

Virtue, Knowledge, and Goodness

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Abstract

This thesis consists of three parts. Part one responds to an argument by Jason Baehr that virtues of intellectual character which make their possessor good *qua* person can also figure as virtues in reliabilist accounts of knowledge. I analyze his argument with special attention to the cases he uses to motivate his claims, and argue that the role which intellectual character virtues play in the acquisition of knowledge is not the role which is relevant to reliabilists accounts of knowledge. More generally, I argue that character intellectual virtues are not good candidates for reliabilist virtues because their telos is not simply aimed at achieving warranted true beliefs. The second part of this thesis addresses an interpretive puzzle in Plato's *Theaetetus*. In a short passage, Plato seems to deviate from arguing against a Protagorean account of knowledge and has Socrates deliver a description of two rival ways of life that turns into an exhortation to practice justice. The passage contrasts men shaped by life in the courts with those shaped by philosophy. This "digression" raises questions both about its relationship to the surrounding attempts to analyze knowledge and about the relationship between the detached philosophers portrayed in the digression and Socrates. I argue the digression serves to reveal the implications of the Protagorean account of knowledge for evaluating who has true wisdom about life, and that the philosophers portrayed in the digression are sufficiently and relevantly like Socrates that the digression also serves to advocate a Socratic lifestyle against a Protagorean lifestyle. The third part of this thesis analyzes and criticizes Thomas Scanlon's account of moral motivation as fundamentally consisting in the reasons we have to live life in a relation of "mutual recognition" with other people. I argue that the reasons to live in such a relation to others cannot account for the full rational force of morality, and, more particularly, that they cannot explain what is distinctively wrong with someone not concerned with morality. I conclude by noting ways in which Scanlon's account could be improved by explaining moral motivation in terms of the value of persons.

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Introduction

These three essays are divergent, yet each in its own way concerns the relationship between virtue and other goods, where virtue is understood as being good *qua* person. Specifically, part one explores reasons why such virtues are ill-suited for employment in analyses of knowledge which understand knowledge as warranted true belief in propositions. I highlight the difference in telos between being a good person with regard to intellectual conduct and knowing that a given proposition is true. Part two examines the correlation between a particular (mis)conception of knowledge and a non-virtuous life in Plato's *Theaetetus*. This offers a different kind of connection between knowledge and character than the connection sought by virtue reliabilists. The connection runs through wisdom, since it is both a species of knowledge and intimately connected to character. Part three argues that Thomas Scanlon's account of moral obligation is insufficiently sensitive to other values since he attempts to explain moral obligation strictly in terms of our reasons to be in a certain relationship to others. This forces him to cut off moral obligation from other values.

Part one responds to an argument by Jason Baehr that virtues of intellectual character which make their possessor good *qua* person can also figure as virtues in reliabilist accounts of knowledge. I analyze his argument with special attention to the cases he uses to motivate his claims, and argue that the role which intellectual character virtues play in the acquisition of knowledge is not the role which is relevant to reliabilists accounts of knowledge. More generally, I argue that character intellectual virtues are not good candidates for reliabilist virtues because their telos is not simply aimed at achieving warranted true beliefs.

The second part of this thesis addresses an interpretive puzzle in Plato's *Theaetetus*. In a short passage, Plato seems to deviate from arguing against a Protagorean account of knowledge and has Socrates deliver a description of two rival ways of life that turns into an exhortation to practice justice. The passage contrasts men shaped by life in the courts with those shaped philosophy. This "digression" raises questions both about its relationship to the surrounding attempts to analyze knowledge and about the relationship between the detached philosophers portrayed in the digression and Socrates. I argue the digression serves to reveal the implications of the Protagorean account of knowledge for evaluating who has true wisdom about life, and that the philosophers portrayed in the digression are sufficiently and relevantly like Socrates that the digression also serves to advocate a Socratic lifestyle against a Protagorean lifestyle.

The third part of this thesis analyzes and criticizes Thomas Scanlon's account of moral motivation as fundamentally consisting in the reasons we have to live life in a relation of "mutual recognition" with other people. I argue that the reasons to live in such a relation to others cannot account for the full rational force of morality, and, more particularly, that they cannot explain what is distinctively wrong with someone not concerned with morality. I conclude by noting ways in which Scanlon's account could be improved by explaining moral motivation in terms of the value of persons.

1. Can Character Intellectual Virtues Be Reliabilist Virtues?

ABSTRACT: I respond to an argument by Jason Baehr that virtues of intellectual character which make their possessor good *qua* person can also figure as virtues in reliabilist accounts of knowledge. I analyze his argument with special attention to the cases he uses to motivate his claims, and argue that the role which intellectual character virtues play in the acquisition of knowledge is not the role which is relevant to reliabilists accounts of knowledge. More generally, I argue that character intellectual virtues are not good candidates for reliabilist virtues because their telos is not simply aimed at achieving warranted true beliefs.

1.1. Introduction

In this paper I challenge Jason Baehr's argument that reliabilist accounts of knowledge need, on their own terms, to include some intellectual character virtues within their inventory of reliable knowledge-makers.¹ Virtue reliabilists hold roughly that an agent's true belief about X amounts to knowledge if and only if his reaching the truth about X is attributable or creditable to the exercise of some suitable virtue of his. A reliabilist virtue is a cognitive excellence or ability of an agent. While I am not aware of any attempt to give an exhaustive list of suitable reliabilist virtues, virtue reliabilists generally have in mind our basic cognitive faculties. But Baehr argues that this category should include virtues of intellectual character as well, since they also can explain, and sometimes are the best explanation for, why an agent reaches the truth about a matter. One of my chief contentions is that we need to distinguish between various ways in which a virtue might explain why someone reaches the truth, for not all such explanations are of the sort appropriate for virtue reliabilism.

Baehr is not concerned to defend reliabilism, or more specifically, virtue reliabilism. Rather, he argues that excellences of intellectual character sometimes play the same epistemic

¹ Jason S. Baehr, *The Inquiring Mind: On Intellectual Virtues and Virtue Epistemology* (Oxford University Press, 2011) The argument is found in chapter 4, but I will draw on other parts of the book as well.

role as the epistemic faculties, with which virtue reliabilists generally concern themselves.² He argues that for this reason virtue reliabilist accounts of propositional knowledge need to include as reliabilist virtues, not only cognitive faculties, but also virtues of intellectual character. In the same way, I am not concerned to evaluate virtue reliabilist accounts of propositional knowledge, but rather to evaluate Baehr's argument that such accounts should, on their own terms, include character intellectual virtues in their analysis and explanation of propositional knowledge.

In section I, I clarify the kind of virtues under discussion. Section II provides a more detailed characterization of virtue reliabilism and a discussion of what precisely Baehr thinks the role of character intellectual virtues should be in such accounts of knowledge. Section III presents (most of) his argument for why virtues of intellectual character should play that role in virtue reliabilist accounts. In section IV, I argue that the first two, at least, of Baehr's case studies fail to support his conclusion because he does not adequately take into account the various sorts of ways in which intellectual virtues can explain why someone reaches the truth. In section V, I consider the complication, raised by Baehr's third case study and one that he capitalizes on, that the exercise of virtues of intellectual character is often constituted, in large part, by the use of cognitive faculties. I give various reasons for thinking that even then it is the exercise of the cognitive faculties, rather than the virtuous character which they constitute, that does the explanatory work relevant to reliabilism. I conclude in section VI with a discussion of how the telos of virtues of intellectual character is fundamentally different from

² In fact, in chapter 5 of the same book he gives a corresponding argument that evidentialist theories need to take account of intellectual virtues. Ibid.

that of the virtues that could serve as reliabilist knowledge-makers, and how this makes it unlikely that the former can serve as reliabilist virtues.

1.2. Characterizing Virtues of Intellectual Character as Opposed to Cognitive Faculties Etc.

First, a note on the virtue terminology used in this paper: *Intellectual virtues* refer to any trait that is an intellectual or epistemic excellence of the person, whether a character trait like open-mindedness or a cognitive faculty like the visual system. *Character intellectual virtues* refer to intellectual virtues that are virtuous character traits. I may simply refer to them as *character virtues* when it is not important to emphasize that, or when it is contextually obvious that, they are intellectual. *Faculty intellectual virtues* refer to *cognitive faculties* such as eyesight, hearing, the capacity for basic logical inferences etc. I may simply refer to them as *faculty virtues* when it is not important to emphasize that, or when it is contextually obvious that, they are intellectual. *Reliabilist virtues* refer to traits or qualities that, according to virtue reliabilist accounts of knowledge, can explain why true beliefs are knowledge. In summary, virtue reliabilists think that true beliefs qualify as knowledge in virtue of being appropriately explained or caused by *reliabilist virtues*. *Faculty virtues* are standardly considered *reliabilist virtues*. Baehr's contention is that *character intellectual virtues* sometimes are *reliabilist virtues* as well.

So then, the first task is to clarify what Baehr means by intellectual character virtues and by cognitive faculties. Baehr gives an initial characterization in chapter 2. His list of character intellectual virtues includes the likes of inquisitiveness, attentiveness, fair-

mindfulness, intellectual integrity, creativity, and perseverance.³ He points out three main differences between these virtues and the cognitive faculties or faculty epistemic virtues like memory, the senses, introspection, and the ability to make basic logical inferences. First, intellectual virtues are *cultivated* traits, whereas excellent faculties are *innate*. Second, he argues that, unlike cognitive faculties, intellectual virtues bear on “personal worth”. For, to attribute intellectual virtue to an agent “is to suggest that she is, albeit in a certain distinctively intellectual way or capacity, a good person or good qua person.”⁴ Third and finally, intellectual virtues characteristically require agency in their exercise, but cognitive faculties do not. However, Baehr softens this distinction somewhat by noting that character and faculty excellences often depend on each other for realization, since exercising intellectual virtues often involves making excellent use of faculties.⁵

These virtues are strikingly similar to moral virtues, and in many ways they look more like moral virtues than they look like our basic cognitive faculties.⁶ Moral and intellectual character virtues both involve goodness qua person, cultivation, and agency. And both types of virtues are traits that we are responsible for in a deeper way than endowments like cognitive faculties and other natural capacities.

³ Ibid., 21.

⁴ Ibid., 23.

⁵ Ibid., 24–25.

⁶ Baehr includes an appendix on the relationship of moral and intellectual character virtues. He takes other-regardingness to be the distinguishing feature of moral virtues and argues in A.5 that intellectual virtues sometimes but not always are other-regarding and so sometimes but not always are also moral virtues (218–220). I am not sold on this way of delineating moral virtues, but that does not matter for this paper.

The most significant of the differences Baehr lists between cognitive faculties and intellectual virtues seems to be that the latter bear on personal worth and so make one good qua person. This is what makes them *character* virtues. On the other hand, the mere fact that an excellence is cultivated does not make it a character virtue. Nor, it seems, does the fact that an excellence requires agency in its exercise. The ability to read a foreign language is heavily cultivated and, until one acquires a high degree of proficiency, requires significant exercise of agency. Yet it groups more closely with faculty virtues like eyesight than with traits like perseverance and intellectual curiosity, though these last may contribute to acquisition of the language. Baehr distinguishes skills from intellectual virtues because, although deliberately cultivated, they do not in themselves make one better as a person. Further, unlike virtues, their exercise need not come from an admirable motivation.⁷ Cognitive faculties and skills can be used well, but in themselves they don't make the agent a better person.

It is important to examine Baehr's characterization of these virtues for the sake of noting how different they are from cognitive faculties, which are what virtue reliabilists usually class as intellectual virtues. It should be clear already that what we are concerned with are virtues in the full ethical sense—even though Baehr does not think they are necessarily “moral.” The distinction Baehr makes between intellectual temperaments and intellectual virtues makes this even clearer. Baehr describes intellectual temperaments as “‘natural’ psychological dispositions” which are “dispositions to manifest certain attitudes, feelings, judgments, and the like.” Thus intellectual temperaments function much like

⁷ Baehr, *The Inquiring Mind*, 30.

intellectual virtues and, as he notes, can be described in virtue language.⁸ Baehr argues that they do not qualify as virtues because they do not bear on personal worth, and they don't require rational understanding of why and how the actions that flow from them are good.

He connects both of these differences to the fact that temperaments are natural in a way that character virtues are not. As merely natural, whether innate or passively absorbed from one's upbringing, temperaments do not demonstrate one's worth or goodness as a person and as an agent. And as merely natural it can be received or adopted unreflectively without thinking of its point, or even whether it is good or bad.⁹ So it is intellectual virtues in this robust sense, which go beyond, not only cognitive faculties, but also cultivated skills and even natural temperaments, which Baehr argues can be reliabilist virtues. Thus, he is arguing that full character intellectual virtues, and not merely things that have a lot in common with character virtues, should be included by reliabilist theories as suitable ways of reaching the truth, and thus that reliabilists should be willing to label beliefs knowledge, not only on the basis of the truth being reached by the exercise of excellent cognitive faculties, but also on the basis of the truth being reached by exercising character intellectual virtues.

1.3. Characterizing Virtue Reliabilism

Baehr engages almost exclusively with *virtue* reliabilism in particular, but he intends his main claims to “apply equally to any other variety of reliabilism.”¹⁰ He mainly discusses

⁸ Ibid., 26–27.

⁹ Ibid., 27–28.

¹⁰ Ibid., 48.

“credit theories” and “attribution theories.” These theories claim that for a true belief to be knowledge the fact that the agent believes truly about the matter in question must be creditable or attributable to the agent, and thus that if we can’t attribute or credit the fact that he believes truly rather than falsely to the agent, then the belief falls short of knowledge. However, he thinks that the central arguments apply to reliabilist theories in general, even to those theories which see the source of epistemic justification in the “reliable process or method” by which it is produced rather than in qualities of the agent. For, forming beliefs through exercises of intellectual virtue involves “instantiating certain reliable processes or employing certain reliable methods.”^{11,12}

Baehr is not concerned with elaborating a reliabilist theory of epistemic desiderata like knowledge, justification or warrant, but rather with making the claim that any such theory needs to make room for character virtues within its inventory of reliable processes or virtues. But looking at a rough and ready reliabilist account of justification that incorporates some of Baehr’s preferred language, will help explicate what exactly Baehr is concerned with. So consider RRR (Rough and Ready Reliabilism):

A subject (S) knows her true belief B about a subject matter M if and only if S’s “reaching the truth and avoiding error”¹³ about M is best explained by some x which

¹¹ Ibid., 56.

¹² What is the relationship between *virtues* (whether cognitive faculties or the intellectual virtues Baehr wants to include) and *processes*? It seems to me that reliabilist theories put in terms of virtues or faculties will still involve processes, specifically the excellent functioning of faculties or the virtuous forming of beliefs. Surely, those theories don’t think that the mere fact that a belief results from a reliable faculty confers positive status on it even if the faculty malfunctions in that particular case. If I have excellent eyesight, but on very rare occasions my optic system misroutes a crucial electrical impulse to the wrong part of my brain, those beliefs don’t have positive status, for my excellent faculty used a process that did not constitute functioning excellently. What is distinctive then about virtue reliabilism, is that it limits what reliable processes can confer positive status, not that it does not require reliable processes.

¹³ Baehr, *The Inquiring Mind*, 52.

“plays a critical or salient role in getting [her] to the truth”¹⁴ about SM, where x is a member of class C.

RRR, of course, leaves us with the work of specifying the contents of class C. What Baehr is concerned to argue is that class C must include intellectual virtues if reliabilism is going to give an adequate account of knowledge. Note that this is not to claim that reliabilist accounts should make intellectual virtues a requisite for knowledge, but rather that intellectual virtues are one of the items that can be responsible for why S gets to the truth about some particular subject matter, and responsible in the particular way that reliabilists think renders B knowledge.

