), and, as a consequence, both individuals and societies will have an opportunity for a claim on greater, or 'better', knowledge.

### Epistemic Injustice

An account of epistemic injustice given as by Miranda Fricker will be placed into dialogue with the work of Charles Mills. Mills, in *The Racial Contract* (1997), puts forth the thesis that there is a requirement of "“objective” cognition in a racial polity... an agreement to *misinterpret* the world."<sup>1</sup> This so-called requirement or *misinterpretation* provides a space where it may be asked 'How might one interpret the world – insofar as one finds certain things to be one way (say, true) or another (say, false) – in a different way?' Further, we may ask, 'Will such a *re*interpretation be better?' Further still, 'What might make a different interpretation better (and thus more desirable)?' Both Mills and Fricker attempt to answer these questions, and by explicating each text by way of the other, I hope to develop an account of how certain sorts of epistemic dysfunction are unjust.

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<sup>1</sup> Mills, p. 18

To arrive at an explanation of epistemic injustice as perpetrated by (what will below be explained as) a historico-structural racist society, we must start at what might be considered a foundation of ethical thinking: the classical conception of personhood.

I will use as a (hopefully uncontroversial) working model for moral consideration the following two points:

- 1) Classically, rationality is a marker of a separation between humans (persons) and animals (non-persons), with Mills noting that “historically the paradigm indicator of subpersonhood has been deficient rationality, [and] the ability to exercise [rationality] in full the characteristic classically thought of as distinguishing us from animals”<sup>2</sup>;

and,

- 2) Kantian morality proclaims moral worth for persons. Here Fricker notes that “in Kant’s conception of immorality, one person undermines another’s status as rational agent.”<sup>3</sup>

We have it then that rationality entails personhood and personhood entails moral worth. Thus, syllogistically, rationality entails moral worth.

Accepting these premises, we may use them to quickly explicate the wrong of what Fricker calls ‘testimonial injustice’. First, if an individual (or a society, taken as an aggregate of individuals) is prejudiced in such a way as to have prejudices that reduce the expectations and credibility of a potential knower, such prejudices, it follows, degrade or deny an individual’s claim as a

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<sup>2</sup> Mills, p. 59

<sup>3</sup> Fricker, p. 136

knower. When credibility is diminished in a prejudicial manner, the denial of one's claim to know is ultimately an implication of a reduced or diminished capacity for rationality. <sup>4</sup> Mills writes, "Subpersons are deemed cognitively inferior, lacking the essential rationality that would make them fully human."<sup>5</sup>

Given the above – that rationality entails both personhood and moral worth – such a demeaning of rationality is thus a denial of an individual's personhood and moral worth. This is, then, the wrong of testimonial injustice: failure to abide by what Fricker considers a "duty to believe" – and what can be thought of as a moral duty to believe – ultimately undermines an individual's claim on moral worth. Quoting Fricker, "when someone suffers a testimonial injustice, they are degraded *qua* knower, and they are symbolically degraded *qua* human."<sup>6</sup>

Let the problem of testimonial injustice stand as part of the impetus for social epistemic change insofar as it can directly address the desirability of an epistemic shift: if an interpretation of the world includes (namely racist) prejudices of the kind that degrade an individual,

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<sup>4</sup> Of course, I may, in an unprejudiced manner, choose not to believe something you have to say about an event you did not witness nor have learned anything about (thus you know nothing about it), without implicitly denying your rationality. However, in a case where you would be making claims about something you in fact knew nothing about it is unclear as to why I ought to consider your utterances to be rational (perhaps you are making a joke, and the claims become merely arational). This, however, is not as simple as it seems since it may be the case that I know not my own prejudice and am here blinded by it. Barring that, though, it must be the case that individuals can be wrong about things and can be considered such.

<sup>5</sup> Mills, p. 59

<sup>6</sup> Fricker, p. 44



ultimately, “*qua* human”, then a *re*interpretation is desirable since the aim of such a *re*interpretation will be to eliminate racist prejudices.<sup>7</sup>

The moral question is intertwined with the knowledge question, and it will therefore continue to surface. However, turning away, for the moment, from the moral implications of epistemic dysfunction of this kind allows a refocused emphasis upon one of society’s general epistemic tools, what Miranda Fricker calls the “collective hermeneutic resource.”<sup>8</sup> Fricker describes the “hermeneutic resource” as “our shared tools of social interpretation”, with “our” here applying in the wide sense, so that although – on Fricker’s view – differently positioned individuals will interpret their experiences differently, the resource of interpretation from which they draw remains collective.<sup>9</sup> As a result, experiences become understood in a certain way due to collective social meanings.<sup>10</sup>

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<sup>7</sup> To say that a *re*interpretation may attempt to eliminate racist prejudices is not to say that it ought to do away with the idea of race as a social kind. See Haslanger, Sally. “What Are We Talking About? The Semantics and Politics of Social Kinds” *Hypatia* vol. 20, no. 4 (Fall 2005) 10-26.

<sup>8</sup> Fricker, p. 6

<sup>9</sup> Fricker does however allow that the skewing of shared hermeneutical resources may enable a situation where “the powerful tend to have appropriate understandings of their experiences” (Fricker 148). I would take issue with her use here of ‘appropriate’, since it can mean both ‘correct’ or ‘suitable’. I must assume that she cannot mean the prior, and the latter only leads to questions of ‘appropriate for what?’ or ‘appropriate to whom?’

<sup>10</sup> A parallel must be here drawn between Fricker’s notion of the collective resource where meanings and interpretations are negotiated and thus come to inform (and, further, constitute) understanding and that of Foucault’s idea of a discourse negotiated through relationships

While such ‘understanding’ (what is it to ‘understand’ something incorrectly?) depends in some way upon dominant social meanings (meanings given hegemonic ascendancy), there is a constant negotiation of meaning, with such negotiation shaping and being shaped by the interpretive tools one uses (and is given) to understand one’s experience of the world. Times in which one is unable to describe, characterize, or understand a given experience (and is in a sense then unable to fully have such an experience), there is a gap or – as Fricker prefers to say – a “lacuna” in a society’s hermeneutical resource. *Prima facie*, such an interpretive lack appears unjust as it may negatively affect a disadvantaged individual or group insofar as the interpretation of experience available to them seems to insufficiently and thus inaccurately describe such experience.