Perhaps this last contrast will be clearer if we clarify the relationship between this analysis of knowledge and explanations of why someone gets to the truth about a specific subject matter. One central idea behind reliabilism is that the etiology of a belief matters. Whether the focus is on the reliability of the process that generates the belief or on the virtues (excellences) of the subject that are responsible for the belief, reliabilist accounts tend to define knowledge in part by defining what counts as a suitable etiology. The etiology of a belief, or rather certain features of the etiology, is supposed to be what explains why it is knowledge. I know that the fence in my front yard is still standing because I see it, which is to say that the good functioning of my visual system explains the belief and the belief’s etiology in my visual system renders it knowledge. Of course other etiologies could also produce knowledge. I could walk around the fence blindfolded, touching it with my hands. Reliabilism

¹⁴ Ibid.

stresses that etiologies that can render something knowledge must be reliable. Virtue reliabilism stresses that suitable etiologies must involve virtues of the agents. What Baehr argues is that no reliabilist analysis that excludes intellectual virtues as a legitimate knowledge-conferring etiology could be adequate as an analysis of knowledge. For, he argues, in some cases of knowledge it is intellectual virtues, rather than faculty virtues or other reliabilist candidates, which do the crucial explanatory work in explaining why someone reached the truth about the subject matter.¹⁵ But now, on to Baehr's argument.

1.4. Baehr's Argument that Intellectual Virtues Can Be Reliabilist Virtues

Baehr first notes that the formal definition of reliabilist virtues need not exclude character intellectual virtues. For they could well qualify as "personal qualities that, under certain conditions and with respect to certain propositions, are a reliable means to reaching the truth and avoiding error." And in some situations "reaching the truth" is in fact "explained largely or most saliently in terms of an exercise of certain traits of intellectual character." Thus if we are going to explain knowledge as arising from exercises of intellectual virtue, we must admit that sometimes the relevant intellectual virtue is a character intellectual virtue.¹⁶

Two clarifications are in order here. First, Baehr is very explicit that he does not think all knowledge requires character intellectual virtues, but only that in some cases of knowledge the relevant intellectual virtue will be a character virtue rather than a faculty virtue. Second,

¹⁵ While Baehr is not committed to a reliabilist analysis of knowledge, he seems to accept the idea that virtues can explain why someone reached the truth about a subject. Thus he can endorse an argument like this: Intellectual virtues sometimes explain (critically and saliently) why an agent reaches the truth about a subject. Therefore if you are going to analyze knowledge as true beliefs reached because of reliabilist virtues, you need to allow intellectual virtues as reliabilist virtues.

¹⁶ Baehr, *The Inquiring Mind*, 52.

Baehr is not simply arguing that these virtues are needed for a complete explanation of why the subject reaches the truth in such cases. Rather, he is arguing that in some cases character virtues, rather than the faculty virtues involved (and thus also needed for a *complete* explanation), are what best explain why we get to the truth.¹⁷

In the second stage of the argument, Baehr puts forward and analyzes three cases in order to support the claim that agency virtues actually do sometimes play the kind of explanatory role which he claims that they do. I will consider his interpretation of the first two cases and offer my response, before coming back to the third case and his treatment of it, which will pose some complications for my response. Here are the first two cases:

CASE 1 A field biologist is trying to explain a change in the migration patterns of a certain endangered bird species. Collecting and analyzing the relevant data is tedious work and requires a special eye for detail. The biologist is committed to discovering the truth and so spends long hours in the field gathering data. He remains focused and determined in the face of various obstacles and distractions (e.g. conflicting evidence, bureaucratic road blocks, inclement weather, boredom, etc.). He picks up on important details in environmental reports and makes keen discriminations regarding the composition and trajectory of several observed flocks. As a result of his

¹⁷ Here is a key passage from Baehr: “While reaching the truth in these areas does typically require that our cognitive faculties be in good working order, this is not usually what explains or at least *best* explains our actually getting to the truth. Rather, reaching the truth in these areas is often explained largely or most saliently in terms of an exercise of certain traits of intellectual character: traits like intellectual carefulness, thoroughness, tenacity, adaptability, creativity, circumspection, attentiveness, patience, and honesty” (p. 53 emphasis in original)

determination and careful and insightful methods of inquiry, he discovers why the birds have altered their course.¹⁸

CASE 2 An investigative reporter is researching a story on corporate crime and begins to uncover evidence indicating that some of the perpetrators are executives in the very corporation that owns his newspaper. The reporter believes that he and his readership have a right to know about the crimes, so he persists with the investigation, recognizing that it may cost him his job, and perhaps more. Undaunted even by personal threats, the reporter proceeds with his investigation. After several months of rigorous intellectual labor, he uncovers and exposes the executives' misdeeds.¹⁹

Baehr takes these examples to show that the explanatory work for why the agent knows is done, not by faculty virtues, but by character virtues. The agents “reach the truth because they exhibit certain attitudes or character traits. These traits seem to account most saliently for or to best explain why the individuals form true beliefs.” Baehr supports this claim about the greater explanatory salience of character intellectual virtues with the claim that the agents in question do not reach the truth “simply or even primarily” because of having or exercising good eyesight or memory, or because of “making valid logical inferences.”²⁰ Baehr concludes that, since these kinds of cases impose requirements on the agent beyond “the routine operation of a person’s basic cognitive endowment,” and since such cases often concern beliefs about important matters, virtue reliabilists “are *unable to adequately account*

¹⁸ Baehr, *The Inquiring Mind*, 53–54.

¹⁹ *Ibid.*, 54.

²⁰ *Ibid.*

for some of the most important items of knowledge” because they dismiss intellectual character virtues (emphasis mine).²¹

1.5. My Response to the First Two Cases: Is This the Right Sort of Best Explanation?

Certainly these cases illustrate the importance of intellectual character. They also show that character intellectual virtues can be *salient* explanations of why an agent reaches the truth about something. But what I want to cast doubt on in this section is the idea that they provide explanations *of the right sort* for the reliabilist project, and thus on the idea that they are salient in the sense in which they need to be salient in order for Baehr’s argument to work. For this purpose, I can even grant Baehr’s stronger claim that traits of intellectual character sometimes *most* saliently or *best* explain why someone reaches the truth. For my contention is that identifying a trait as a reliabilist virtue, or “reliabilist knowledge-maker,” is not simply a matter of determining that in an *overall* sense it best explains why someone reaches the truth, but rather that it gives the *right sort* of explanation of why he reaches the truth. Questions of what constitutes the best or primary explanation of something overall are quite complicated and beyond what I can deal with in this paper. Rather, what I will do in this section is pursue several different lines of reasoning that indicate that the explanation provided by intellectual character virtues in Baehr’s first two cases is not the kind of explanation relevant to the reliabilist account of knowledge.

²¹ Ibid., 55.

Virtue epistemologist Ernest Sosa notes a problem with relying on the criterion of greatest explanatory salience. He takes knowledge to be a species of success “creditable to an agent.” Success in reaching the truth is creditable to the agent when it “is due to an aptitude (to a competence or skill or virtue) seated in the agent, whose exercise is rewarded with success.” He notes that “one promising proposal” for understanding how a true belief may be due to a virtue or aptitude of the agent is that the explanation for success in reaching the truth “must saliently involve that aptitude.” However, he points out a problem with this proposal. In some circumstances, what is most salient as an explanation is not the aptitude (virtue) from which the agent acts, but rather the fact that the agent’s aptitude was not compromised, or that he was in suitable circumstances for the successful exercise of his intellectual virtue. Thus if an evil demon is systematically messing with the conditions or messing with the agent’s abilities, the fact that he spared one exercise of virtue may be the most salient explanation for why the agent succeeded in reaching the truth. But this does not, says Sosa, take away from the fact that the agent’s success is due to his virtue.²² Thus, returning to Baehr’s cases, the mere fact that character intellectual virtues most saliently explain why an agent reaches the truth does not mean that they provide the right sort of explanation for reliabilist accounts of knowledge.²³

²² Ernest Sosa, *A Virtue Epistemology: Apt Belief and Reflective Knowledge, Volume I* (Oxford: Oxford University Press, 2007), 86–87.

²³ This response to Baehr might not be available to John Greco who in *Achieving Knowledge: A Virtue-Theoretic Account of Epistemic Normativity*, Kindle (Cambridge: Cambridge Univ. Press, 2010), 73ff attempts to explain when an agent’s true belief is from ability and when it is not, by discussing under what conditions believing from ability is the most salient cause of her believing truly.

One of the first things to note about these cases is that the virtues involved seem to explain why the agent obtained specific beliefs about the subject at all rather than why he obtained true as opposed to false beliefs. If our scientist was less virtuous he simply wouldn't have findings. If the reporter backed off of the story he wouldn't have anything to say about that story. While they might have had some false beliefs if they had not gotten to the truth of the matter, these would likely have been broad and vague and uncertain, and they might well have simply not formed beliefs about the matter. The true beliefs are *because* of intellectual virtues, but it does not seem like the right kind of 'because' for reliabilist theories. Causes affect one's reaching the truth in various ways, and it is not clear that character intellectual virtues are the cause of the truth of the beliefs which is relevant for an account of knowledge.

We can draw the distinction among virtues differently than Baehr does in order to bring out why we should not regard a quality as a reliabilist knowledge maker simply because it most saliently explains why one reaches the truth about something. While he distinguishes between faculty intellectual virtues and character intellectual virtues, we can also distinguish between virtues or excellences that simply bear on epistemic conduct and virtues or excellences that are epistemic in a more specific sense. The former are about being good as a human being, and thus they are oriented toward good human acting and they also carry implications for epistemic conduct. Thus they include Baehr's character intellectual virtues since those bear on personal worth, but also could include most moral virtues. The latter, narrowly epistemic virtues are about being able to know things. Since propositional knowledge is what is primarily in question, this means that these virtues are mainly oriented

toward obtaining warrant for beliefs. This group includes, among other things, Baehr's faculty intellectual virtues as well as what he classes as skills or talents.²⁴ Thus this distinction does, at least for the most part, separate the intellectual virtues in the same way as the character versus faculty division among epistemic virtues, it does so on a different basis and covers a wider class of virtues.

Cases where the course of action that would facilitate knowledge is morally wrong show vividly how these two kinds of virtues differ. EJ Coffman makes this point with an example where I could gain knowledge about my neighbor's actions by spying on him in a morally unacceptable way.²⁵ Clearly this would be an excellent action in terms of virtues that are narrowly epistemic and oriented *simply* at obtaining knowledge (of any and every possible object of knowledge). But it is also clear that a good human being must regulate his employment of such virtues by standards of virtuous character. Even in cases that don't involve any conflict between excellent character and narrowly epistemic excellence, the distinction is generally clear enough. We can distinguish what the virtue is oriented toward and thus what its telos is (I will discuss the difference in telos more extensively in the conclusion). Further, we can even make this distinction when excellence as a human being not only does not conflict with our coming to know some proposition but positively facilitates it—that is with regard to the very cases that Baehr cites to show that character intellectual virtues can explain knowledge.

²⁴ For a discussion of these see Baehr, *The Inquiring Mind* ch. 2. What he calls intellectual temperaments would also fit in this category if they qualify as being virtues.

²⁵ E.J. Coffman. Virtue Epistemology Seminar. Fall 2012. University of Tennessee.

One way to get at this distinction is to distinguish between internal and external barriers to knowing. Consider excellent basketball playing as an analogy. The virtues necessary to overcome barriers external to basketball don't factor the same way as virtues necessary to overcome internal challenges to excellent performance when it comes to evaluating one's excellence *as a basketball player*. The ability to consistently make shots is relevant to that assessment in a way that the ability to discipline oneself to maintain regular practice times is not. Nor are the character traits out of which one decides whether and how much to pursue excellence in basketball relevant for assessing one's skill as a basketball player. Similarly, it may be that the agency virtues were involved in overcoming external obstacles to getting to the truth about migratory patterns or the corporate crimes, but did not explain the success in meeting the internal challenges to finding the truth.

The basketball analogue to an item of knowledge, on a virtue reliabilist account, is a particular play which is successfully executed from skill rather than luck. In either case the character, whether good or ill, that got one to pursue inquiry or to pursue skillful playing seems irrelevant to the assessment at hand. Thus the fact that courage was causally necessary in order for the reporter to obtain true beliefs need not mean that the courage is an *epistemic* virtue in the narrow sense, any more than a basketball player's need for courage in order to make it to the field makes courage a basketball virtue. So it is far from clear that Baehr's first two cases show us that virtues of intellectual *character*, are reliabilist knowledge-makers.

Another way to approach the question of whether the character intellectual virtues in Baehr's cases provide the *sort of explanation* required for reliabilist accounts of knowledge is

to compare intellectual virtues with epistemic luck. One significant motivation for the emphasis on the etiology of beliefs in virtue reliabilism is the concern that luck in the formation of a true belief can mean that that true belief does not amount to knowledge. Thus there is a rough symmetry between epistemic luck and intellectual virtues: luck in the etiology of a true belief often undercuts its status as knowledge while virtue reliabilists hope to show that intellectual virtues in a true belief's etiology can underwrite its status as knowledge. But not all luck in a belief's etiology undercuts knowledge, and the symmetry with intellectual virtues extends here as well, for neither does all intellectual virtue that factors in a true belief's etiology underwrite knowledge. So it is important to get as clear as we can on *how* and *in what way* epistemic luck or intellectual virtue must factor into a true belief's etiology if it is to plausibly undercut or underwrite its status as knowledge.²⁶

Mylan Engel has pointed out the crucial distinction between veritic luck, where the truth of one's belief is lucky given one's epistemic situation, and evidential luck where one is lucky to be in the epistemic situation in which one is.²⁷ Engel offers as a paradigm case of veritic luck a card player who believes truly that the jack of hearts is the top card of a freshly shuffled deck even though he has no good reason whatsoever to think the probability higher than random. His belief is true from luck and is clearly not knowledge.²⁸ Engel's paradigm case of evidential luck involves a novelist who decides on a whim to work in her study rather

²⁶ Baehr would of course agree with these last two sentences. What I am arguing against is his assumption that the way we judge whether a virtue does the relevant epistemic work is by considering its *overall* explanatory salience in the agent's reaching of the truth.

²⁷ Mylan Engel, "Is Epistemic Luck Compatible with Knowledge?," *Southern Journal of Philosophy* 30, no. 2 (1992): 67.

²⁸ *Ibid.*, 68.

than in the bowels of the library. Thus she is luckily in a position to observe and form true beliefs about an afternoon thunderstorm. Clearly this luck does not undermine her knowledge about the storm.²⁹ In a similar fashion we can think of some intellectual virtues, or exercises of virtues, as explaining why we have the evidence that we do, or if we are worried about putting it only in terms of evidence, as explaining why we are in the epistemic position more generally that we are in. But other intellectual virtues or exercises thereof can explain why a belief is not lucky given one's epistemic situation. Many of my perceptual beliefs are not veritically lucky precisely because they are formed by appropriate cognitive faculties functioning well.³⁰

One way to put the question for Baehr's thesis, then, is whether character intellectual virtues explain why the agent is not veritically lucky or simply explain why he is not evidentially lucky or, more generally, not lucky to be in his good epistemic situation. Since evidential luck is not (generally at least) a threat to propositional knowledge, explaining why someone is not evidentially lucky in regard to some proposition he knows does not necessarily explain why he knows it; rather it would be whatever explains why he is not veritically lucky with regard to the belief that could explain why he knows it. The character of Baehr's biologist and reporter seem to enable them to be in the right epistemic situation to acquire knowledge while their cognitive faculties explain why they can take advantage of the

²⁹ Ibid., 69.

³⁰ Note that one need not go in for a virtue reliabilist account of knowledge in order to accept this more limited claim.

situation—why their believing truly is not lucky relative to their evidential situation (or epistemic situation in some broader sense).