To provide a fuller explication of the way in which the interpretation of a given situation can be skewed and influenced by the available hermeneutical resources in a given social situation, and to further explore the idea of a moral wronging occurring in such a setting, we do well to

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of power, language, and potential knowing, or – synthesizing Foucault’s characterization of discourse – what Lara Lessa calls “systems of thoughts composed of ideas, attitudes, courses of actions, beliefs and practices that systematically construct the subjects and the worlds of which they speak” (Lessa).

On a strong reading, Lessa’s use of the word ‘construct’ suggests that within a discourse there is a limit to how one may know and be known, while the remainder of ‘unknowing’ or ‘unknowable’ is left without a language in which to talk about it. However, since we want to talk about relationships between speakers and hearers that exist across time, we should like to say that within such a ‘construction’ of subjects and their understanding of the world there exists a tension, a constant negotiation and re-negotiation of dominant or prevailing meanings.

turn a more nuanced look at the ways in which testimonial injustice comes to structure and reinforce what will be later called and what Fricker names *hermeneutical injustice*.

Day-to-day testimony-based social interactions (often informal exchanges between speakers and hearers) serve to negotiate “collective social meanings” and “collective understanding”. Injustice occurs when reduced acceptance of the testimony of a given “subject group” leads to insufficient influence of certain perspectives upon social meanings. To see how incidents of testimonial injustice lead to “structural identity prejudices”, which in turn further serve to construct deficient hermeneutical tools, the notion of a feedback loop may be used to show how different aspects of social experience may contribute to hermeneutical dysfunction. The question to keep in mind is ‘How do structured social disadvantages and day-to-day prejudicial actions interact so as to be mutually supportive, thus skewing the interpretation of both the day-to-day interaction and the structure itself?’ Or, as Mills would have it, ‘How might a “*misinterpretation*” come to be and sustain itself as “objective”?’<sup>11</sup>

To say that reduced acceptance of the testimony of a given group leads to insufficient influence of social meanings is a rough way of describing a structural identity

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<sup>11</sup> Since issues related to ‘correctness’ and ‘objectivity’ have been mentioned above, a question regarding objectivity must at this stage be asked, namely: “What sort of objectivity are we talking about?” I should like to say this: even if it is the case that so-called ‘Truth’ shall ever remain inaccessible to human beings in the sense of a guaranteed certainty, I would nonetheless hold that such Truth does exist, hence this paper’s aim at and idea of knowing ‘better’. That is, it should seem that we as human beings can come to recognize situations as being ‘better’ or ‘more right’ even if absolute certainty of what is ‘best’ may never be achieved.

prejudice as stemming from testimony-based prejudices, since the day-to-day interactions that adhere to the prejudicial model are informed by collective social meanings, and thus often serve to affirm or re-affirm those understandings. In other words, when a prejudice serves to degrade the value of the testimony of a speaker, that prejudice will act as its own affirmation. If there is no uptake of the testimony provided by the individual suffering from a prejudicial deficit, it will serve to show that that individual either said nothing or had nothing to say. Structural identity prejudice, a prejudice which affects people "in virtue of an aspect of their social identity" is often only strengthened by testimony-based interactions where the speaker's utterances are denigrated and belittled and thus are unable to contribute to the hermeneutical resource that allows one to (legitimately) describe one's experience as a member of a socially powerless group.

The model of day-to-day prejudices produces re-enforcing feedback in two places: namely that reduced credibility serves to affirm reduced expectations (and so on) and since both are (self) satisfying, the initial stereotype/prejudice is implicitly affirmed or re-affirmed. Karen Jones writes that an "initial low trustworthiness rating leads to a reduction in the plausibility rating we would have given to the content of [a] story, and this in turn confirms our initial assessment of untrustworthiness, which in turn make us only the more confident in our low plausibility rating."<sup>12</sup> In other words, if a hearer comes to an interaction with a lack of trust, he or she will be disposed to be skeptical of the utterances of his or her interlocutor. Such a disposition will likely lead to thinking

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<sup>12</sup> Jones, p. 160

that those utterances made are implausible, thus re-affirming the initial lack of trust (and so on).

Introducing Mills' account of the fact of racist history, a history of institutions upon which modern society (or at least the structure of modern society) is predicated, we are faced with yet another positive feedback loop. Historically, as is argued by Mills and supported by historical evidence, racist practices were explicitly predicated on a distinction between whites *qua* persons and non-whites *qua* "subpersons". Such subpersons, it was variously thought, were without rationality and thus were not objects for moral consideration.<sup>13</sup> The third feedback loop then follows from instances of what Fricker calls the "central case of testimonial injustice": "identity-prejudicial credibility deficit."<sup>14</sup> Such a deficit serves to re-enforce structural identity prejudice in that the denial of an individual's capacity to know is ultimately a denial of personhood; this view re-affirms the racist position that non-whites are subpersons. These feedback loops suggest that aspects of assumptions, prejudices, and negotiations in the world are not discrete and are in constant interaction.

The moral and epistemic questions surrounding both individual and social interaction with what has been called the hermeneutic resource may now be framed in such a way as to explicate both the moral and epistemic harm of hermeneutical injustice. To do so, it will be necessary to further inquire regarding racist structural identity prejudice by providing both diachronic and a synchronic accounts.

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<sup>13</sup> Mills, p. 59

<sup>14</sup> Fricker, p. 28, 155

On a diachronic account, present-day society is structured by and predicated upon a history of explicit racism.<sup>15</sup> There existed (or perhaps continues to exist) a prejudice against non-whites that explicitly stipulated a lack of rationality and a lack of moral worth. The further point that must be made, however, is that these racist judgements and prejudgements require what Mills considers a “*misinterpretation*” of the world.

Briefly, if we think of rationality as acceptance into a cognitive community via agreement or understanding about what counts as ‘correct’ – that is, if your interpretation agrees with some notion of the ‘held view’ – we can imagine this as granting one standing in an epistemic community (this isn’t quite truth by consensus, but perhaps it’s close). It is ultimately a case of the recognition of one’s rationality by way of one’s responses being deemed appropriate (or given assent by an authority).

However, as mentioned above, Mills writes that one of the “requirements of “objective” cognition in a racial polity... [is] an agreement to *misinterpret* the world... with the assurance that this set of mistaken perceptions will be validated by white epistemic authority.”<sup>16</sup> So the purported determinant of correctness is white epistemic authority, both by method and proclamation. On the other side of acceptance in to an epistemic community via such agreement, we find that worldviews that are to be deemed at odds with the accepted racial account are epistemically deficient. So,

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<sup>15</sup> If perhaps I may soften this claim, I hope it can be agreed that the past at least informs the present day in a relevant if not explicitly forceful way.

<sup>16</sup> Mills, p. 18

failure to misinterpret the world will result in exclusion from the (larger) epistemic community, with this rationality-based exclusion fuelling claims for a lack of personhood and moral worth. If one does not recognize the epistemic authority of the preferred (racist) model, this will, in a sense, serve to legitimize the racist claims made by the model.

Such a perceived cognitive ‘failing’ may be teased out as a further feedback loop, since challenges to such a model will likely issue via testimonial exchange, and often the inability to render one’s disadvantaged experience intelligible – intelligible to themselves and on the given model – will only serve to diminish the perceived worth of the given utterance and strengthen the perceived correctness of the model. So, while Fricker’s claim that “hermeneutical injustice might often be compounded by testimonial injustice” is correct, the further idea is that one supports the other.<sup>17</sup>

Historically, a racist misrepresentation of the world affects both whites and non-whites *conceptually*, in that white epistemic authority dictates adherence to a worldview that circumscribes understanding of experience to one of *misunderstanding*. Since the conceptual resources available to non-whites, those disadvantaged by the racial contract (or racist history), are only those resources made available or given credence by the white epistemic authority, non-whites may negotiate their experience (and thus their sense of self) only through those concepts.

We have then an example of structural construction of the self via the mediation of an individual’s experience by available hermeneutic resources. This is hermeneutical

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<sup>17</sup> Fricker, p. 159

dysfunction insofar as the concepts available to a given individual will necessarily be significantly constitutive of that individual's idea of self. This historical perspective further picks out such dysfunction as hermeneutical injustice (and not the sort of 'bad luck' that may be informing and skewing white experience) since, on Fricker's account, the hermeneutical gap constitutes a "significant disadvantage" in that it prevents the understanding of a significant patch of a given individual's experience, one that is strongly in his or her interests to understand.<sup>18</sup>

Thus, on the diachronic account, we find an explicit rejection of the legitimacy of a certain group's (namely non-whites) characterization or conceptualization of experience. On this account, non-whites are not to think of their experience in terms of their being persons, and this explicitly amounts to having, quoting Fricker once more, "the whole engine of collective social meaning ... geared to keeping [certain] experiences out of sight."<sup>19</sup> It is the "structural inequalities of power" that, on the historical account, amount to a systematic circumscription of hermeneutic resources.

Characterizing hermeneutic dysfunction and injustice synchronically, it can be said that the racial contract operates systemically (or, in another sense of structurally). Certain hermeneutical dysfunction points toward implicit rather than explicit inequality. Mills writes that the racial contract "has written itself out of formal existence" since there has been a "formal extension of rights", where there still exists "de facto white privilege."<sup>20</sup>

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<sup>18</sup> Ibid, p. 151

<sup>19</sup> Ibid, p. 153

<sup>20</sup> Mills, p. 73



Fricker points towards this sort of structural inequality with an example regarding health care: providing formal equality insofar as making healthcare ‘available’ to all is not offering true equality if the systemically disadvantaged are not in a position to afford or take advantage of such formal equality.<sup>21</sup> We then may say that presently and in the abstract there is a proclamation of ‘equal society’, while in reality, inequality remains and is a ‘conceptual invisibility’.

It is, to borrow another phrase from Mills, a kind of “structured blindness” where proclaimed formal equality belies a structural inequality made manifest by present day unequal distributions of wealth and power along conceptually invisible lines.<sup>22</sup> Hermeneutical Injustice is perpetrated in this way by means of historical amnesia. Without an account of how things came to be the way they are combined with a formal notion of equality, conceptual resources are structurally obscured.

Testimonial injustice and hermeneutical injustice work in concert and co-relate as to compose epistemic injustice. Such self-affirming and self-supporting interrelation shapes the social experience of situated individuals. The impetus for an epistemic shift is provided by the fact that such a shift will serve to provide not only a more just climate for day-to-day interaction, but that greater testimonial and hermeneutical justice will provide a climate for the negotiation of a language of interpretation and experience that can better reflect the differing experiences of situated individuals. How might one enable a climate in which differing interpretations of situated

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<sup>21</sup> Fricker, p. 161

<sup>22</sup> Mills, p. 22

experiences may be justly negotiated? How might one negotiate and acknowledge situated interpretations of experience?

### Acknowledgement

To acknowledge an individual as situated is to acknowledge a system that an individual is situated within. Although this appears to be a semantic point, it appears not merely as one, for without recognition of a larger system, one cannot have a space where situation makes a difference. If it is accepted that there is no 'universal subject' (the un-situated or possibly de-situated and interchangeable 'S' of 'S knows that p' epistemologies), if it is accepted that, historically, certain individuals and the subjective positions they occupy have been relegated in structural-social ways to that of subpersonhood, it can be further claimed that certain positions have been objectified (and have thus been de-subjected).<sup>23</sup> These individuals (by way of certain social groups of which they are a part) have subsequently become viewed as objects of knowledge (*things* that can be known), as physical entities ascribed through relations of power a destiny as merely means to Othered ends. From this perspective, acknowledgement of the individual, one person, leads to the acknowledgement of a system, a system where "relations of power ... circumscribe in advance what will and will not count as truth."<sup>24</sup> So, to say that one is 'acknowledged into being' is to point towards the idea of a hermeneutical resource which permits a

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<sup>23</sup> For a fuller account of a rejection of 'S knows that p' epistemologies, see Code 1995, esp. Ch. 2.

<sup>24</sup> Butler, p. 621

language of situated knowing and, moreover, a language which allows one to be known.

To say that one is 'understood' that one, through their being (speaking, knowing) *is* such a way that is intelligible to others, is, on the one hand, to accept such an individual in to society as a person.<sup>25</sup> It is to have the personhood of an individual made manifest. On the other hand, such manifestation must appear as intelligible and recognizable to a structured society, and therefore must remain negotiable in such a society. To acknowledge an individual is not merely to allow them a place to speak, but to re-cognize and re-negotiate the position from which an individual speaks. In other words, to acknowledge an individual is to acknowledge that individual's situation.