It is worth noting that some kinds of evidential luck can undermine other positive epistemic evaluations. If I pop off the correct answer to five obscure questions about Chinese history, you might conclude that I must be an expert on Chinese history. However if I only knew them because one of my friends recited five random facts of Chinese history to me an hour before, and thus I was lucky to have the evidence for those beliefs, this would undermine my claim to expertise. It would not however undermine my claim to know the propositions with which I answered. Similarly, if the biologist or reporter had simply stumbled upon compelling evidence rather than tenaciously and thoughtfully gathering it, this would not undermine their claim to know their conclusions, but it might undermine other positive epistemic evaluations of their expertise or competence.³¹

Engel's distinction between veritic and evidential luck shows that we need to think carefully about the various ways in which luck affects our knowledge and distinguish those that undermine it from those that do not. The various considerations I have advanced in this section are all intended to do the same with regard to virtues. I hope to have shown at the least that we need to pay careful attention to the various ways that intellectual virtues can cause us to reach the truth about something or explain why we know something. And I hope to have shown that virtues of intellectual character do not obviously provide the kind of explanation that virtue reliabilists are interested in, even in the cases that Baehr presents. But, as I discuss

³¹ If for no other reason than that they would not have as much context for why their conclusions are correct and what the problems are with rival explanations.

next, Baehr's third case is more promising for supporting his thesis than the first two which I quoted earlier.

1.6. Baehr's Third Case and Some Complications for My Response to Baehr

Baehr's third case creates some complications for the line of response I have been developing. For while I have brought up various reasons to think that character virtues give a different *kind* of explanation for why an agent reaches the truth than the kind which virtue reliabilists are (or should be) interested in, his third case is designed to show that agency virtues are often very tightly connected with the faculty virtues, which they are paradigmatically interested in. This tight connection makes it harder to see why agency virtues are not doing the right kind of explanatory work for reliabilist accounts.

CASE 3. An historian has garnered international recognition and praise for a book in which she defends a certain view of how the religious faith of one of America's "founding fathers" influenced his politics. While researching her next book, the historian runs across some heretofore unexamined personal letters of this figure that blatantly contradict her own account of his theology and its effects on his political thought and behavior. She does not ignore or suppress the letters, but rather examines them fairly and thoroughly. Because she is more interested in believing and writing what is true than she is in receiving the praise of her colleagues and readers, she accepts the implications of this new data for her previously published work, and proceeds to repudiate the relevant parts of it, both privately and in print.³²

In this case character intellectual virtues do lead one to replace false beliefs with true ones. As Baehr notes, there is more to the influence of character intellectual virtues than simply motivating one to keep researching. These virtues: "might also lead her to think

³² Baehr, *The Inquiring Mind*, 54.

through the data in reasonable (rather than sloppy and defensive) ways or to draw valid conclusions from it (rather than to distort its implications).” So open-mindedness “might cause [the historian] to avoid committing a certain logical fallacy that most others in her situation would commit, or to perceive an otherwise easily missed logical connection.” Thus reasoning and character virtues are tightly connected. For, “It is not as though she displays open-mindedness and subsequently reasons in the ways in question. Rather, her exercise of open-mindedness is partly constituted by her acts of reasoning.”³³

But need this tight connection between open-mindedness and cognitive faculties indicate that the truth of the historian’s belief is indeed “because” of her good intellectual character, in the sense of ‘because’ which is relevant to virtue reliabilism? Even though exercises of cognitive faculties partially constitute exercises of character intellectual virtue, the work relevant to reliabilist accounts might be done simply by the constituents rather than by the character intellectual virtues *per se*. There are three considerations that suggest that the relevant work might be done by these faculty virtue constituents rather than by the character intellectual virtue itself.

First, note some parallels between acting intentionally and acting from virtue. Both can be constituted by acts that could also be done without being intentional or virtuous. It is clear that an action’s value in explaining knowledge need not depend on it’s being intentional. Suppose that Charles decides to look out the window in order to learn what is going on outside. He does so and witnesses an elephant walking down the street. He intentionally did

³³ Ibid., 58–59.

the looking and the looking gave him knowledge. But if he had unintentionally looked and seen the elephant, he would likewise have obtained knowledge.

Here we have the constitution relation that Baehr appeals to: the intentional action is constituted by the looking just as the open-minded action is constituted by the examining of the documents, but the fact that the looking is intentional rather than unintentional does no explanatory work as to why Charles knows there is an elephant in the street. Similarly, if particular exercises of open-mindedness are constituted by actions or traits that are character neutral but relevant to the knowledge in question, the fact that someone acts open-mindedly might not do explanatory work as to why he knows. The explanation might lie simply with the character neutral traits that constituted that particular exercise of character intellectual virtue.

The second consideration concerns the kind of case that we want if we are to establish open-mindedness or other character virtues as reliabilist knowledge-makers. Baehr attempts to show, via examples, that character virtues sometimes figure prominently into why an agent has a particular true belief or set of true beliefs and thus that they are salient causes. However, an alternative strategy often used by virtue reliabilists is to show cases of true belief that intuitively fail to amount to knowledge where a plausible explanation for this failure is that it was not produced virtuously. If we could show a case where true belief does not constitute knowledge because it was not obtained in an open-minded way, this would make a far stronger case for counting open-mindedness as a reliabilist virtue.

This strategy coheres with the central idea of virtue reliabilism that knowledge must be obtained through appropriate virtues of the agent rather than (merely) through unreliable

processes or luck.³⁴ It is this non-virtuous acquisition of belief that explains why it is not knowledge. So, for example, if while sitting in a philosophy seminar I come to believe that my formerly red Chevy Cavalier is bright blue, and it so happens that some mischievous person has just then spray painted it bright blue, I presumably do not know that it is bright blue. A plausible explanation of why I don't know in this case is that I did not form the belief in a virtuous way (e.g. through a reliable faculty of vision or through heeding credible testimony). The exact vice that precludes my knowing will vary depending on the nature of the belief and the circumstances in which I obtained it. So, we do not have to show that the proposition could not be known without open-mindedness, but rather that in some circumstances open-mindedness, or the lack thereof, is what makes the difference between knowledge and mere true belief.

Indeed we can modify the ending (*italicized*) of Baehr's third case to bring it closer to this structure:

CLOSED-MINDED HISTORIAN: An historian has garnered international recognition and praise for a book in which she defends a certain view of how the religious faith of one of America's "founding fathers" influenced his politics. While researching her next book, the historian runs across some heretofore unexamined personal letters of this figure that blatantly contradict her own account of his theology and its effects on his political thought and behavior. *When she first looks at them she suspects that these letters won't add additional support to her interpretation and that*

³⁴ Or even as opposed to reliable processes that are not sufficiently connected to the agent to count as an ability or excellence of him.

possibly they would require some reworking of her scheme, so she does not give them more than a cursory reading and does nothing to bring them to the attention of anyone else. What she does not realize is that more than requiring a minor reworking of her thesis they contain damning evidence against her interpretation. Thus the new evidence does not alter her belief and confidence. However, unbeknownst to her the letters are fabrications. As a matter of fact her account is fundamentally correct.

If indeed, our historian lacks knowledge, this looks like a case where lack of open-mindedness explains why her true belief is not knowledge. But it is not obvious whether she knows or not. It is worth exploring why her knowledge might not be undermined by this misleading defeating evidence in order to shed a little more light on different kinds of explanation for why someone does or does not reach the truth. What we have here is not a standard Gettier case where bad luck keeps justified belief from amounting to knowledge even while good luck makes the belief true, but rather, a case where vice makes belief objectionable but good luck means that the vice actually protected true belief. Whether luck can protect knowledge in these kinds of cases is a difficult question.³⁵ But it is noteworthy that the actual basis of the belief is solid, and not only solid in the sense that it is genuine non-misleading evidence, but also solid in that it involves adequate evidence processed by a

³⁵ This case is similar to the controversial case proposed by Gilbert Harman where a subject learns of a political leader's assassination through an initial accurate report in a reliable newspaper, but does not see later news reports, due to government interference, which denied that it was an assassination. While Harman takes it that the subject's knowledge is undercut because she does not have the evidence that most around her do, misleading though it is, Mylan Engel and Duncan Pritchard have both argued that she does in fact know, since the luck concerns only what evidence she has and is not "veritic luck." Engel, "Is Epistemic Luck Compatible with Knowledge?," 65–66, 70–71; Duncan Pritchard, "Epistemic Luck," *Journal of Philosophical Research* 29 (2004): 208.

competent and (in many ways) virtuous agent. While her ignoring these misleading letters is intellectually problematic it is not clear that it undermines the status of her beliefs based on her excellent evidence.

On the other hand it is plausible to see this intellectual failure as undercutting knowledge.³⁶ But even if the ignored letters undercut her knowledge, the explanation for why knowledge is undercut might still not be the absence of open-mindedness per se but rather the absence of proper exercise of cognitive faculties. Even though intellectual vice caused the epistemically poor performance, the specific explanation of why knowledge is undercut might be something more immediate than the vice of close-mindedness, such as not carefully balancing all available evidence. One reason to take this line is that virtue is not the only antidote to rejecting relevant evidence or other knowledge undermining practices, for non-virtues and even vices could play the same role in mobilizing faculty virtues.

This brings us to the third consideration suggesting that, in cases where the exercise of character intellectual virtues is constituted by the exercise of faculty virtues, it is the constituent faculty virtues that do the relevant explanatory work for the purposes of giving a reliabilist account of knowledge: Intellectual vices can cause knowledgeable belief in the same way as intellectual virtues.

Surely there is an intellectually vicious curiosity, a curiosity that takes one away from intellectual goods by limiting one's inquiries to valueless ends (e.g. a disposition, totally

³⁶ Compare Baehr's argument in chapter 5 of *The Inquiring Mind* that evidentialist accounts of justification and thus knowledge need to exclude certain cases where the evidence one has is skewed by intellectual vice.

devoid of any end of understanding nature, to count blades of grass). Talbot Brewer delightfully describes “the vice of distracting fascination with triviality” which, though potentially quite fruitful for true beliefs, “can be part of a larger aversion to, or flight from, the struggle to understand the world and one’s place in it.”³⁷ Similarly a desire to obtain as much negative truth about people as possible could mobilize me to pay careful attention in certain contexts. My seeking negative truth would even be partly constituted by my attentive behavior in those contexts. It is more obvious that this is not a moral virtue, but it is scarcely an intellectual or even epistemic virtue either, for there is no reason to think that a good orientation toward truth will result in a strong, almost exclusive, focus on truths that reflect negatively on people’s characters. It might even be an epistemic vice for the same reason as vicious curiosity.

Consider the following example of obtaining knowledge through flouting one’s duties offered by Alvin Plantinga:

Suppose I am thoroughly jaundiced and relish thinking the worst about you. I know that I suffer from this aberration, and ought to combat it, but do nothing whatever to correct it, taking a malicious pleasure in it. I barely overhear someone make a derogatory comment about you; I can barely make out his words, and, were it not for my ill will, I would not have heard them correctly. (Others thought he said your thought was deep and rigorous; because of my ill will I correctly heard him as saying that your thought is weak and frivolous.) In this case perhaps I am not doing my cognitive duty in forming the belief in question; I am flouting my duty to try to rid myself of my inclination to form malicious beliefs about you, and it is only because I am not doing my duty that I do form the belief in question. Yet surely it seems to have positive epistemic status for me.³⁸

³⁷ Talbot Brewer, *The Retrieval of Ethics* (Oxford ; New York: Oxford University Press, 2009), 297.

³⁸ Alvin Plantinga, “Justification and Theism,” *Faith and Philosophy* 4, no. 4 (October 1987): 412.

The duty to combat this relish for thinking ill may not be epistemic or even specifically intellectual, but what matters for the present purpose is simply that a trait which reflects negatively on one's personal worth is performing the same function as the intellectual virtues are in Baehr's cases—it explains the deployment of faculty virtues in such a way as to produce knowledge or justified belief. Further, this malice stands in the same relation to the belief as open-mindedness stands to the historian's revised beliefs. For this case to do the work required here (or in Plantinga's original argument) my relish of thinking ill of you cannot simply cause me to tilt one way when both 'deep and rigorous' and 'weak and frivolous' are equally supported by my auditory experience. Rather, it must mobilize me to listen more closely to what is said. The former option would bring in knowledge undermining luck, so this jaundice must be understood instead as leading me to pay careful attention (perhaps because I pick up on clues that the speaker is about to say something negative) and thereby putting me in a position to know what was said in the same way that open-mindedness put the historian in a position to know what was implied by the letters.³⁹

Thus I find the claim unconvincing that virtue reliabilists should incorporate virtues of intellectual character into their accounts of knowledge. Excellence of intellectual character often plays the role of getting us to use our faculty virtues in the correct way, but that role, it seems, can on occasion be filled by vices. And, even when the exercise of a character virtue is

³⁹ Even if vices couldn't play the appropriate role, it seems clear that intellectual temperaments could. Recall that Baehr describes them as "natural" virtues distinguished from genuine virtues by the fact that the agent is not responsible for them in the same way and that he need not have a rational grasp of their point and value. *The Inquiring Mind*, 26–29. For example, it is hard to see how Baehr's third case would be relevantly different if the historian acted from natural open-mindedness rather than from the character virtue of open-mindedness.

constituted by excellent use of cognitive faculties, it is not necessary for the reliabilist to invoke that intellectual character virtue itself in order to explain the resulting knowledge.

1.7. Conclusion: A Difference in Telos

Baehr argues that intellectual character is significant both for addressing the concerns of mainstream analytic epistemology in giving an account of propositional knowledge and for expanding the scope of epistemological inquiry. With the latter claim I wholeheartedly agree, but I find his arguments that reliabilist accounts should make use of agency virtues unconvincing. This difficulty in making a tight connection between knowledge and intellectual character, suggests that thinking about intellectual character will drive us to expand our epistemology to other questions such as what knowledge, understanding and inquiry is (intellectually) important and worth pursuing.

The fundamental issue seems to be that the telos of reliabilist virtues is not the same as the telos of intellectual virtues. The telos for intellectual character must involve a *life* that is good, intellectually speaking, while the telos of the virtues that could play the role that reliabilist virtues are supposed to play would have to be tightly connected with obtaining warrant for particular propositions without regard to whether or not it is good for one to investigate those matters. It is not just that I can obtain warrant without having full intellectual virtue, for that might only mean that I can get warrant about some things without getting the whole way to intellectual virtue, just as I can do some things rightly without attaining unto full ethical virtue. Nor is just that I can get warrant about some propositions without the exercise of virtue. Rather, it is that the central concerns and aims are different and thus can be

expected to conflict. The telos of reliabilist virtues involves knowledge of any proposition whatsoever, whereas the telos of intellectual virtue limits what knowledge is worth pursuing in what contexts.⁴⁰

This is not simply the question of the unity of the virtues. While courage seems bound to come apart from the master virtue of practical wisdom since it seems that one can exercise courage even in a foolish action or project, there are various strategies to show that these virtues can't come apart. It might be argued that seeming courage which is not directed at a sufficient good is therefore not courage but only rashness. Similarly, while committed friendships might seem at odds with the overall virtue of properly valuing and respecting *all* people, Thomas Scanlon has suggested in response that a proper conception of friendship must include the friends honoring each other *qua persons*, and so honoring those outside of the friendship as well. As he says, a friend prepared to steal a kidney for me would be “unnerving” not merely because of my regard for third parties, but also because his view of my right to my “own body parts, is contingent on the fact that “he happens to like” me.⁴¹

Whatever the merits of these attempts at unification, it is noteworthy that these strategies cannot be employed to integrate reliabilist virtues with whatever might be the master intellectual virtue. The difference in telos is more radical. For reliabilism is concerned

⁴⁰ Sosa recognizes this point and notes that we should distinguish between “theory of knowledge” and “intellectual ethics” as two parts of epistemology. Sosa does not think of intellectual ethics simply as morality in general applied to intellectual questions; rather it “involves sensitivity to the full span of intellectual values,” and concerns what questions “are worth pursuing from an intellectual point of view.” Sosa, *A Virtue Epistemology*, 89–90.

⁴¹ Thomas Scanlon, *What We Owe to Each Other* (Cambridge, Mass.: Belknap Press of Harvard University Press, 2000), 164–165.

to give an account of what it is that constitutes knowledge of any proposition whatsoever, and reliabilist virtues clearly need not be regulated by overall virtue to achieve *this* telos. While some dispositions or attainments that seem to reveal intellectual excellence might not actually be intellectual excellence if they conflict with the telos of intellectual virtue or some master intellectual virtue, such considerations in themselves cannot undermine the status of beliefs as *propositional knowledge*. Perhaps curiosity is not always an intellectual excellence, but this is irrelevant to whether we know the things we learn because of it. Intellectual vices can lead to knowledge.

While, most of this paper has simply aimed to undercut Baehr's argument that if reliabilist theories of knowledge are correct then intellectual virtues will play a role in the analysis of knowledge, this fundamental difference in telos suggests that it is unlikely that character virtues need to play into an account of propositional knowledge. The philosophical connections between intellectual character and the analysis of knowledge are likely to be less direct.

2. Knowledge, Ethics, and Socrates: Two Questions about the Digression in the Theaetetus

ABSTRACT: I address an interpretive puzzle in Plato's *Theaetetus*. In a short passage, Plato seems to deviate from arguing against a Protagorean account of knowledge and has Socrates deliver a description of two rival ways of life that turns into an exhortation to practice justice. The passage contrasts men shaped by life in the courts with those shaped by philosophy. This "digression" raises questions both about its relationship to the surrounding attempts to analyze knowledge and about the relationship between the detached philosophers portrayed in the digression and Socrates. I argue the digression serves to reveal the implications of the Protagorean account of knowledge for evaluating who has true wisdom about life, and that the philosophers portrayed in the digression are sufficiently and relevantly like Socrates that the digression also serves to advocate a Socratic lifestyle against a Protagorean lifestyle.

2.1. Introduction

Plato's *Theaetetus* most centrally concerns what knowledge is. But in the midst of that discussion stands a five page section which develops a stark contrast between litigious men⁴² and philosophers (172c-177c). This passage is commonly called the "digression," as Socrates himself describes it (177c).⁴³ It discusses ethics and concludes with an exhortation to justice and piety. The man brought up in the courts is a slave to the jury and to the conventions that govern his speeches. He must persuade his audience within the time limit imposed by the court on pain of loss of possessions, position, or even life. He is not free to take whatever time is needed to find the truth. Courtroom practice renders him skilled in flattery but warped in soul. The philosopher, on the other hand, grows up without even knowing where the courts are or what the laws are. He pays no attention to high society and pride in ancestry. His mind is absent from the city, seeking rather to geometrize on earth and astronomize in heaven. Since he is concerned with the nature of humanity, rather than with particular people, he is

⁴² I owe the term to Julia Annas. *Platonic Ethics, Old and New*, 54.

⁴³ Plato, trans. M.J. Levett, and rev. Myles Burnyeat, "Theaetetus"; all quotations from Plato's dialogues are taken from the English translations found in Plato: *Complete Works* edited by John M. Cooper and D.S. Hutchinson.

without resources for social maneuvering. But the man of the courts is equally disconcerted when he must consider the nature of justice or human happiness. Unlike the philosopher, he cannot suitably praise “the life of gods and of the happy among men” (176a). At this point in the speech, Theodorus applauds Socrates’ praise of the philosopher and claims heeding it would result in “more peace and less evil on the earth” (176a). Socrates then shifts from his contrast between narrowly practical⁴⁴ concerns and theoretical concerns to a specifically ethical focus. The only way to escape from the evil on the earth is to become godlike by becoming “just and pure [pious]⁴⁵, with understanding” (176b). Being just makes one like the good pattern of reality, while doing injustice, as the men of the courts cultivate the means to do, renders one like the bad pattern and condemned to live a bad life on the earth, “a life after his own likeness” (177a).

Many treat the digression as insignificant with regards to the *philosophical* task of the *Theaetetus*, perhaps largely because it is an ethical monologue and exhortation embedded in a rigorous epistemological discussion.⁴⁶ Commentaries on the *Theaetetus* often give the digression scant and sometimes dismissive attention.⁴⁷ One view is that the digression alludes to Plato’s arguments elsewhere against relativism about justice, since Socrates does not refute

⁴⁴ Most of Socrates examples concern politics, but the ignorance of the philosopher seems to encompass all of practical life.

⁴⁵ David Sedley notes that the references to piety here and at 172a (where piety is included with justice as a value that some partial Protagoreans consider relative) are obscured by many English translations. *The Midwife of Platonism*, 64 n16.

⁴⁶ It is also common for authors to comment on how others fail to see it as significant. Sedley comments that while certain themes have attracted scrutiny, “no one has made much progress with integrating the digression, taken as a whole, into the dialogue in which it is found.” Chappell notes that many consider the digression “philosophical backwater.” Ibid., 63; Chappell, *Reading Plato’s Theaetetus*, 19.

⁴⁷ Bostock, *Plato’s Theaetetus*, 98–99 devotes just over a page to the digression and labels his discussion of it a “postscript.”

the modified Protagoreanism mentioned just before the digression which involves relativism about justice and piety but not about the useful.⁴⁸ It has also been suggested that the digression gestures toward an account of knowledge in terms of forms which Plato develops elsewhere but does not employ in the dialectic of the *Theaetetus*.⁴⁹ On the other hand it has been suggested that the digression does not contribute to the question of the nature of knowledge, but only emphasizes what is worth knowing.⁵⁰

The digression certainly stands out from the surrounding argumentation, but it fits with and is linked to the dramatic frame of the *Theaetetus*. When Theodorus points out that they have plenty of time to pursue the digression, Socrates replies “we *appear* to” (172c, emphasis added), and at the end of the conversation Socrates says he must leave to meet the affidavit against him. The reader knows this affidavit will lead to his trial, where he explains his own inexperience in the courtroom (*Ap.* 17c-18a) and regrets having only a brief time to reply to the charges against him (*Ap.* 18e-19a, 23e-24a). The digression proceeds to contrast

⁴⁸ John McDowell, *Theaetetus: Translated with Notes*, 174 One could argue against McDowell that relativism about justice is refuted at 177c-178a, and in the following prediction argument, since it is agreed that legislation aims at the useful and what will turn out to be useful is not a matter of convention. Of course, Plato would want to connect useful legislation quite tightly with justice. However to make that move against relativism about justice we would have to turn to arguments developed by Plato elsewhere.

⁴⁹ Francis Cornford, *Plato's Theory of Knowledge*, 88–89; Burnyeat offers this as a possible interpretation associated with what he terms “Reading A.” This reading sees the dialogue as aiming to show that there cannot be knowledge of sensible things and so as doing ground clearing work for the theory of forms developed elsewhere. The alleged textual reference to the forms involves the phrasing of the philosophers questions concerning “What is Man” (174b) and “justice and injustice themselves” (175b). Burnyeat say the question is whether the phrases here “imply more metaphysics than is actually expressed. *The Theaetetus of Plato*, 36–38; McDowell states that the view that digression alludes to the forms cannot be refuted but that there is no reason to think it hints at an answer in terms of the forms to the problem of knowledge. *Theaetetus: Translated with Notes*, 177.

⁵⁰ Burnyeat, *The Theaetetus of Plato*, 98 offers this as an alternate interpretation. Here, as throughout his introduction to the dialogue, he is concerned to lead his readers to an informed confrontation with the interpretive options rather than deciding the issues in the text. But his sympathies seem to lie with this reading of the digression.

the modes of discussion and persuasion in philosophy with those of the courts, where the speaker is constrained by the clock and the sworn affidavit against him. It offers an explanation for why the philosopher will not fare well by court standards, which clearly alludes to Socrates' death.⁵¹

The digression focuses on the upbringings that result in the two ways of life, (indeed, the contrast is first framed as between those “brought up in philosophy” and those who have spent their time in places like the courts since boyhood). Thus, it also picks up the theme from the early part of the dialogue concerning the education and development of the young. There Socrates is concerned to find out “which [Athenian] young men show signs of turning out well” (143d). Theaetetus is studying geometry and Theodorus praises him for his all-around excellent character, especially in relation to his studies. Theaetetus himself inherited property, which could have drawn him in to the affairs and ways of the court, but Theodorus praises him as “wonderfully open-handed about money” (144a-c). At the close of the dialogue Theaetetus' character comes up again when Socrates expresses his hope that this philosophic discussion will render his future conduct gentler and more modest than it might otherwise be (210c).

These connections with the frame suggest that the digression is not merely a digression. But they do not show us how the digression (or the introduction and conclusion for that matter) relates to the main line of argument in the *Theaetetus*, which concerns the nature of knowledge. How are the digression's ethical themes connected to the surrounding

⁵¹ Thought, as we will see there is the key difference that Socrates avoids a certain type of defense for the sake of virtue while the philosophers avoid it out of ignorance.

arguments about the nature of knowledge, and more specifically to the immediately surrounding arguments against Protagorean epistemology? In the first half of this paper, entitled “The Digression and Epistemology,” I argue that Plato’s conception of knowledge as wisdom (or ‘expertise’) is crucial to seeing how the digression is about epistemology. The passage is a digression because it is not concerned with all instances of knowledge and wisdom, but rather with what it is to be fully wise. This naturally leads to the large topic of the best way to lead a life. But ethical knowledge is of course an instance of knowledge more generally, and the digression functions both to reveal the implications of a Protagorean conception of knowledge when applied to wisdom about life and to provide an argument against that conception.

But if the ethical material in the digression is important for the argument against Protagoreanism in which it is embedded, this makes a second puzzle all the more pressing. To what extent can the philosophers and the ethical exhortations of the digression be reconciled with the practice and ideals of Socrates? Their disregard for their neighbors and ignorance of all practical affairs does not seem to align with Socratic practice or Socratic ideals. While commentators frequently mention this,⁵² Sandra Peterson raises the problem particularly forcefully. She lists a number of specific contrasts between these philosophers and Socrates. Unlike them he spends time in the marketplace, understands the laws, and knows how to get

⁵² Cf. David Sedley, “we will see Socrates’ picture of ideal philosophical detachment further developed into what has often come over to readers as advocacy of a callous disregard for his fellow citizens.” *The Midwife of Platonism*, 67; Julia Annas declares the differences to pose “insoluble problems” (55) for reconciling the philosophers of the digression with Socrates. She argues however that this reveals a deep tension in Platonic thought between two notions of becoming like God. One which involves a flight from the world and another which can be carried out by the practice of virtue in the world. *Platonic Ethics, Old and New*, 52–71.

to court. Further, he emphasizes avoiding actual instances of injustice⁵³ and is intensely interested in particular people,⁵⁴ whereas the philosophers scarcely know whether their neighbors are human or not.⁵⁵ What then do we make of this ethical section that seems to present an un-Socratic ethic?

In the second half of this paper, entitled “The Digression and Socrates,” I argue that while Socrates certainly compares the philosophers favorably against the litigious men, the central emphasis of the digression is not in conflict with Socrates’ life. The ethical thrust of the digression becomes both more dominant and more clearly Socratic over the course of the digression. Socrates’ ethical commitments shape what aspects of the philosophers’ absentminded ignorance he mentions when praising them. And while he starts by contrasting theoretical inquiry and worldly involvement, he skillfully transitions to a conclusion that contrasts justice with injustice and so ends not with an exhortation to contemplative withdrawal, but with a warning against acting unjustly.

⁵³ Would the philosopher also think it important to avoid actual injustice? His exclusive concern with the natures of things and utter lack of attention to particulars suggest he would not be vigilantly monitoring his doings for justice, though he would not deliberately do injustice. Peterson’s evidence for the claim that he would not concern himself with avoiding unjust conduct is that he “induces people to abandon the question: ‘What injustice might I be doing to you or you to me?’ ” (Peterson, *Socrates and Philosophy in the Dialogues of Plato*, 62.) However, in context (175b-d) that quote could simply refer to him getting people to consider the nature of justice carefully rather than blindly arguing their cases (for the purposes of litigation at that!). I argue below that this passage represents part of Socrates’ transition from a focus on absentminded abstract contemplation to a focus on acting virtuously.

⁵⁴ Ibid., 61–62.

⁵⁵ Her way of solving the difficulty is to attribute the claims of the digression to Theodorus, and she denies that Socrates endorses the claims of the digression. Ibid., 67–71.

2.2. The Digression and Epistemology

2.2.1. The Socratic Quest for Wisdom

Socrates motivates the question of knowledge with his claim that “men are wise about” “the things which they know.” Thus he claims that knowledge of something makes one wise (or “expert”) about it (145d-e). Scott Hemmenway points out that it is only after this identification that Socrates declares “his puzzlement and his incapacity, unaided, to get hold of what knowledge is.” Hemmenway takes this to indicate that Socrates is really interested in wisdom, which is the philosopher’s epistemic quest.⁵⁶ The notion of wisdom is indeed key to understanding the relation of the digression to the epistemological argumentation of the *Theaetetus*, but we must be careful with the claim that the *Theaetetus* as a whole is about wisdom, since wisdom about some object or other does not necessarily make one Wise in the way that most fully exemplifies what wisdom is (hereafter, I will use an initial capital to refer specifically to Wisdom of this latter sort).⁵⁷ I will say a bit more about the distinction between Wisdom and being wise about a given object after I note how the digression is tied to the *Apology*, with its emphasis on Wisdom.

Socrates’ parting note that he is headed for court leaves the dialogue under the shadow of the events of the *Apology*. Like the *Apology*, the digression features Socrates’ ethical exhortations and his claim not to know the ways of the court and so not to be able to give the customary kind of speech (*Ap.* 17d-18a). However, Socrates makes clear that he has the know how to make the kind of defense likely to avail in court and deliberately avoids it because it

⁵⁶ Hemmenway, “Philosophical Apology in the *Theaetetus*,” 324.

⁵⁷ Capitalization for “Wise” and “Wisdom” then is not used to indicate reference to a form.

would be vicious (*Ap.* 38e-39b). In this he differs from the philosopher who is literally ignorant of the ways of the court. Nonetheless the digression clearly foreshadows his trial and draws the same contrast between the philosophers and the litigious men that the *Apology* draws between Socrates and his accusers. At his trial he says his accusers are “condemned by truth to wickedness and injustice” (*Ap.* 39b)—the same fate that the digression claims awaits the unjust (“the penalty of living the life that corresponds to” the bad pattern 177a).

But the *Apology* is also concerned with knowledge. Socrates is on trial for *impiety*, but he contends the trial is really driven by the fact that he has exposed the pretensions of certain respected people to *knowledge* and *Wisdom* (*Ap.* 21-23). In the *Euthyphro*, which is also set on the day when he meets his indictment, Socrates rejects various definitions of piety and ends with professed puzzlement. In the *Theaetetus*, he does the same in regard to knowledge. So both dialogues examine central themes from the *Apology*. Thus, it is not only the *Theaetetus*’ setting which links it to the *Apology*, but also its central theme: knowledge. The particular shared themes in the digression are more obviously ethical than epistemological, but they have to do with Wisdom and so with knowledge.

2.2.2. “Wise” Versus “Wise About X”

When Socrates claims his fellow citizens lack Wisdom, he is not asserting that they have no knowledge of any sort. When he criticizes the craftsmen and poets in the *Apology*, he says that having a certain wisdom in regard to their crafts, they falsely thought themselves “very Wise in other most important pursuits, and this error of theirs overshadowed the wisdom they had”. Socrates concludes that he is better off as he is, “with neither their wisdom nor their ignorance,” than he would be if he had both (*Ap.* 22d-e). He considers himself better

off even with respect to Wisdom, for he takes this to vindicate the oracular claim that he is the Wisest of men (*Ap.* 23a-b). Being wise about some object does not suffice to make one Wise.