The moral and epistemic implications of acknowledgement are clear. Acknowledgement provides a space where individuals might express both what they know through who they are and who they are through what they may come to know. Given *how* individuals talk about things (given the requirements of intelligibility present in society), in what way can we "make ourselves understood"? That is, one says "I want you to understand me" (and here note the way in which we often say this and not 'I want you to understand my assertion'), and the claim being made is one such that one should like to say "if you do not understand *this*, then might I (or you) be so mistaken as that I might not ever be understood?" Here

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<sup>25</sup> I am thinking here of 'under-standing' as connoting a somewhat literal reading of being stood-under by others. It can be imagined as if when one understands someone else, they might be inclined to say "I – my body of knowledge, my support – stands beneath this." Much in the way of combining two other common sorts of endorsement: that people give 'support' or often say that they 'stand beside' someone.

two claims are intertwined in a way that it makes no sense to separate them. On the one hand, to be understood is to have one's utterances taken as intelligible; an individual hopes to have known that their utterance "The cat is on the mat." picks out the cat on the mat. Further, to be understood in this sense is to be understood as one who is intelligible in the world, as one that can and does know. Such a recognition *qua* knower is a recognition *qua* person.

To such a complicated interaction between people no simple and complete solution can be put. I shall suggest however that as a simple day-to-day strategy, respect on the part of a hearer may have the force to stimulate positive change. Respect towards an individual's testimony may act positively much in the way that prejudice acts negatively, since the feedback loops outlined above ought to have the capacity to serve as positive forces in shifting epistemic practices. In other words, by an effort of respectful listening, by committing one's self to the comparatively simpler enterprise of testimonial justice, one may begin to affect a shift towards hermeneutical justice. Through a moral engagement of listening, a hearer may acknowledge an individual as a person and as a potential knower, and such an attempt at acknowledgement will hopefully nurture better hermeneutical resources. Finally, such improved resources will allow individuals and society-at-large an opportunity to know and act better, with such 'bettering' of knowledge and action carrying both moral and epistemic charges: that individuals shall be acknowledged as both persons and knowers, and that such acknowledgement contributes to and constitutes a part of moral epistemic practice.

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## The Bane of Fairness

Aaron Lauretani

It is much to the credit of John Rawls that his refined theory “Justice as Fairness” has helped to renew faith in democracy in the Western world by focusing on treating people fairly within just institutions and procedures. As it is with any genius of significance, Rawls has inspired his fair share of objectors arguing from positions concerning problems like cultural neutrality and a lack of communal values. It is very disheartening, however, to see such inadequate criticism uttered about the capitalism in particular that Rawls so methodically attempts to legitimate. It is almost as if it is taken for granted that the capitalistic model Rawls tolerates poses no great threat to the very principles he is presenting as essential; namely, that people ought to be considered free and equal within a sustainable society.

This toleration of capitalist principles is also no great surprise. It seems as if the radical objections of the great communist visionary, Karl Marx, have withered away to near, if not outright, irrelevance in the public realm. Especially since the collapse of Stalinism in Eastern Europe, so widely promulgated have the principles of capitalism become that Marx’s once-towering voice of defiance now seems to be little more than a stubborn, pesky whisper. This can be attributed to a multitude of factors, the complexity of which I will not even attempt to

address adequately over the course of this argument. What is pertinent for the purposes of this paper is to confront the very issue of how, in my estimation, capitalism betrays Rawls' mission to establish a conception of an equal and sustainable political society. An important component of Rawls' vision is a society in which people are given the capacity to meaningfully participate together; provided with real opportunities to enter privileged and influential institutions and alter the course of their political lives. Beyond each person being able to pursue their individual vision of a good life, Rawls also recognizes the importance of a society that maintains its cohesion. By drawing one's attention first and foremost to Marx's theory of the forms of alienation, I shall reveal the extent to which capitalism compromises the capacity of each person to be equal in the way Rawls defines. Furthermore, while remaining indebted to the genius of Marx, I will also draw upon the important work of Charles Taylor's communitarian argument to articulate the manner in which Rawls' conception of a political society is not stable long-term. Thus, it will be shown that Rawls' conception of fairness as it pertains to equality and sustainability is incompatible with the capitalism his theory allows.

Rawls sets out ambitiously to establish what he considers would be fair conditions for people living together. Before dealing with the issue of equality in Rawls' theory, it is first essential to avoid any confusion over his use of the term. As Rawls himself says, persons in a society are to be regarded as equal on the basis of them each possessing, "...to the essential minimum degree the moral powers necessary to engage in social cooperation over a complete life and to take part in society as equal

citizens.”<sup>1</sup> Rawls goes on to argue in his description of the two principles of justice for what is now commonly known as “the difference principle.”<sup>2</sup> It is not only that each person in his theory is described as having inalienable rights here, as it is the case with the first principle of justice. Rather, with the difference principle the attempt is made to rectify the problem of poverty that has so consistently plagued human history. At first glance, there is nary a problem to be found with Rawls’ exact formulation of the difference principle. It states perspicuously that the least-advantaged members of society (a rather innocuous way of describing society’s legions of poor and miserable) must under no uncertain terms be benefited by any social and economic inequalities. To Rawls’ great credit, this establishes a sort of symbolic safety net that prevents people from reaching the kind of interminable levels of poverty that could prevent them from leading meaningful lives.

This relates to the second principle of justice where Rawls goes out of his way to mention that all people must have conditions of mutually shared equal opportunities to what Rawls specifies as “offices and positions.”<sup>3</sup> What Rawls means by offices and positions are various important political and authoritative positions within a society that can shape the society itself. It is here, however, that the argument will begin to be haunted by the problems capitalism engenders. This is so because Rawls fails to recognize the importance of the exact conditions of one’s available opportunities in a more meaningful, qualitative sense. He instead chooses to ground this idea of

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<sup>1</sup> Rawls, p. 20

<sup>2</sup> Ibid, p. 43

<sup>3</sup> Ibid, p. 43



opportunity in the same capitalist framework where society is separated into differing classes of wealth and power that betray the *quality* of one's opportunities. Can one whose family only has enough money to send him to a merely decent-ranked university realistically expect to have as likely and meaningful a chance to enter a powerful political institution as another whose family has hired the best private tutors available and sent him to the most prestigious school in all the country? The same dilemma arises on what some might consider comparatively lower scales. Rawls believes freedom is based on one's ability to have a vision of what is valuable.<sup>4</sup> Even more importantly, he states that people feel they are entitled to make claims on their institutions to help them achieve these goods.<sup>5</sup> Indeed, that is a large part of what fairness is about. Consider two people who highly value a life as a musical artist. Will the musician who is bestowed with enough money in his trust fund to never have to work a day in his life not possess a clear and decisive advantage in creating works of brilliance over the far more talented musician who must struggle to maintain his gift while contending with the demands of a forty-hour work week? The sad and obvious answers to such questions demand the question, "Where is the fairness?" The immediate point is simply that there really is no such thing as equal citizens where there is this specific form of equal opportunity in place, and so nor is there fairness.