The relationship between the digression and the line of argument in which it is embedded can be put in terms of these two notions. The digression concerns Wisdom, being a Wise person, while most of the dialogue concerns wisdom in general, what it is to be wise about some arbitrary object. Knowledge makes one wise about a thing and there are many things that one might be wise about. Thus Plato can discuss what it is to know hotness or hardness (157a) or to know a wagon (207a-c). But the digression concerns being Wise, not merely about this or that, but Wise in a way that most fully exemplifies the nature of Wisdom. Thus the passage arises quite naturally out of the argument since it involves the specific implications of the Protagorean account of wisdom in general for that particular kind of Wisdom which is involved in being a Wise person. But the passage is also clearly a “digression” (177c) since it focuses on some of the details and implications of Wisdom (and does so by contrasting the upbringing and lifestyle of two groups of people), rather than focusing on the abstract discussion of wisdom of all sorts about whatever objects. This “greater discussion” (172c) comes up naturally in the course of the argument (172a-b, 177c-d) but it is pursued only in the digression (This will be discussed in more detail in the next section). The remainder of this first part of the paper will examine how the digression exhibits the Protagorean conception of Wisdom and how it can serve as an argument against that conception.

2.2.3. Ability and Wisdom for Socrates and Protagoras

The digression highlights two conceptions of ability: getting one's way in the law courts and similar places, versus escaping evil by becoming as just as possible. Socrates famously connects ability to Wisdom and justice, and, at least as construed in the *Theaetetus*, the Protagoreans do as well. Thus rival conceptions of Wisdom, ability, and justice are in play in the digression.

Socrates expounds the connection in the *Gorgias* (467c-468e). Power is the ability to get what one wants, but one wants the real good, so if one does not know what is good, one does not have power. Coupled with Socratic claim that the virtuous action is always better than the vicious action, the (surprising) result is that only the virtuous are powerful since only they rightly understand what actions are for the sake of the good. Similarly in the *Apology*, Socrates claims that avoiding wickedness reveals his true achievement of something good. It is easier to avoid death than to avoid wickedness, provided one is willing "to do or say anything in order to avoid it." He maintains he is better off than his accusers even though he will lose his life, since he has avoided wickedness but they "are condemned by truth to wickedness and injustice" (38e-39b). And in the digression Socrates exhorts us not to allow that one who is blasphemous or practices injustice has any sort of ability (176d). Genuine ability is the ability to get what is genuinely good, which requires knowledge concerning what is good. And this, Socrates is convinced, will always vindicate the practice of virtue.

In the *Theaetetus* Socrates imagines Protagoras giving an account of Wisdom and ability and its connection to justice at 166d-167d. At this point it will be helpful to give an overview of Protagorean epistemology and the arguments raised against it. Protagoras comes

into view when Socrates identifies Theaetetus' suggestion that knowledge is perception with the famous Protagorean claim that "Man [humanity / a human (ἄνθρωπον)] is the measure of all things: of the things which are, that they are, and of the things which are not, that they are not" (151e-152a). This thesis is fleshed out to entail that every judgment is true. Socrates presents several initial objections, two of which will be important for our purposes. For one thing dreamers and insane people believe many things that certainly seem to be false of them (157e). For another this seems to destroy the notion of expertise since there is no such thing as one having correct rather than incorrect judgments. Arguments and philosophical investigations would be silly since everyone's beliefs are true for him. Given this claim, Protagoras has no claim to being wiser than his fellow humans whom he charges large fees for teaching or even than a pig or baboon (161c-162a). But Socrates is not content to rest with these objections and attempts to give a response on behalf of Protagoras which includes an exhortation for them to deal with his position in a serious and mature way (165e-168e).

This response develops the Protagorean account of expertise which I argue is illustrated by the litigious man in the digression. While everyone's perceptions are true it is better for one to have some (true) perceptions than to have other (also true) perceptions. The doctor is an expert (wise), not because he can make the sick man perceive the taste of food more truly, but because he can make the food taste different and it is better that the food taste the latter way. What the doctor accomplishes is to make it true for the man that the food is non-bitter rather than bitter as it was when he was sick (166e-167a). This model is not restricted to tastes, smells and such. Rather it extends to all of education and politics as well.

The expert teacher causes other things to be true for his students and is thus worth his substantial price. The politician influences the citizens so that other things seem just to them and thus are just. He changes the conventions so that wholesome things are just rather than unwholesome things (167a-d). This does not explain by what standard the revised perceptions are better or the revised conventions more wholesome. But it does exhibit a conception of the expert or wise one (whether as wise about a limited domain or as Wise) as one who changes how things seem to people rather than as one who knows how things really are.

After offering this account of expertise on behalf of Protagoras, Socrates compels Theodorus to serve as interlocutor instead of Theaetetus, allegedly because talking with an older man makes the argument more serious (168d-e). Socrates offers two primary arguments against the Protagorean view. The first, the self-refutation argument, exploits the irony that Protagoras must allow that other peoples' judgments that he is wrong are true. The second is the prediction argument. Ultimately this argument will be applied to all judgments that concern how things will be in the future (178a-e). Socrates begins, however, by noting two plausible restrictions on Protagorean epistemology. In the case of individuals few will allow that creature is infallible on what is conducive to its health, even if they are relativists about warmth, dryness, sweetness etc. (171e). In the case of cities few will claim the city is infallible about what course will in fact turn out to be in its interest, even if they are conventionalist relativists about justice and piety (172a-b). Socrates takes the prediction argument to be decisive against unrestricted Protagorean relativism but not against a restricted relativism regarding "the present experience of the individual" (179c).

2.2.4. The Digression as an Elaboration of Protagoreanism about Wisdom

But what about the view that justice and piety are whatever any city by its conventions takes them to be? Socrates secures agreement that legislation aims at what is useful for the city and that what is useful is not a matter of convention (177e). But he does not say anything there about where that leaves justice and piety. All that is said outside the digression is that many are conventionalists about these qualities but are not audacious enough to be conventionalists about what is useful (172a-b, 177c-d). This view of Wisdom⁵⁸ is “a greater discussion emerging from the lesser one (172b). Theaetetus comments that they have plenty of time to pursue this discussion, which launches the digression. Combined with the fact that justice and piety are prominent in the digression this strongly suggests that the digression is a response to these partial Protagoreans.

The digression helps reveal what this Protagorean conception of expertise—that is, of what it is to be wise about something—comes to in the case of being Wise. Andrew Barker explains how the men of the law court serve as an example of what it means to live according to a Protagorean view of knowledge and reality. He notes that these men of the courts are preeminently those who can get the results that seem best to them in public policy. They would be “the ‘wise’ in matters of morals, if the Protagoreans were right” about the likes of justice and piety and these really did just consist in “what the state through the medium of its laws and customs temporarily took them to be.” Thus the “common, niggling, scheming and

⁵⁸ I take “wisdom” here to refer to the qualities that the partial Protagoreans think are a matter of convention such as justice, piety, and what it is fitting to do. But perhaps the phrase “some such view of wisdom” refers the conjunction of conventionalism about these qualities and anti-relativism about the interests of the city.

dishonest lawyer” would turn out to be the Wise man. Barker suggests that this would be “a sufficient *reductio ad absurdum*” for Plato.⁵⁹ And certainly Plato has deep seated differences with such a conception of expertise. Given Socrates’ assumption that it is not feasible to teach in the courts but only to persuade by techniques that do not lead to understanding (*Apology* 19a, 35c; *Gorgias* 454e-455a), he clearly would not take these men of the courts to operate as genuine teachers. And given his ethical commitments he clearly does not think that the good is as it seems to them.

2.2.5. The Digression as an Argument against Protagoreanism about Wisdom

But if we grant that the digression portrays the anti-Socratic Protagorean “Wise-man,”

this still leaves the question why Plato takes the space to describe him here and how this might contribute to his arguments. The contribution could of course be indirect. One possibility is that Plato is not using the digression as an argument against the Protagorean position, but rather using it to show that the practice of the law courts presupposes something like a Protagorean epistemology. For someone attuned to the weaknesses of the Protagorean position, as Theaetetus is becoming, this could show problems with that kind of life. On the other hand, it could serve as a vivid portrayal of what the Protagorean thesis really amounts to. Even if it did not directly furnish evidence against that thesis it would still be helpful to show what the thesis entails or what it looks like when fleshed out. But as we will see, fleshing out the consequences of the position also yields an argument against it, though it may be dialectically weak.

⁵⁹ Barker, “The Digression in the ‘Theaetetus,’” 459.

Barker offers one construal of the digression as an *argument* against Protagoreanism. However, he classes it among the popular objections to Protagoreanism such as the dream argument (157-158d) or the argument from the claim that pig is not the measure of all things (161c), which rely “on the common interpretation of common experiences”. Barker says these arguments can be attacked by denying the relevant underlying common sense assumption. For example, one who is prepared to deny that dreams are really false for the dreamer when he is dreaming will be unmoved by the argument that, since dreams do not correspond to reality, not every seeming is true. Barker also classes the self-refutation argument and the argument that usefulness is not merely a matter of convention, which is the immediate context for the digression, as popular arguments.⁶⁰ He interprets the digression as a popular appeal to beliefs about morality: “philosophers do talk about universal moral natures” which “are demonstrably not the same as particular local conventions”; thus, not all moral truth is conventional. Clearly, such an argument would beg the question against those who deny that philosophers manage to talk (truly) about such things.⁶¹

However, the self-refutation argument and the prediction argument in which the digression is embedded come after Socrates has criticized the first set of arguments and after he has put away childish argumentation (i.e. quit using a youngster as his interlocutor) and forced Theodorus to engage as his discussion partner (168c-e). The argument about usefulness naturally generalizes to matters of prediction in general since judgments about usefulness depend on predictions about what the results will be from certain courses of action (178a).

⁶⁰ He does admit, however, that they are subtler. Ibid., 458.

⁶¹ Ibid., 462.

And it is the prediction argument which Socrates takes to be decisive against Protagoras (179a-b). While Socrates admits that the prediction argument doesn't work against all forms of Protagoreanism, he does think it succeeds in refuting Protagoreanism regarding things that are not the present experience of individuals (179b-c). The digression is clearly situated in a context of serious engagement with the Protagorean position under consideration.

In fact, the digression can be seen as an argument of the same sort as the prediction argument. While it is dialectically less persuasive, it is nonetheless a serious argument. The prediction argument is compelling because future experience will be what it will be regardless of what I or the city think it will be. Experts can be recognized because of what they say about the future even if no one defers to them about their present experience. Planning based on incorrect beliefs about future experience can lead to harm that is undeniable, even by the agent's own lights. Similarly, the digression tells us that there are truths about good and bad and getting this wrong will have serious consequences. The one who gets it wrong about goodness becomes trapped by his own wickedness and is stuck leading an impoverished and twisted life. However, those who insist that goodness and badness are simply a matter of what seems good and bad to them can deny this. Even in the future, these characters will not recognize that they have ended up as bad men leading a bad life, for it will still seem to them as if they are taking the best course. Others, not in the grip of Protagorean views about justice and similar matters, such as Theaetetus and Theodorus perhaps, might appreciate the force of the argument.

2.2.6. Interim Conclusion: A Relevant Digression

The issue between the Socratic ethic of acting justly and piously and the Protagorean ethic of obtaining what seems good to one is a large issue, both in the sense that it requires much to adequately discuss it and in the sense that it is important. Thus Socrates does have to limit his pursuit of the theme and return to the main topic (177c). And since the topic is the nature of knowledge in general, the focus on only some knowledge—that involved in being Wise—is a digression. But it is a natural digression in that it is a closer examination of one part of the topic. This examination serves to reveal the implications of the Protagorean doctrine applied to Wisdom and argues that not all things that seem good lead to a good end. With its exhortation to practice justice rather than injustice, it also fulfills a key part of Socrates' philosophical mission: to reproach those who do not care about virtue (*Apology* 29e-30a). By exposing the pretensions of the men of the courts, the digression also helps to fulfill the other part of his mission, which involves exposing those who claim to be Wise but are not. These greater concerns are not independent of the question of the nature of knowledge.

2.3. The Digression and Socrates

2.3.1. Introduction

I have argued that the digression is relevant to the epistemological theme of the *Theaetetus*. I have appealed to the role of knowledge and wisdom in Socratic ethics and to the importance for Socrates' mission of investigating whether people claiming to be Wise are actually Wise. In making that argument, I have emphasized the connection of the digression to the *Apology* and to other dialogues that contrast Socrates with would be Wise-men. But the explicit contrast in the digression concerns philosophers who are quite different from

Socrates. Thus the second puzzle is pressing: what is the relationship between Socrates' life and the life of the philosophers and between Socrates' life and the ethical import of the digression?

2.3.2. Denials that the Digression is Socratic

Generally commentators view the digression as advocating an ethic incompatible with Socrates' life.⁶² Peterson's position (referenced above) is perhaps the most extreme. She concludes that the digression is simply Socrates' "extraction" of the views of the geometer Theodorus, and thus represents Socrates' interlocutor.⁶³ She argues not only that Socrates and Plato do not endorse the claims of the digression since they have not been tested by Socratic cross-examination, but also that the claims insofar as she can assess them are wildly implausible.⁶⁴ Other commentators note discrepancies between the digression and the Socrates of the Socratic dialogues and take Plato to be indicating that we should move beyond Socrates to the Platonic ethic described in the digression.⁶⁵

Both positions exaggerate the significance of their key insights. Peterson is right that Socrates plays to the sympathies of the mathematician Theodorus, and that we don't need to take him to be advocating for every characteristic of the philosophers' life. Others are right that the digression endorses an ethical message, but they underestimate that message's Socratic

⁶² For an exception see Rachel Rue who argues that the digression portrays the shortcomings of both orators and philosophers as compared to Socrates. "The Philosopher in Flight."

⁶³ Peterson, *Socrates and Philosophy in the Dialogues of Plato*, 71–74.

⁶⁴ *Ibid.*, 79–82.

⁶⁵ "Plato often hints that we must go beyond Socrates to get to the true philosophy, Platonism; perhaps so here." Chappell, *Reading Plato's Theaetetus*, 122–123 n103; Sedley suggests that Socrates' greater interest in his neighbors is a shortcoming from the ideal which is necessitated by his role as a midwife. *The Midwife of Platonism*, 67–68.

bent. These scholars put too much emphasis on the stark absent-mindedness presented at the beginning of the digression and fail to notice Socrates' shift in emphasis over the course of the digression.

2.3.3 The Shift in Emphasis in the Digression and its Socratic Conclusion

It is crucial to note that there is movement in the digression. The precise character of the contrast between the philosophers and the men of the courts changes over the course of the digression and so does the extent to which Socrates identifies with and advocates the philosophic side of the contrast. Socrates introduces the philosophers as “our own set” thus including both himself and the mathematician Theodorus in the category (173b). However, the philosophers described in detail are the “leaders” rather than “second-rate specimens,” (173c). The language here may imply that the philosophers he is about to describe represent the full and the best philosophic life, as opposed to the inferior partial realization in Socrates. However, it could be read as the weaker assertion that they carry certain aspects of the philosophic life further than most, including further than Socrates.⁶⁶ This reading need not entail that Socrates' life is ethically inferior, especially if his lifestyle is based on a divine commission. And it still allows Socrates to exploit the clear contrast between these philosophers and the litigious men in order to show the deficiencies of the latter. I prefer the latter reading because I take the ethical exhortation of the digression to involve features of the philosophic life that these philosophers share with Socrates (and some Socratic traits which it is not clear whether they share or not) rather than features which are not Socratic.

⁶⁶ Compare Rue. She, however, argues that the digression illustrates the philosophic tendency “to look to essences and eternal truths” while scorning particulars to an unhealthy and “self-defeating” extreme. “The Philosopher in Flight,” 91.

Initially, Socrates identifies with the starkly portrayed absent-minded philosophers in that he is concerned for accuracy (hitting upon what is) in his investigations rather than with quick persuasions (“It is so with us now” 172d). The lengthy description of the philosopher that follows (173d-175c) does not comment on the relative admirableness of the characteristics described, but Theodorus affirms its accuracy as a description of these “leaders” among philosophers (175c). Socrates presumably groups himself with the philosophers when he says that the litigious man’s inability to discuss justice or human happiness in general causes entertainment to all “who have not been brought up like slaves” (175c-d). Socrates straightforwardly endorses the final section of the digression. It consists in an exhortation in his own voice to become just and pious, together with a warning about the consequences of injustice (176a-177a).

This increasing level of endorsement by Socrates corresponds to an increasingly ethical focus. Throughout the digression there is movement from description of the philosopher as detached from his neighbors in favor of abstract theoretical understanding, to an exhortation to detachment from the means of getting one's way in favor of the virtuous life. In the initial description of the extreme philosopher, he is concerned with geometry and astronomy, and with the general nature of Man and knows nothing of what is in front of him⁶⁷

⁶⁷ Compare mathematician Jerry King’s description of late twentieth century mathematicians in his book on mathematics and the state of the profession “...had the mathematicians the power to see to it, the administrators would disappear.... As time passed, litter would pile up in the corridors, the grass would grow tall outside, and one by one the phones would fail. Other faculty—more attuned to the ‘outside world’—would notice the campus crumbling away around them. They would become aware of the loss of services: research grant applications not getting processed, applications for next year’s admission piling up on a table somewhere, next semester’s teaching schedule failing to appear. Soon these outside faculty would notice something else: the absence of the limousines and helicopters that used to come and go bringing the well-heeled campus visitors to tour the facilities on the arm of the president and to leave behind generous contributions toward the university’s

(Though the end of this description implies he reflects on the foolish practices that he encounters in his neighbors! For, he hears and dismisses as foolish the boasts of power, land, and ancestry (174d-175b)). Then when Socrates turns to describe the predicament of the man of the courts when encountering the philosopher's questions, the subject becomes justice and injustice as well as human happiness and misery. This discussion still concerns justice and happiness in general, rather than the offenses or the happiness of particular people, but it does include the proper method of avoiding misery and obtaining happiness.

Theodorus endorses Socrates' claims about the philosopher and claims that "more peace and less evil on earth" would ensue if everyone followed the ways of the philosophers (176a). I think Socrates' response here marks a key shift in the transition away from an emphasis on absentminded contemplation toward a strongly ethical emphasis. However, Socrates' response that it is needful to escape earth for heaven by becoming godlike could be, and usually is, read as a reiteration of the importance of contemplative detachment from earthly affairs. After all the philosopher has been described as present in the city only in body and as investigating things in heaven.

However, Socrates explains this godlikeness in terms of being just and pious and not in terms of contemplation and detachment. Socrates urges acting justly and virtuously. This exhortation is strikingly Socratic and aligns with his self-description in the *Apology*. Despite

building fund. But the mathematicians would notice nothing. [Professor] Deep would go on writing mathematics as before. When the lights failed because no one paid the electric bill, Deep would work by candlelight. When they came to take away his telephone, he would be inconvenienced only by having his research interrupted. The university can fall down like Jericho, but so long as the pencils and the yellow paper hold out, Deep's work goes on. At least a semester would pass before he even noticed he was no longer being paid." Jerry P. King, *The Art of Mathematics*, 237.

his protests of ignorance and claims that he lacks knowledge, he does claim there to know that “it is wicked and shameful to do wrong, to disobey one’s superior be he god or man” in contrast to his lack of knowledge regarding the goodness or badness of death. (*Ap.* 29a-b). And after his inconclusive discussion of death he affirms the “truth” that “a good man cannot be harmed either in life or in death, and that his affairs are not neglected by the gods” (*Ap.* 41d). This confidence in the wisdom of virtuous action is coupled with a practice of reproaching those who do not practice the virtues (*Ap.* 29d-e, 30a, 31a). The exhortation to virtuous practice in the digression is not then inconsistent with Socratic practice. It is not as if Socrates cares only about dialectically exposing his fellow-citizens’ lack of understanding of virtue. He is willing to claim enough knowledge to exhort them to a certain kind of behavior and to assure them that so acting is indeed for the best.

The digression’s linkage of virtue to piety and even to respect for deity also fits the Socrates of the *Apology*. He cites piety right alongside justice as one of his fundamental commitments. He asks the jury not to think it fitting for him to act in a way not “good or just or pious.” He claims to believe in the gods as “none of his accusers do” as evidenced in part by the fact that he has regard for the sacredness of oaths (*Ap.* 35d). And he can state that his “whole concern is not to anything unjust or impious” (*Ap.* 32d).

Since the digression ends with this exhortation to pursue justice rather than pursuing the court techniques men employ when they simply try to obtain whatever seems best to them at the moment, the primary takeaway from the digression is an advocacy of a *Socratic* ethic. This is vintage Socrates familiar from the latter part of both the *Gorgias* and the *Apology*.

One further indicator that the primary takeaway from the digression concerns Socratic ethics rather than detached contemplation comes from considering what part of the philosophers' ignorance Socrates chooses to highlight. He focuses on ignorance concerning how to navigate a society built around status and flattery. While their ignorance of what is nearby would seem to entail that they don't know anything about the virtue of their neighbors, this is not what Socrates stresses. Rather he says that they don't know the things necessary for flattery and don't know the ways of the court—that is they don't know the things necessary for playing the game that the men of the courts play.

2.3.4 Socrates' Affinities with the Philosophers

However, this does not change the fact that the philosophers are described in ways that do not fit Socrates' life or description of his mission. What the shift does indicate is that Socrates sees some sort of continuity between the two contrasts. He transitions smoothly between contrasting philosophers and litigious men and contrasting justice and piety with unjust and blasphemous conduct. He sees continuity between a concern for careful understanding and a concern for acting justly and between an impatience with theoretical investigation and a willingness to disregard justice. Socrates' description of the absent-minded philosophers clearly involves sympathy. So we are left with the task of explaining their affinities with Socrates.

The most obvious continuity between the philosophers (in their extreme portrayal at the beginning of the digression) and Socrates is their common disdain for politics as practiced, but their reasons are on the surface quite different: commitment to virtue versus obliviousness to things at their feet. And indeed, one can scarcely exercise virtue while ignoring what is at

his feet. But their reasons do partly coincide. In this final section, I will briefly look at a few ways in which Socrates shares motivations and concerns with the philosophers.

Socrates and the philosophers both appreciate the vanity of many social concerns. As noted earlier, Socrates focuses on the philosopher's ignorance of the things that play such a significant role in the lives of those who are concerned with status, wealth, and power.

These philosophers also share Socrates' concern with knowledge and expertise even if the things they are most interested in knowing are different. Socrates' interest is ethical; theirs seems to be more physical and mathematical. However, like them Socrates thinks it important to have an abstract grasp on the nature of things rather than to content oneself with a list of instances. The philosopher's question "What is Man?" (174b), which leads him to ignore his next door neighbor, has the same concern for general understanding as Socrates' questions about virtue or piety. Socrates puts more emphasis on recognizing instances of the general properties, since he is intent on not acting unjustly or impiously. Still, the philosopher's interest in truth and understanding represents a wider perspective and the ability to question what seems good or attractive to one at the moment. And the philosophers are unlikely to equate seeming true or good with being true or good. This *should* make them more receptive to Socrates' ethical exhortations to actually be just. Whether intense intellectual concerns *actually* have this effect is, of course, a large question.

The final point of overlap between Socrates and the philosophers, their rejection of the political affairs of the city, also brings us to one of the main differences between them. The philosophers disdain ruling as analogous to stock farming: the ruler or keeper goes through

the hassles of management simply for the sake of the material gain he can get for it (174d-e). This compares to Socrates' critique of orators and politicians in the *Gorgias* where his interlocutors praise the practice of oratory and politics as means to getting whatever one happens to think best. However, unlike the philosophers, he does have a vision for proper engagement in politics. In the *Apology* (31b-33b) Socrates says that he does not engage in the affair of the assembly, since his divine sign prevents him because fighting for justice in that arena would not allow him to live long. Rather he approaches particular people as "a father or an older brother" in order to persuade them "to care for virtue". Thus though, unlike the philosophers, he takes care for his neighbors, he still avoids public affairs. This concern for particular other people to become just, is perhaps the biggest difference between Socrates and the philosophers. And we may note that the final section of the digression ends with Socrates explaining to Theodorus—a mathematician—why it is important to "escape from wickedness and pursue virtue" (176b). It is not hard to imagine that Theodorus and other would be philosophers are less enthused about the hard work of escaping wickedness than about contemplation and thus need Socrates' reminder.

2.4 Conclusion

My responses to both sources of worry about the digression take the same basic form. The digression is a digression from the question of the nature of knowledge, but it is not an irrelevant one and does much to illuminate what all is involved in the main question. The philosophers do differ from Socrates in an important way, but Socrates exploits their

important resemblances to him in order to make his exhortation against the injustice of those who practice politics in accordance with Protagorean epistemology.

3 Why Care about what We Owe Others? A Critique of Scanlon's Account of Moral Motivation

ABSTRACT: I analyze and critique Thomas Scanlon's account of moral motivation as fundamentally consisting in the reasons we have to live life in a relation of "mutual recognition" with other people. I argue that the reasons to live in such a relation to others cannot account for the full rational force of morality, and, more particularly, that they cannot explain what is distinctively wrong with someone not concerned with morality. I conclude by noting ways in which Scanlon's account could be improved by explaining moral motivation in terms of the value of persons.

3.1 Introduction

As part of his defense of his contractualist moral theory, Thomas Scanlon develops an account of moral motivation. This account is supposed to elucidate both the *priority* of moral obligations—the overriding role that they play within an agent's practical reasoning—and the *importance* of moral obligations—the distinctive badness involved in an agent's not being properly responsive to them. He wants to show that contractualism gives a particularly good explanation for both aspects of the distinctive rational force of moral judgments. I examine the way that Scanlon accounts for and characterizes moral motivation. I conclude that the central grounding he offers for moral motivation, the relation of mutual recognition, does not offer an adequate explanation for specifically moral motivation. It is not clear that it can account for the force of moral obligations and even less clear that it can give the right kind of explanation to fully characterize them as *moral* reasons for action. A direct appeal to the value of persons (which some passages in the book suggest anyhow) would provide Scanlon a better basis for explaining moral motivation than his appeal to the value of being in a certain relation to persons.

Scanlon contends that a satisfactory explanation of priority and importance must avoid both horns of what he terms "Prichard's dilemma." Scanlon uses these three notions to

explain why he thinks contractualism yields a particularly good account of moral motivation. Priority and importance are criteria for showing that his account gives a strong enough basis to show why moral judgments are rationally compelling and why failing to heed them is a particularly serious fault. Prichard's dilemma identifies two ways in which an account of moral motivation can fail to give the right kind of explanation for this rational force. An adequate account of moral motivation should give an explanation of priority and importance that avoids both horns of this putative dilemma. Scanlon gives these three notions a key role in his defense of a contractualist understanding of morality, and I will use them both as expository tools to present the relevant features of his account and as a way to frame my worries about that account.

In speaking of moral motivation, Scanlon is concerned with the "reason-giving and motivating force of judgments of right and wrong."⁶⁸ He closely connects moral motivation to reasons for action since he holds that once an agent understands the relevant reasons "there is no separate problem of motivation."⁶⁹ Understanding moral motivation is not simply about understanding how morally good agents are in fact motivated and what they take to be reasons. It also concerns the justification for giving moral considerations that role in deliberation. He is not, however, attempting to explain moral motivation in a way that would vindicate it to an immoralist by his own lights.⁷⁰ Scanlon is concerned with not just any reasons to perform outward acts in accord with moral requirements, but with the motivation

⁶⁸ Thomas Scanlon, *What We Owe to Each Other* (Cambridge, Mass.: Belknap Press of Harvard University Press, 2000), 148.

⁶⁹ *Ibid.*, 147.

⁷⁰ *Ibid.*, 147–148.

proper to moral action.⁷¹ He wants both to elucidate why properly motivated moral actions are rational and to characterize proper motivation for moral actions. An account of moral motivation should help us see why moral actions that may look foolish to an immoralist are not actually stupid as well as illuminating what it is to act morally as opposed to merely in conformity with the requirements of morality.

The first section of this paper explains the three crucial notions of priority, importance, and Prichard's dilemma. The second section presents Scanlon's account of moral motivation and his explanation for why it is a good account in these three respects. The next two sections involve closer examination of aspects of Scanlon's view that are particularly relevant for the criticisms that I will raise. Section III concerns the relationship between Scanlon's two different descriptions of the rational basis for contractualist motivation: the value of mutual recognition and the value of persons. Section IV concerns the role that Scanlon gives to impersonal values in determining the content of our moral obligations. The fifth and sixth sections raise criticisms of the way Scanlon bases moral motivation on the value of mutual recognition. Section V challenges Scanlon's claim to vindicate the priority of moral judgments. Section VI challenges Scanlon's particular conception of importance and argues that he does not offer a sufficient explanation for importance. Section VII concludes with a brief discussion of the prospects for an account of moral motivation based on the value of persons within an overall account of morality similar to Scanlon's account.

⁷¹ Ibid., 147.

3.2 Priority, Importance, and Prichard's Dilemma

Priority concerns the overriding role that moral considerations play in an agent's practical reasoning. Unless the immoralists are right, the judgment that an action is morally wrong is normally decisive against it. This is so even when other significant considerations favor the action. Scanlon's purpose is not to convince the immoralist that moral judgments have this priority, but rather to offer an explanation for why moral judgments rightly take priority.⁷²

In order to understand an account of priority we need to know what considerations have priority over others. We need to know what considerations factor into moral verdicts and how they factor in. If moral obligation was simply defined as whatever one should do, all things considered, then moral obligations would be decisive against other considerations by definition. On the other hand, if only a small class of considerations need to be considered in order to come to a moral verdict, priority is a stronger and more controversial claim. According to Scanlon, priority belongs to "what we owe to each other," that is, to the class of reasons that concern not wronging other people. While he recognizes significant reasons for action that do not concern what we owe to some other agent, he insists that what we owe to other persons constitutes morality proper and that it is judgments of what we owe to each other that enjoy priority.

While priority concerns the reason-giving force of moral considerations in relation to the reason-giving force of other considerations, importance concerns the distinctive badness

⁷² Ibid., 148.

involved in an agent who is not properly responsive to moral concerns as compared to the defects involved in not being properly responsive to other values. Failing to appreciate the aesthetic value of natural objects, for example, does not call for the same kind of response from others as failing to appreciate and respond appropriately to the values involved in morality. The latter failure “strikes us as a particularly serious fault.”⁷³

Scanlon thinks an adequate account of moral motivation needs to be informative and elucidating while still characterizing the motivation as *moral* in character. He uses Prichard’s dilemma to show some of the difficulties in giving such an account of the priority and importance of morality. H. A. Prichard famously argued that moral philosophy, as standardly conceived, rests on a mistake and that its attempt to find a justification for moral obligations involves an illegitimate question.⁷⁴ For, moral truths are both self-evident and basic and thus neither need nor can be justified in terms of anything else. Scanlon sees Prichard’s conclusion as problematic because simply saying that an action should be avoided because it is wrong or violates moral values is uninformative, whereas Scanlon wants to explain the reasons not to do wrong. Thus Scanlon’s sees Prichard’s claim as one horn of a dilemma. Prichard supports this claim by arguing that any justification of moral obligations in terms of something else will mischaracterize moral obligations as some other kind of reason.⁷⁵ This leads to the

⁷³ Ibid., 148–149.

⁷⁴ H. A. Prichard, “Does Moral Philosophy Rest on a Mistake?,” *Mind*, New Series, 21, no. 81 (January 1, 1912): 21–37.

⁷⁵ Ibid., 22–26 Specifically, Prichard argues that any attempt to justify moral obligations will have to appeal to some kind of goodness and that this will need to resolve into either an appeal to its benefits for the agent, or into an implausible consequentialism that specifies right actions as ones that bring about good consequences, or else the goodness will presuppose the rightness of the actions in question.

second horn of the dilemma. For Scanlon agrees with Prichard that explaining the reasons for heeding moral obligations in terms of their conduciveness to self-interest or other non-moral considerations is unsatisfactory since it seems to explain away their distinctiveness as moral judgments.⁷⁶

3.3 Scanlon's Account: An Overview

Scanlon offers an account of “what we owe to each other” (WWOTEO). This label reflects several features of his theory of moral obligations. First, he characterizes moral obligations as directed toward other people. For moral obligations derive from considerations of what it is reasonable for us to require of each other. Second, this fixes the scope of his account. Scanlon does not attempt to give an account of the whole of morality, but rather of a certain central portion of it, namely the portion of it which involves obligations to other persons.⁷⁷

Scanlon claims that an act is wrong “if and only if it would be disallowed by any principle that [people with the appropriate motivation] could not reasonably reject.” People with the appropriate motivation are those who are “moved to find principles for the general regulation of behavior that others, similarly motivated, could not reasonably reject”⁷⁸ (Scanlon has since clarified that this is not a concession that some people might not have reason to act morally because they lack the appropriate motivations. This stipulation

⁷⁶ Scanlon, *What We Owe to Each Other*, 149–150.