With Rawls' theory, people are provided with a baseline to prevent them from sinking to the deepest levels of poverty. One might wonder if that is enough. Quite

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<sup>4</sup> Ibid, p. 21

<sup>5</sup> Ibid, p. 23

simply, the morally acceptable answer is that it is not. There is nothing fair about an upper echelon of society retaining a far superior ensemble of advantages at their disposal. To further clarify the problem, we can think of a metaphorical example with two different scenarios. Let us imagine a 100 meter race between the rich and poor with each runner representing the rich and poor classes, respectively of a liberal society and dashing toward the finish line of what would be both opportunities to pursue the good and entrance into offices and positions. With the first scenario being our current neo-liberal society, we can imagine the “poor” runner as having his ankles tied at the initial starting line while the “rich” runner is both physically unencumbered and given a five-second head-start once the race begins. The poor runner in the Rawlsian scenario, on the other hand, has had his ankles untied with the difference principle in place, and so we are mistaken into crying out in celebration that justice has been served to him. However, this is deceptive, for the socioeconomic inequality of capitalism ensures that the rich runner in the Rawlsian scenario will still retain his five-second head-start. True, the situation is still now less *unjust* for the poor runner than it ever was before, but it is also still far from being just overall. The old capitalist idea of competition to the point of superior advantages has reared its ugly head again to undermine fairness.

Rawls makes two important claims in his attempt to legitimate inequalities. Rawls first argues that inequalities are necessary to ensure that a modern society remains effective.<sup>6</sup> I find this to be a dubious claim in itself. First and foremost, I vehemently disagree that inequality

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<sup>6</sup> Ibid, p. 55

should be thought of as unavoidable in the way Rawls does. Being that we are creative thinkers, I hold firm that we ought never to cease in our attempts to bring to fruition the kind of social utopia we believe is due to all. Even if that utopia (in this case, I would imagine that it includes a condition of financial equality) *seems* nearly impossible, it is still morally cowardly to put one's hands up in an acquiescent fashion and whisper, "C'est la vie" under one's breath. I also strongly object to Rawls' assumption that inequality is necessary to incentivize production. This seemingly presupposes that currency is the only thing of significant enough value to motivate one in carrying out their labour with the utmost effort. Imagine a society where, for example, a brilliant inventor no longer has the opportunity to become excessively wealthy by creating things and then rushing to patent and distribute them. It is not at all unrealistic to imagine that he would still be motivated to bring his inventions out into the world regardless. Perhaps the proud inventor would do so purely out of the joy of witnessing his labour express his creativity without constraint, even if not for a reverence he would enjoy in his community as a result of his ingenuity. The more odious of Rawls' two claims defending capitalism is the one in which the allocation of goods (otherwise understood as the full distribution of wealth) is said to be incongruent with the procedures of a fair society.<sup>7</sup> Having seen now how the inequalities that Rawls allows leads to an inadequate distribution of opportunities for all, it is paradoxical to speak of fairness and inequality in the same sentence.

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<sup>7</sup> Ibid, p. 50

Rawls is obviously concerned that the means by which a society could decide to infringe on one's ability to make as much as their abilities allow would have to come from an unjust enforcement of a "comprehensive doctrine"<sup>8</sup> (or all-encompassing worldview). Rawls likes to keep his theory within purely political boundaries, but the idea that one should be allowed to accumulate wealth freely affirms the ideality of wealth's value. In turn, this acts as a comprehensive doctrine *within* a political doctrine, though it is concealed from behind the veil of a purely political value. Rawls is obviously concerned with an allocation of goods damaging the freedom of each citizen, but the late Karl Marx will reveal why capitalism itself already ensures this fate and also seriously wounds Rawls' principle of fair equality.

As Marx so famously theorized, the labour process we are subjected to in capitalism estranges and separates, or "alienates" us<sup>9</sup> in four distinct ways. For this portion of the argument concerning Rawlsian equality, I am focusing for now only on the first three ways. As it relates to the issue of social prestige and the psychology of the proletariat, we would be left with an embarrassingly facile understanding of equality if we were to ignore the importance of one's social capital and corresponding self-concept and the way in which they impact one's status as an equal citizen. Rawls acknowledges that people must have a healthy conception of their self-worth grounded in social bases of respect if they are to be able to meaningfully participate in their society.<sup>10</sup> Where he fails then is the extent to which he underestimates the debilitating power

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<sup>8</sup> Ibid, p. 9

<sup>9</sup> Marx, p. 108

<sup>10</sup> Ibid, p. 59

of the labour process itself in a capitalist system where only a select few have control over the means of production. Perhaps still the most glaring form of alienation is alienation from the product of labour. No one can reasonably be expected to create a fully adequate conception of self-worth if they toil for hours at a job, the final product of which, they possess no ownership of. There is no dignity to be had here, and so fairness stands miles away from the worker's reach. From the onset, the worker's potential self-worth is unfairly placed under a ceiling that barely reaches past the floor. With every product the worker must make that is not his own, he is mercilessly reminded at some level of his social inferiority relative to the one he works beneath. However, the predicament is yet worsened as Marx continues with a second form of alienation concerning the process of labour. If a worker feels as if he is losing an essential part of himself while performing tasks that he has no inward passion for but must do in order to survive, he will not even be able to conjure the psychological energy to contemplate, let alone attain a healthy conception of his self-worth. He will instead often seek to distract himself with superfluous hobbies, deaden his mind with television, perhaps even disappear inside the fleeting comforts of recreational drugs, and feel that he has little to no reason to care one way or the other. As Marx himself writes with brutal explicitness: "...that he therefore does not confirm himself in his work, but denies himself, feels miserable and not happy, does not develop free mental and physical energy, but mortifies his flesh and ruins his mind."<sup>11</sup> In other words, the paradox we are confronted

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<sup>11</sup> Ibid, p. 326

with is one in which a worker is to be expected to have an adequate conception of self-worth (grounded in social respect amongst one's peers) when the worker himself, as well as his fellow men and women, is reduced to an undignified commodity.

As Marx reminds us, we are social beings. What one is as a person is contingent on his social environment and the terms of his relation to others. It would follow that the self-worth Rawls believes is critical would be inextricably tied to the activity that consumes such a large portion of one's time day-to-day. If that activity happens to be self-diminishing and animalizing, the person's self-worth will necessarily be impoverished. Furthermore, I do believe this renders the difference principle all the more inadequate. To be provided with a minimum level of financial support and access to opportunities while still trapped in a political machine that not only separates me from the process and end products I strain to effect but also makes me feel mechanized is then just to make me a victim with better amenities. As Marx understands it, one's species-being refers to the way in which people regard themselves as members of a universal species; a group which they rationally apprehend themselves as being an individual manifestation of.<sup>12</sup> To be separated from the essence of this in one's mind is no less than a tragedy.