⁷⁷ It should be noted that this is not a theory-independent way of specifying the domain. Theories which do not view the obligation in question as to others but instead as about others need not see the group of obligations which Scanlon picks out as forming a distinctive class of obligations. Section V raises some worries about the way Scanlon treats what we owe to each other as a distinct domain from the rest of morality.

⁷⁸ Scanlon, *What We Owe to Each Other*, 4.

concerning motivation simply serves to describe the context from which reasonableness or unreasonableness is to be assessed.⁷⁹) The idea of reasonable rejection plays a fundamental role. Scanlon insists that the reasonable rejection of a principle allowing a given act is not based on the prior fact that the act is wrong, but that rather the act is wrong because it could be reasonably rejected (by appropriately motivated parties). Reasonable rejectability is the reason it is wrong and constitutes its wrongness. Considerations of reasonable rejection also allow us to distinguish which actions are right and which are wrong. “Thinking about what could be justified to others on grounds they could not reasonably reject” is the way “we determine the shape of more specific moral notions such as murder or betrayal.”⁸⁰

Crucially for our purposes, Scanlon claims that considerations of what could be reasonably rejected are also fundamental for moral motivation. “[T]he idea that we have reason to avoid actions that could not be justified in this way accounts for the distinctive normative force of moral wrongness.”⁸¹ Scanlon’s account of moral motivation unpacks this fundamental claim. He endeavors to show how the reason to act in ways that cannot be reasonably rejected explains the priority and importance of moral judgments without violating the constraints of Prichard’s dilemma.⁸²

⁷⁹ T. M. Scanlon, “Reasons, Responsibility, and Reliance: Replies to Wallace, Dworkin, and Deigh,” *Ethics* 112, no. 3 (April 1, 2002): 519.

⁸⁰ Scanlon, *What We Owe to Each Other*, 5.

⁸¹ *Ibid.*

⁸² As noted above this reason is not based on the independent wrongness of the actions. We have reason to avoid these actions because they would be disallowed by the principles, rather than having reason to accept the principles because they exclude wrong actions. This raises the question what reasons suitably motivated parties can appeal to in reasonably rejecting principles, since they cannot appeal to the wrongness of actions the principle would permit. This question will be (partially) discussed below when considering the role of impersonal values in Scanlon’s theory.

Scanlon thinks that the way to satisfy the constraints of Prichard's dilemma is to locate the motivational basis for moral behavior in an end that is clearly relevant to morality but also independently intelligible as a good. This kind of defense of morality avoids both treating the reason giving force of moral judgments as an unexplained primitive and justifying moral actions in terms of considerations foreign to moral motivation. Such a strategy is illustrated by utilitarianism. Happiness is both independently plausible as something desirable and intuitively connected to morality. The appeal to the greatest happiness gives non-trivial support for morality without making the motivation something obviously non-moral. The good that Scanlon appeals to is not based on aggregate welfare or happiness, but consists rather in an ideal of relations among persons, namely, mutual recognition.

Scanlon explains mutual recognition and its role in his theory of moral motivation through an analogy between it and friendship. Specifically the analogy is supposed to help show how Prichard's dilemma can be overcome. Just as we may ask: "Why be moral?", we can also ask regarding our friendships: "Why be loyal?" To answer by reference only to the requirements of friendship seems question-begging. But appeals to (at least some kinds of) the benefits of friendship seem to be "the wrong kind of response." For, one who is "'loyal' for that kind of reason would not be a good friend at all."⁸³ Scanlon says that the response to this seeming dilemma is that the relationship involved in friendship is "desirable and admirable in itself." Being in this good and admirable relation involves both benefits and joys and duties, and friendship constitutively involves being subject to these norms of loyalty. The motivation

⁸³ Scanlon, *What We Owe to Each Other*, 161.

for loyalty derives from the recognition of the goodness of friendship, and the benefits and joys of friendship are part of what makes up its goodness.⁸⁴ Scanlon casts moral duties as analogous to duties of loyalty which partially constitute, not friendship, but mutual recognition.

This puts the justification of morality at two levels. At the one level particular actions are required because certain duties come with the relation of friendship or with the relation of mutual recognition. To be a friend is to recognize certain situations as calling for certain responses. One who doesn't recognize reasons to help friends is not a friend. Likewise, one who does not recognize reasons not to wrong others is not in the relation of mutual recognition. But there is another level of motivation. The question arises why we should care about being a friend or being moral (which Scanlon understands in terms of honoring the requirements of mutual recognition). The requirements of friendship and of mutual recognition have the significance they have because those relations are good and admirable and we can understand that we have reason to be in them. Mutual recognition "provides a higher-order reason to shape our process of practical thinking" in such a way that our decisions cannot be reasonably rejected by others.⁸⁵

One may well wonder how mutual recognition can take priority over other values, such as friendship, that we take to be important to a flourishing life. Scanlon uses a two part strategy to defuse some of these objections. On the one hand, many kinds of reasons factor into what can be reasonably rejected. A principle that forbade people to take friendship or

⁸⁴ Ibid., 162.

⁸⁵ Ibid., 156.

hobbies seriously could be reasonably rejected for that reason.⁸⁶ Thus other values can shape the content of moral judgments, and this mitigates, though it does not eliminate, the conflict between moral values and other values. On the other hand, Scanlon tries to show that respect for morality is built into the proper response to many other values. For example, he argues that it is built into our concept of friendship that we value the friend not only *qua* friend but also *qua* person. Thus, we can't have the relation of friendship without also having the relation of mutual recognition, and unlike friendship the scope of mutual recognition must extend to everyone.⁸⁷

Clearly, Scanlon puts a lot of motivational weight on the choice-worthiness of standing in the relation of mutual recognition to others. I will raise questions about its suitability to bear this weight later. Scanlon provides various reasons to think that we both do and should recognize it as an extremely significant value. He thinks that much in our moral lives attests that we do indeed see mutual recognition as having this kind of priority. This is evidenced, he thinks, in the way in which so many of our other values have sensitivity to morality built into them. This extends beyond friendship; just knowing that our achievements were based on some fundamental unfairness undercuts their luster. The desire to be in a relation of mutual recognition also explains why it is so tempting to deny unfairness in arrangements that bring us advantages we are loath to give up. Scanlon thinks that this reflects

⁸⁶ Ibid., 160–161, 220.

⁸⁷ Ibid., 164–165 Here is a particularly vivid presentation of the argument: “There would, for example, be something unnerving about a ‘friend’ who would steal a kidney for you if you needed one. This is not just because you would feel guilty toward the person whose kidney was stolen, but because of what it implies about the ‘friend’s’ view of your right to your own body parts: he wouldn’t steal them, but that is only because he happens to like you.”

not just our desire to think of ourselves as upright, but also our desire to think of ourselves as in a reasonable relation to our fellows.⁸⁸

Scanlon also takes mutual recognition to give the right kind of explanation for the special importance of failing to be responsive to moral considerations. Wrongdoing involves a failure to recognize me and a lack of concern for whether a course of action is justifiable to me and others like me. Wrongdoing is more important than other failures to heed reasons and respect values because it has this personal character.

Scanlon introduces this explanation for the importance of morality by discussing other ways shared appreciation for values produces or enables corresponding relations. Shared appreciation of experiences like mountaineering or shared social causes allow us to identify with others. Failure to appreciate activities cuts us off from the relations formed around that activity, whether it be chess or birdwatching. Of course it is not crucial or important that we are involved in any particular relation sustained by such particular values, but Scanlon thinks that when we are cut off from the relation of mutual recognition with others we fail to appreciate the value of people themselves. While someone who simply “cannot share our enthusiasm for one or another valuable pursuit can still be a good neighbor, co-worker, or even friend,” failure to appreciate moral reasons “makes a more fundamental difference” since the person does not “see why the justifiability of his or her actions to us should be of any importance.”⁸⁹

⁸⁸ Ibid., 163–164.

⁸⁹ Ibid., 159.

Scanlon argues that the interpersonal content of the ideal of relations explains the special importance of right and wrong as reasons which it is particularly serious to fail to appreciate. Someone's not being responsive to this ideal amounts to their not caring whether their actions are justifiable to me or to my fellows. Scanlon claims this amounts to a denial of our status as persons, so mutual recognition is essential to being in the relation created by the shared value of persons. Another's failure to be in this relation is more important than failure to be in the relation created by the shared appreciation of glaciers or mathematics because I am an instantiation of the value that is not being appreciated. The emphasis is on the fundamental importance we attach to others exercising regard for justifiability to us and other people.⁹⁰

In explaining priority, importance, and how to avoid Prichard's dilemma Scanlon leans heavily on the appeal of mutual recognition. The criticisms I raise against his account are primarily based on the role that he gives to mutual recognition. But Scanlon does also speak of the value of persons as an alternate description of what we are responding to in acting morally. Furthermore, he discusses the significance of impersonal values for ethics in general and for WWOTEO in particular, and these values are not dependent on the value of mutual recognition. It is important to look more closely at how the value of persons and impersonal values relate to mutual recognition in Scanlon's overall account.

⁹⁰ It is not entirely clear what the fact that the wrongdoer does not care about justifiability to others adds. As the passage about the kidney stealing "friend" quoted in note 87 indicates, moral violations against other persons disturb us *because* they indicate that the wrongdoer does not value *us* qua persons.

3.4 The Value of Persons versus the Value of Mutual Recognition

Scanlon argues that the contractualist formula specifies what properly responding to the value of persons comes to. But it is not clear what the relationship is between the value of persons and value of mutual recognition. If the proper response to the value of persons is to treat them in accordance with WWOTEO, why do we need to bring in the appeal to standing in a certain relation to them? Does the fact that people are valuable in such a way as to call for recognizing them explain the reasons we have to find mutual recognition good and admirable? Or, does the value of mutual recognition instead explain the value of persons? These questions are important for understanding Scanlon's theory and its prospects for accounting for the distinctive rational force of moral judgments.

The value of persons interpretation of moral motivation is tied to a major theme in Scanlon. He devotes significant space to exploring the structure of values.⁹¹ He argues that the proper response to value is not always promoting the existence of valuable things or trying to bring about states of affairs in which the value obtains. Rather different values call for different sorts of responses. Maximizing the number of people in existence is not the appropriate response to the value of persons. Scanlon thinks we respect the value of persons by acknowledging "their status as self-governing beings."⁹² And we do this by acting only in ways sanctioned by principles they could not reasonably reject. By following such principles we give them what we owe them.

⁹¹ See especially chapter 2. Scanlon, *What We Owe to Each Other*, 78–107.

⁹² *Ibid.*, 183.

The value of persons interpretation is also implied by the way Scanlon frames the question of duties to animals. He takes it to be clear that there are reasons to avoid causing animals pain. What he thinks less clear is whether we owe it to animals not to mistreat them, that is, whether mistreating them is wrong in such a way that “we should feel guilty *to* the animal itself.”⁹³ Plants and many other natural objects provide a clear example of impersonal values where the implications for our behavior are not explained by duties *to* the object but by the “character of these objects—such as their grandeur, beauty, and complexity.” We need not acknowledge plants as “self-governing beings,” as we do people. The question is whether animals call for such acknowledgement.⁹⁴ This way of putting the question emphasizes the value of the thing being responded to—be it plant, animal, or person—rather than emphasizing that it is good for the one responding to the value to be in a certain relation with the thing valued. This indicates that Scanlon could and perhaps sometimes does think of duties to other persons as based on their value, rather than on the value of being in the relation of mutual recognition.

However, whatever the relation between the value of persons and the value of mutual recognition, Scanlon explains the rational motivational basis for acting morally in terms of the good of mutual recognition. As we saw in the previous section, the substantive good he appeals to is not people but a relation with people, and it is this that underwrites his analogy with friendship and his explanations of priority and importance. Perhaps they could equally be justified in terms of the value of persons, but that is not the justification he gives. After

⁹³ Ibid., 182.

⁹⁴ Ibid., 183.

examining Scanlon's treatment of impersonal values in the next section. I will be able to say a bit more about how the value of persons relates to the value of mutual recognition.

3.5 Impersonal Values

The fact that Scanlon acknowledges significant classes of reasons for action that are not based on what we owe to other persons complicates his account. Understanding how he treats "impersonal values" is crucial for understanding what precisely his claims about the priority and importance of moral obligations come to. The way he handles impersonal values is also important for the criticism I will raise. Animal pain is an example of an impersonal value worth taking seriously in various ways. As we saw, it is a bad thing that we have reasons not to cause, quite independently of the question whether we owe anything *to* the animal itself. Scanlon defines "impersonal grounds" as "reasons that are not tied to the well-being, claims, or status of individuals in any particular position."⁹⁵ This is a broad category that includes the beauty of nature and of art, the values responded to by efforts at conservation and preservation of nature, and, presumably, such things as the intrinsic value of understanding mathematics. Although these values contribute to the well-being of individuals and affect what claims one can make on others, Scanlon explicitly denies that impersonal values can "themselves, provide grounds for reasonably rejecting a principle."⁹⁶

How then do these impersonal values relate to the reason we have to act in ways justifiable to others? Scanlon admits that there are other values which are moral in a broader sense and that contractualism explains only part of the moral domain, albeit a very central

⁹⁵ Ibid., 219.

⁹⁶ Ibid., 220.

part. In many cases impersonal values will simply impose requirements on us that are *additional* to what we owe to each other.⁹⁷ I should not act in ways that show contempt for beautiful things for reasons that go beyond any obligations I might have *to other persons* not to scorn their work or ruin their chance to appreciate them. Still, we need some accounting of how the various domains of morality fit together, whether their verdicts can conflict, and how those conflicts are to be resolved.

Scanlon's admission that impersonal reasons "play a significant role in determining other grounds for reasonable rejection" partially addresses this tension.⁹⁸ Impersonal values can provide one with a reason to reject principles that would keep one from recognizing the impersonal value. A principle that does not allow me to respect the aesthetical and ecological value of a grand old tree might be reasonably rejectable not because of the value of the tree, but because of the importance for me of respecting that value. Scanlon also argues that proper valuation of the tree has (some) accommodations for the rights of people built into it. For the most part respecting the value of the tree will not call for violating what I owe to others. This is both because what I owe to others is sensitive to my reasons for wanting to respect the value of the tree, and because proper respect for the tree is sensitive to such things as the rights of others (it would hardly require me to enslave them as caretakers of the tree, for example).⁹⁹

⁹⁷ Ibid.

⁹⁸ Ibid.

⁹⁹ Ibid.

Still, conflicts are likely to arise. As Scanlon himself puts it, there “may be cases where we have to choose between impersonal values and what we owe to each other.”¹⁰⁰ We might wonder why Scanlon needs to make this admission. After all he thinks that in many cases my need to respect impersonal values explains why I could reasonably reject principles that kept me from honoring them. And he also thinks that the proper respect for impersonal values is often compatible with giving priority to the rights of persons. So why is there room for a gap that results in the necessity of choosing between them? The fact that there could be a conflict shows that Scanlon does not think of WWOTEO as (at least not by definition) an all things considered judgment about what one should do.