One might see good reason to claim that Marx's theory no longer applies in quite the same fashion. It may not be sufficient to still conclude that all workers are miserable creatures. It is certainly true that many people now work jobs they enjoy in spite of the fact that they do not own the product or control the process. The Professor

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<sup>12</sup> Ibid, p. 112

who gives passionate lectures and happily fields questions in class cannot be said to be taking no pleasure in the process of his work. The musician who records songs that are invaluable to him but does not own the masters cannot necessarily be said to be unhappy in his arrangement. Even workers in factories that seemingly value their input may not feel de-humanized. However, this still does not mean that the people in these examples are not alienated. As Marx makes clear, one can easily be trapped in false consciousness; that tendency to misunderstand one's proper relation to the labour force.<sup>13</sup> One need not realize they are being treated unfairly for the reality of it to be just the same. In any event, the fact also remains that the vast majority of people *are* unhappy at their place of work, and this alone is where the injustice lies. The pain of one caused by capitalism deserves the attention of all.

Up until now, we have only discussed three of the four forms of alienation Marx insists we suffer through in a capitalist system. In addition, we have also seen the nature of their connection to Rawlsian equality and fairness. Now let us turn to the final form of alienation: alienation from each other. It is this type of alienation that strikes me as most damaging to Rawls' conception of a sustainable society. If Marx is as correct as I believe he is in suggesting that capitalism also alienates us from each other<sup>14</sup>, this means that even the most advantaged and powerful members of a capitalist society are unable to take part in a community in the most meaningful sense possible. The private owners of the means of production can be understood as being victims themselves of the

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<sup>13</sup> Ibid, p. 147

<sup>14</sup> Ibid, p. 115

capitalist tendency to view objects one-dimensionally. This view is understood as one-dimensional because those who regard objects in the capitalist way merely create them for the sole purposes of transforming their previous value into one of profit; they do not much care for any deep relation to others when thinking in this way. Commodities that are created most often do not benefit humankind as a species in some meaningful way; they merely inflate the greed and wealth of individual persons. As such, even though they are much more advantaged and powerful than their exploited labour force, the wealthy owners are still deprived of a full capacity to engage in the sort of meaningful lifelong social cooperation that Rawls talks about. This social cooperation is now doomed to be less meaningfully human, as each person is merely thinking egoistically rather than species-wide. As Marx argues, capitalism more or less poisons us against each other by reducing each of us to units of competition in each other's eyes.<sup>15</sup> I believe this problem of alienation from each other directly undermines the contention that citizens of a political society will feel committed to the state as long as they feel they are being treated fairly by it.<sup>16</sup> Citizens must understand themselves as being connected to each other at a far more significant level than just having shared political rights and geographical proximity; this is no longer really possible if the capitalist system in which they carry out their labour estranges them from each other to begin with.

I would even go so far as to claim that Rawls' vision of sustainability is constrained by principles of

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<sup>15</sup> Ibid, p. 116

<sup>16</sup> Rawls, p. 194



individualism the moment capitalism is a part of it, for individualism and capitalism are but two separate heads of the same Hydra monster. Following then in this capitalism-induced individualist line of thought, Rawls almost has no choice but to give precedence in his overall argument to the right over the good. This precedence is clear right away in his argument with the initial focus he places on what he terms the “basic structure” of a society.<sup>17</sup> Focusing on the basic structure places an emphasis on establishing a fair background of procedures that can ensure everyone’s individual set of basic liberties are never violated. This is all well and good, but this still does not seem to speak much for the need of a sustainable social community. Although he does not reference Marx’s theory of alienation to express it, Charles Taylor shares this concern. Taylor recognizes that Rawls’ individual-obsessed theory of justice leads to what Taylor terms “the primacy of rights.”<sup>18</sup> A primacy of rights theory like that of Rawls’ makes secondary people’s obligation to belong to each other. In favour of the independence that is so valued (it having been made the central focus by the capitalist system we are in), the obligation to belong is made to be in subjection to it. Much like Taylor, I am not at all anti-rights. Rather, this is to recognize, as Taylor asserts, that individual rights themselves do nothing to actively nourish the potentiality of a person; one which we recognize as a moral good in its own right.<sup>19</sup>

By referring to Marx’s claim that we are social beings in every way, we find there is symmetry between his and Taylor’s argument in this regard. Marx makes clear

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<sup>17</sup> Ibid, p. 10

<sup>18</sup> Taylor, p. 188

<sup>19</sup> Ibid, p. 193

that we are social beings in the sense that the experience and status of a human being is contingent on the social context they grow up with.<sup>20</sup> Taylor is sensitive to this, as he expresses concern that one of the ways in which the theory of Rawls (and similar others) conceptualizes human beings is as “self-sufficient outside of society”.<sup>21</sup> The key word in this phrase is *outside* of society, as it outlines the kind of impoverished status one is left with in liberalism. If I am correct that the original source of this sort of harmful form of individualism is the capitalism Rawls allows, in which the right of the individual is nourished while the good of the community lies in near-starvation, then it would follow that capitalism itself becomes a danger to our freedom.

Ultimately, if a system begins as exploitative, debilitating, and unfair, there is only so much any theory can reasonably accomplish to rectify the ills such a system will invariably punish its victims with. Rawls does not set out to do away with the liberalism Locke revolutionized the world with, and this leaves his theory to fall sadly short of its aim of ensuring a fair and dignified existence for all. If people are guaranteed to be helped in order to avoid the worst possible fate of destitution, what does this then do for the way in which they are alienated in their work? What does assistance mean if it acts only to lessen a suffering that it cannot, by virtue of its nature as a system, erase? Similarly, if people are guaranteed the opportunity to enter influential positions within institutions of power, what does this then do for the way in which others still possess more than enough of an advantage to eclipse them

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<sup>20</sup> Marx, p. 148

<sup>21</sup> Taylor, p. 200

finally? The evils of capitalism are great enough that even a genius like John Rawls cannot theorize an adequate escape from them.

My argument has not been about a specific way that we ought to replace capitalism, but merely about revealing its problems further in lieu of Rawls' eminent theory. As such, one does not need to interpret from my critique a desire for a Marxist-Leninist society. I recognize and appreciate the reluctance of nearly everyone to never again consider a classic form of Communism with its historically discredited features of central planning and whatnot. What could come next to replace capitalism then is a question which I must leave to be answered by others in the future. However, oppressive systems that once included tyrannical monarchs were once thought of as permanent and necessary, and yet history has proved otherwise. Thus, there is no reason to abandon hope that something greater than capitalism is still at least possible. For now, we must be aware that operating from within the capitalist model, Rawls' theory can only make the fires of hell less hot; one way or another will the worker still burn.

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## New Thoughts on Consciousness

Mike Tkacz

The problem of consciousness in Philosophy of Mind is nothing new; either the materialist side is favoured, and then either the mind becomes the brain or consciousness becomes ineffective, or consciousness itself is favoured and the problem becomes that of explaining how it has any relationship with the physical. I am about to solve this problem (ha, not in my wildest dreams). No, I will not solve the problem, but I will attempt to introduce some new ideas to the equation in the hopes of sparking new life and ideas in the debate. The views of Ned Block, from his paper Concepts of Consciousness, will be examined and taken as a rough example (given that it's all I'm looking at) of current Philosophy of the Mind. It has the benefit of looking at consciousness in a variety of ways which will be analysed. Some phenomenological ideas from the late Maurice Merleau-Ponty's Phenomenology of Perception will be used as a new approach to consciousness, particularly the notion of generality and his thoughts on sensations. I will also argue that Block's view of consciousness assumes too much under that notion. We will begin with a treatment of his concepts of consciousness.

Phenomenal consciousness (from here on P-consciousness) is the direct experience we have with

things. It is described as the “what it is like”<sup>1</sup> to experience something or to have an experience of something. Those experiences which fall under P-consciousness include “sensations, feelings and perceptions, but... would also include thoughts, wants and emotions.”<sup>2</sup> These are the properties or contents of P-consciousness because I can experience them: I feel the smoothness of the table with my hand, I hear the voices of people behind me and I prepare or sketch out what I will write through thoughts in my head. To be P-conscious of these things is to know what its like to feel, hear and think them. P-consciousness is also described as being “often – perhaps even always – representational” and “distinct from any cognitive, intentional or functional property”<sup>3</sup>. P-consciousness must be representational because it has already been described as the ‘what it is like’ character of experience; in order to know what it is like to feel the table I must get a portrayal, a version, an account or a depiction of what it is like to actually feel the table. But P-consciousness is also passively receptive or sponge-like in character; otherwise it would display more active, causal or transmitting features of cognition or mental activity which is purposively directed at things.

The next form of consciousness Block distinguishes is access-consciousness (A-consciousness). A-consciousness is described as “an information processing correlate... [which] mirrors P-consciousness as well as a

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<sup>1</sup> Block, Ned. "Concepts of Consciousness." *Philosophy of Mind: Classical and Contemporary Readings*. New York: Oxford University press, 2002. Print. P. 206

<sup>2</sup> Ibid

<sup>3</sup> Ibid, 207

non-ad hoc information processing notion can.”<sup>4</sup> So while P-consciousness is the passive receiver of experiential content, A-consciousness actively takes up this content for cognitive, intentional and functional purposes. What this means is that “a representation is A-conscious if it is broadcast for free use in reasoning and for direct ‘rational’ control of action (including reporting)” or is made “directly available for global control.”<sup>5</sup> For a representation to become A-conscious some content of P-consciousness is rationally taken up by A-consciousness with intentional and functional purposes. To use an example, I can feel my feet on my shoes; they are warm and sweaty and one shoe is tied slightly tighter. According to this theory I’ve been P-conscious, that is I’ve felt or had a representation, of them the whole time, but only by attending to them now to talk about them have I become A-conscious of them, that is I broadcast the representation so that I could talk about them.

A third type of consciousness identified is monitoring-consciousness (M-consciousness). Some notions that M-consciousness encompasses are of “a form of P-consciousness, namely P-consciousness of one’s own states or of the self...internal scanning... a conscious state as one that is accompanied by a thought to the effect that one is in that state.”<sup>6</sup> The idea behind M-consciousness is that of consciousness internally reflecting back on itself to examine and take stock of its own thoughts and be aware of itself doing this. Another definition given for M-consciousness is “S is a monitoring-conscious state ↔ S is

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<sup>4</sup> Ibid, 208

<sup>5</sup> Ibid

<sup>6</sup> Ibid, 214

phenomenally presented in a thought about S.”<sup>7</sup> M-consciousness is not the same as P-consciousness. If I am being M-conscious it means that I am having a P-conscious thought (that is a passive and not accessed thought) which is reflecting back on my own thoughts, or specifically on the fact that I am M-conscious.

M-consciousness seems to rest on and presuppose some kind of self-consciousness (S-consciousness), given that it is my own thoughts as my own and as being reflected upon. S-consciousness for Block is “the possession of the concept of the self and the ability to use this concept in thinking about oneself.”<sup>8</sup> That is, I am aware of who and what I am, namely a person constituted by a body, which I differentiate from other people and things around me, with my own thoughts, emotions and perceptions, all of which fall under and are distinguished by a name. And I can bring this, and all that it contains, to bare on itself. This is not a major area of concern for him and seems most relevant here as a ground for M-consciousness (not that it isn’t a unique part of consciousness).

While the efforts to make clear the notion of consciousness by classifying different concepts of consciousness is well intentioned, there are still inconsistencies in it, and so the ambiguity remains. Both A-consciousness and P-consciousness involve representations of P-contents of experience, but the important difference is that it is only broadcast when it has been processed by A-consciousness for reasoning, action or reporting. So what was happening before the

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<sup>7</sup> Ibid, 215

<sup>8</sup> Ibid, 213



broadcast? To illustrate this Block uses the example of being deeply absorbed in a conversation and only after some length of time suddenly realizing that there has been a pneumatic drill making noise outside. What this is supposed to show is that “you were P-conscious of the noise all along, but at noon you are both P-conscious and A-conscious of it... only at noon is the content of your representation of the drill broadcast”.<sup>9</sup> The initial temptation would be to say that we were not aware of it until noon. But because it’s P-conscious we have a representation of it. How could we have a representation of it and not be aware of it? To have a representation seems to imply awareness. If we have a P-conscious representation of it that means we were hearing it, yet because it wasn’t processed or broadcast we also were not hearing it; the sound was only reported after it was broadcast by A-consciousness.

It could also be said that we were hearing the drill but we weren’t consciously hearing or consciously aware of it.<sup>10</sup> This notion of having a representation that we don’t consciously recognize still seems dubious. Where is it and what is it doing when we aren’t conscious of it? Is it just hanging out in the brain ready and waiting to be broadcast? It looks like we have these P-contents all along but only consciously when A-consciousness broadcasts them. But in that case there is no more P-consciousness because we only become conscious of its contents when they are accessed, thus making P-consciousness nothing but the passive, unresponsive and unconscious receiving of P-contents. And this was supposed to be the stage of

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<sup>9</sup> Ibid, 212

<sup>10</sup> Ibid

real experience, where we get the 'what it is like' of things. To even have separate P and A-consciousnesses seems pointless now. Why have two types of consciousnesses, one of which is an unconscious receiver, when it would be simpler to have one which both takes in the contents and broadcasts those which are going to be used?

A minor question of perhaps little importance is who or what controls A-consciousness? Who, if anyone or anything, decides what will be broadcast? Of course the most vigorous, forceful and potent phenomena will be thrust into consciousness, but what about all the average and basic ones; what decides when they will be processed? If we have control of it then we should theoretically be able to stop things like pain from being broadcast. If it's an unconscious decision then we have no control over our conscious attention (yes I exaggerate).

On its own P-consciousness is not without its inconsistencies which will now be looked at. To recap, the contents or properties of P-consciousness are sensations, feelings, perceptions, thoughts, wants and emotions. It was also said that they are distinct from any cognitive, intentional or functional property. Expanding on these concepts Block writes "Cognitive = essentially involving thought; intentional properties = properties in virtue of which a representation or state is about something; functional properties = e.g. properties definable in terms of a computer program."<sup>11</sup> This is just plain absurd. Are we really supposed to believe that all of the senses have no functional properties, that there is no practical or operative value, means, quality or attribute to being aware of our surroundings; or that perception, the representation of

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<sup>11</sup> Ibid, 207

which, is not about the thing perceived; and most importantly that thoughts *are distinct from essentially involving thought or properties of thought?* This problem, like some of the problems mentioned above, seems to derive from the differentiation of P and A-consciousnesses into the passive/receptive and active/processing/broadcasting natures of each one. The problem with P-consciousness is that because it is the passive consciousness it is difficult to reconcile that with any phenomenal experience which must necessarily involve some activity.

The main problem with P-consciousness is that it takes perception, emotion and thought and turns them into properties or contents of consciousness when in truth they are capacities in their own right. As we begin to look at the work of Merleau-Ponty we will see what the problem is of reducing a perception to consciousness. He writes “we believed we knew what feeling, sensing and hearing were ... the traditional notion of sensation was not a concept born of reflection, but a late product of thought directed towards objects, the last element in representation of the world”.<sup>12</sup> The representation is not the sensation but a thought about sensation; it is what we get when we try to remember it after it has happened, when we try to represent what it was like to have the experience we had previously. What are represented to us are qualities. In the language of qualities “to see is to have colours or lights, to hear is to have sounds, to sense is to have qualities. To know what sense-experience is, then, is it not enough to have seen a red... But red and green are not sensations, they are the sensed, and quality is not an

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<sup>12</sup> Merleau-Ponty, Maurice. *Phenomenology of Perception*. London: Routledge, 1981. Print. P.10

element of consciousness, but a property of the object.”<sup>13</sup> To have a representation of red is to take a quality of an object and to try to reconstruct it in consciousness as an object of its own. But nowhere in our actual experience is red its own isolated object, it is always sensed or perceived as a quality of an object; I can not separate the redness from my notepad and any more than I can its texture or its rectangularity. Thought and emotion, like perception, are not simply isolated objects in consciousness but are ways for me to go out and meet the world and people in it. In the same way that perception is the way I sense and find the world, emotion is the way I feel towards and about people and so is how I meet them, and thought is less a matter of retreating from the world than it is a matter of what I can do in the world;<sup>14</sup> what all three presuppose is an intentional relationship between myself, in one or another given capacity, and the object of my intention insofar as it presents itself to me, for me, in a particular way. Thought, emotion and perception are no longer objects in consciousness but are those capacities that allow for and give rise to consciousness.

Thought, emotion and perception are what Merleau-Ponty calls generalities. On this notion he writes “round the human world which each of us has made for himself is a world in general terms to which one must first of all belong on order to be able to enclose oneself in [a] particular context” that being “my organism, as a prepersonal cleaving to a general form”,<sup>15</sup> and from this I “[develop my] personal acts into stable dispositional

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<sup>13</sup> Ibid, 4

<sup>14</sup> Ibid, 137

<sup>15</sup> Ibid, 84

tendencies.”<sup>16</sup> Generality can be thought of as general possibilities given our human form. We have visual, auditory, tactile possibilities as well as those of love and hate and to think creatively, but these only come about from the generalities of perception, emotion and thought. These generalities come imbued with intentionality; they are directed generally towards objects in the world: perception towards the visual, auditory and tactile qualities of objects, emotion towards being with other people, thought towards action. But these generalities are not fixed as general but develop themselves to greater specificity as our intentions specify. Perception is already developed towards specific qualities of things, but even more so I can develop my hearing towards finding beats and specific sounds in music. In this generality is contained the problem of the pneumatic drill addressed earlier. The sound was pushed into the background because “through this generality we still ‘have [it]’, but just enough to hold [it] at a distance from [me].”<sup>17</sup> Generalities are our capacities which we use and lose ourselves in depending on how the situation is presented to us. Earlier, the conversation was what was most calling us at that time and so the noise of the drill was pushed to the background, held at bay. We were hearing it but it wasn’t important at the time because the conversation was. The problem of representations and whether or not they are broadcast is no longer an issue.

The point of all this is that perhaps it is time so have a fresh view on consciousness. To view consciousness as a generality would be to see it as a

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<sup>16</sup> Ibid, 146

<sup>17</sup> Ibid, 162

general feature of the human being. As given, consciousness would be something that can come to be highly specified out of its general being as conscious awareness. At certain times it could resemble P-consciousness becoming aware of the phenomenal aspects of perception, at other times it could resemble S-consciousness being aware of itself as a total being and other times becoming highly aware of its own thoughts etc... However the only way to come to anything close to a position as this is to realize that everything that formed the contents of consciousness, sensations, perceptions, feelings, thoughts, emotions, wants etc... are themselves not objects in consciousness but opportunities for consciousness. Consciousness, as a generality would certainly be related to thought, maybe even identical, but just how similar is the topic of another debate.

## Notes on Contributors

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