The possibility of a gap may also indicate something about the way Scanlon understands the relationship between mutual recognition and the value of persons. Scanlon’s analogy between friendship and mutual recognition offers an explanation for why there can be a conflict between what we owe to each other and impersonal values. The motivation for loyalty to friends comes from the good of being in the friendship relation. Friendship’s requirements are sensitive to values outside of friendship. A good friend will not resent the loss of some time that was to be spent together if his friend has strong enough reason to pursue some conflicting course of action. But there can come times when pursuing other values must lead to the end of a friendship. Perhaps one simply can’t pursue both. It need not be a moral problem to sacrifice a friendship (by neglecting interaction, not by betrayal) since on Scanlon’s construal the rational motivation for friendship comes from the appeal and

¹⁰⁰ Ibid., 223.

admirableness of the relationship rather than from friendship being the appropriate response to the value of the other. If moral motivation parallels this, then there is the intelligible possibility of scenarios where one could correctly choose other values over the good of mutual recognition. If on the other hand the rational basis for morality were based fundamentally on proper response to the value of persons, then plausibly at least what we owe to others would be specified by an all things considered judgment that by definition takes fully into account the rational force of impersonal values. Following a rational all things considered judgment would necessarily fulfill what we owe to others because by definition the judgment was based on deliberation that gave a proper role to the value of other persons.

3.6 Criticism: Wrong Account of Priority

3.6.1 Two Worries

I want to press two central worries about the way in which Scanlon attempts to vindicate the priority of moral judgments. The first is that the ideal of mutual recognition cannot bear the weight he wants it to carry unless it is reinforced by some deeper value. Perhaps mutual recognition could bear this weight if its value were understood as dependent on and less fundamental than the value of persons. The second worry I will press is that WWOTEO is too narrow a segment of morality to have priority over all other values.

3.6.2 Limitations of the Value of Mutual Recognition

If the weight of moral motivation is to be hung on the value of mutual recognition, then the fact that mutual recognition is only an ideal becomes worrisome. Acting morally often only involves acting in such a way that one's own conduct is suitable for mutual recognition, not the actual achievement of *mutual* recognition. To be sure, there could be

justifications given which explain why acting in accord with mutual recognition is important even when it does not produce actual *mutual* recognition. There could well be reasons why it is important that we operate in a way that is open to that relation, and even reasons to act in accordance with it when others do not. But these would have to involve reasons other than the good for me of being in the relation.

Scanlon uses friendship as an analogy to illuminate how a certain relation which involves duties and sacrifices can be seen as a good and admirable relation to be in. But it is not clear how an ideal of friendship with someone which I have strong reason to think unrealizable is going to provide me with the motivation to keep up the duties of loyalty. It takes more than a realization of the goodness which an actual, if imperfect, friendship would involve to reassure me when I think of abandoning my one-sided loyalty. Obviously, friendships often are in place, and a real, if imperfect, mutual recognition may also often be in place. But, just as an ideal of friendship with someone who is not my friend has limited motivational power to make me act loyally, so the mere fact that mutual recognition would represent the best kind of relation among people scarcely explains why acting morally takes priority over other values. Scanlon allows that sometimes we may need to choose between actual ties to those around us and the ideal of mutual recognition (perhaps if the values of those around us clash with properly recognizing outsiders).¹⁰¹ If the reasons to act in accord with mutual recognition only come from the goodness for me of being in the relation of

¹⁰¹ Ibid., 166.

mutual recognition, then it is not clear why morality should take priority over these actual bonds with others.

Thus it seems more promising to derive priority from the fact that there is reason to respect people and that respecting people is constituted by treating them morally (which for Scanlon, of course, involves treating them according to principles which they cannot reasonably reject). If we can elucidate why people have an especially important value, then we could elucidate why properly valuing them is especially important and properly takes priority over other values. We might expect that the value of persons would also explain the special goodness we get in living in the right relation to them. Being in a right relation to a special value could result in a special goodness in our lives.

Treating the value of persons as fundamental may also make better sense of the reasons involved in duties both of morality and of loyalty in friendships.¹⁰² Talbot Brewer argues that the reasons provided by the fact of my friendship with someone are not “basic, non-derivative” reasons. For, friendship involves assigning a high value to the friend’s “health and happiness.” This value, he thinks, must be prior to the friendship, for forming a friendship involves gaining “a deep appreciation for something whose value predates ones arrival on the

¹⁰² Scanlon’s attempt to derive motivation for loyalty from the goodness of the relation of friendship seems less implausible than his attempt to derive motivation for moral duties from the goodness of mutual recognition. For while moral duties are owed to everyone, we are friends to only a few and we exercise some choice as to who are friends are. This fact could be used to call into question the analogy that Scanlon draws between friendship and mutual recognition. However, I am more sympathetic to Brewer’s argument that even in friendships the goodness of the friend is more explanatorily fundamental than the goodness of the relation of friendship.

scene.” Friendship put us in a position to appreciate the value of a friend, which value we might otherwise have missed.¹⁰³

Jay Wallace raises a related worry about Scanlon’s attempt to explain moral obligations in terms of the appeal of mutual recognition. He notes that the appeal to mutual recognition attempts to show the “contribution that morality can make to the meaning and goodness of the agent’s own life.”¹⁰⁴ However, this is not the “particularly modality of the good” that agents “structure their practical thinking around.” Rather, the motivation and rationale for avoiding wrong actions is the particular qualities that make them wrong such as their hurtfulness or cruelty. Wallace is not satisfied with Scanlon’s explanation that mutual recognition provides us with a higher order reason to shape our thinking so that we take those particular considerations to be significant. He thinks that this yields a false consciousness akin to that found in forms of indirect consequentialism which appeal to a consequentialist basis in order to recommend non-consequentialist habits of thought and motivation.¹⁰⁵ Wallace suggests an alternate strategy for appealing to mutual recognition. We should think of the ideal of mutual recognition as having two aspects. The one aspect is other-oriented, focusing us outward on what other people could reasonably reject. We can see avoiding these actions as responding to their value as persons. However, when questions of priority arise the second, self-directed aspect, which emphasizes mutual recognition’s contribution to our own life, is

¹⁰³ Talbot Brewer, *The Retrieval of Ethics* (Oxford ; New York: Oxford University Press, 2009), 260
Brewer’s conception of friendship as both a response to the value of others and an enabler of proper appreciation for their value appears at various places in the book.

¹⁰⁴ R. Jay Wallace, “Scanlon’s Contractualism,” *Ethics* 112, no. 3 (2002): 455.

¹⁰⁵ *Ibid.*, 455–466.

prominent. For, then we want to know how moral considerations can “prevail rationally in competition with one’s defining personal projects.”¹⁰⁶

Perhaps such a double aspect approach could be developed in a way that elucidates why properly responding to the value of persons is good for the agent but does not treat the reasons for treating people as valuable subservient to that good. However, this is not Scanlon’s approach. As we saw, he is concerned to argue that his contractualism is a plausible way to spell out what it means to properly value persons and he thinks we have reason to acknowledge others as self-governing beings. But he does not give much by way of explanation or elucidation as to why these reasons deserve a special priority. Rather he wants to elucidate why we have reason to treat people respectfully and with moral consideration more generally by reference to an obviously attractive good, namely mutual recognition. His discussion of moral motivation and friendship motivation both treat the good of the relation, rather than the value of the one with whom we relate, as motivationally fundamental. With the strategy understood in this way, priority must come not from the force of the need to treat other people well but from the reason for me to want to be in that relation of mutual recognition.

My objection in short is that the value of mutual recognition is not able to explain the distinctive rational significance of moral judgments without appeal to the value of persons.¹⁰⁷ But, granting for the sake of argument that Scanlon is right that WWOTE is the proper

¹⁰⁶ Ibid., 456–457.

¹⁰⁷ Not that the Value of Persons is the only possible explanation for the significance of mutual recognition, but it is the one that is in play in Scanlon.

response to the value of persons, we are still left without an explanation of why the value of persons is significant in relation to other values. Scanlon attempts to answer that question by reference to the goodness and attractiveness of mutual recognition—that is by treating the value of mutual recognition as fundamental for moral motivation. But that brings us back to the worries already raised.

3.6.3 Priority and the Limited Domain of Contractualism

When we speak of the priority of moral judgments over other values, we may think most naturally of those values which are often categorized as self-interested. In that case a defense of priority would take the form of showing why we have sufficient (and compelling) reason to limit the pursuit of self-interest in the relevant ways. But given the way that Scanlon carves the moral domain, we also need an account of why WWOTEO has priority over impersonal values not readily categorized as self-interested. Many of these values fall under what Scanlon calls the broader use of the term ‘morality.’

Scanlon does not object to this more expansive use of moral language. But he does insist that WWOTEO is the central part of morality and suggests that it is the morality of right and wrong in the strict sense.¹⁰⁸ Further he explicates the priority of morality in terms of WWOTEO. It is the claims of WWOTEO that have priority over other claims. This raises two potential worries. For one, we might think that morality more broadly construed has priority as well and that a proper explanation of priority should cover morality more broadly, or at least naturally generalize to cover it. For another, we might wonder if the priority of each is

¹⁰⁸ Scanlon, *What We Owe to Each Other*, 171–173.

compatible with that of the other. As we saw Scanlon goes to some length to show that there is substantial harmony between WWOTEO and other important values such as friendship. But, as we saw at the end of section IV he admits the possibility of conflict where we must “choose” between the two. One response to this admission would be to insist that moral verdicts must be all things considered verdicts that take into account both WWOTEO and the other values in question and that only these verdicts can properly be said to have priority.

But this would require significant remodeling of Scanlon’s picture of priority and of the fragmentation of the moral. For, as noted before, an interesting notion of priority must include the claim that there are certain considerations that do not need to be taken into account in the process of figuring out what one has most reason to do. The set of considerations that has priority is the set that must be taken account of in order to reach a moral verdict. According to the suggestion under consideration one would have to take more than WWOTEO into account to reach a moral verdict.¹⁰⁹

3.7 Criticism: Wrong Account of Importance

My second criticism is that Scanlon’s account mischaracterizes importance. Since he characterizes importance in terms of my response to the fact that others do not properly recognize me, and emphasizes this first person response, it is quite unclear how this notion of importance could be extended to cover responses to violations of impersonal values that don’t include disregard for me. But Scanlon’s characterization of importance is problematic even for the domain of what we owe to each other.

¹⁰⁹ Which is to be distinguished from the way in which Scanlon allows that certain impersonal values can figure indirectly into what is the verdict of WWOTEO.

I find Scanlon's appeal to the fact that I am the value which the wrongdoer fails to appreciate unsatisfying. Why does the fact that it is I who am not appreciated (rather than, say, the Grand Canyon) explain why the failure of the person in question is so much more important? Clearly I am more intimately affected by how I am treated, but this in itself is not relevant for assessing the other person. Scanlon's discussion suggests more than this, for he immediately points out that this failure of appreciation extends to everyone: "the amoralist does not think that anyone is owed the consideration that morality describes just in virtue of being a person." However, while we care about how agents treat persons in general, Scanlon's explanation for why we find that particularly important concerns "the person's attitude toward us." Failure to give moral consideration to others, who are also persons, reveals their lack of concern for "the justifiability of his or her actions to us," and this is what Scanlon stresses. Thus, the basic claim seems to be, not that I am the kind of thing it is particularly reprehensible not to respond appropriately to, but rather that I have particularly strong reason to care about how you respond to this kind of value since I am one of the entities that instantiate it. It is not that I have a particularly strong reason to care because what you did is particularly bad, but rather because I am the thing whose value you do not appreciate.¹¹⁰

Scanlon describes importance in terms of the significance for third parties of someone's failure to give proper response to moral considerations.¹¹¹ But his explanation locates the problem at the wrong place. He doesn't explain what is particularly bad about the

¹¹⁰ Scanlon, *What We Owe to Each Other*, 158–160.

¹¹¹ *Ibid.*, 149 Given the discussion above, it might be as apt to say the significance for second parties, that is the parties affronted by the moral violation.

failure viewed simply as a failure of the agent, but rather explains why it is particularly distressing for others.

While it is true that insensitivity to moral considerations does give more reason for distress to third parties than many other failures to appreciate reasons, the failure is important in a way that goes beyond that. The wrongdoer has a particularly serious badness or defect, “it is a particularly serious failing.” The simple fact that he does not recognize me cannot be enough. A bear doesn’t recognize me either, and this can be quite inconvenient. But the bear’s actions are not wrongdoing and are not morally important. Presumably this is because the bear doesn’t really have the kind of fault or “failing” involved in humans who don’t recognize me, because there are not reasons applicable to him that he is disregarding.

The importance of a moral violation presupposes the priority of the moral consideration involved, or at least that it takes priority in that particular situation. If a human who did not recognize me did not in fact have compelling reasons to recognize me this would not be a rational fault of hers. This suggests that vindicating priority is crucial for vindicating importance. If the wrongdoer is not failing to heed a consideration that has rational priority over the other considerations in play, then he cannot be committing an important rational failure, for he is not committing a rational failure at all. Thus, if Scanlon’s account does not give an adequate explanation of priority, neither can it give an adequate explanation of importance.

It might be thought that the importance for others need not presuppose that it is a genuine rational failing on the part of the wrongdoer. Perhaps whatever it is that makes the

wrongdoing important in other's eyes only gives some and not decisive reason not to do the wrong in question (importance without priority). Or more radically, one might think that whatever makes the wrongdoing important for others need not indicate any reason for the agent himself to avoid it. Perhaps enmity works this way. There might be no conflict between judging that the other has good reason to be an enemy to us and hating him because he is our enemy. One might hate the enemy for the bad things he does to one and still think that these acts of animosity are what his enemy has reason to do. One's anger or applause at a killing may depend on whether the slain was enemy or friend. But moral evaluation, which leads to indignation or the lack thereof, is not determined by one's standpoint toward the slayer and the slain, but rather on whether the slayer should have done what he did. In this sense, at least, moral evaluation is impartial: it depends on the reasons for and against the action and does not vary with the evaluator's relation to the actor, the action, or the action's effects. If, then, Scanlon's explanation of importance is based simply on the value of being in a certain relation to others and the disvalue of them not treating us in accord with that relation (valuing us *qua* persons, which means valuing all persons), that is a strike against his explanation. An explanation based on the rational mistake of the wrongdoer in not properly responding to the value of persons would be more promising.

3.8 Conclusion:

The worries I raise do not for the most part concern the specific content of contractualist morality or its general principle that we should act in ways not reasonably rejectable by others. Rather, the worries concern the fundamental motivational basis which Scanlon describes for satisfying the demands of WWOTEO. They concern both the way in

which his theory treats it as a distinct domain from morality more broadly and the way he accounts for the reasons and obligations that he does categorize in the narrower domain of WWOTEO.

The worries I raise would hold significantly less force if we took the value of persons as fundamental for moral motivation rather than the good of mutual recognition. This might not require much revision of the normative principles Scanlon advocates,¹¹² but it would require additional argumentation for why the value of persons is so distinctively significant. The account of moral motivation would then require more explanation for why the value of persons properly takes priority over other values, and a different argument for why it is a particularly serious fault in a person to be insufficiently responsive to the value of persons. This argument would need to appeal to more than the fact that we cannot enjoy the good of mutual recognition with the immoral.

In discussing Prichard's dilemma, Brewer articulates a strategy for philosophically elucidating the value of persons. He argues that Prichard's alleged dilemma does not prove that moral philosophy rests on a mistake since "the value of persons that gives rise to moral obligations can be brought to light by fully explicating the value of many of our most important interactions with other people."¹¹³ These interactions include such things as

¹¹² The revision might alter the way impersonal values affect our moral obligations. If morality is about responding properly to the value of persons, then what we owe to them might just be the all things considered judgment that fully takes into account the proper response to impersonal values. This would close the door that Scanlon leaves open for the possibility that we would need to choose between morality (the relation of mutual recognition) and impersonal values (see the final paragraph of section IV of this paper).

¹¹³ Brewer, *The Retrieval of Ethics*, 178–179.

friendships, “intimate loves,” engagement in conversations, and even “appreciation of the literature and music of others.” Whereas Scanlon takes the goodness of the relation of mutual recognition to vindicate moral obligations, Brewer takes the goodness of these interactions with others to imply certain things about the value of persons, and takes it to be this latter value that vindicates moral obligations. For Brewer, it is not that moral requirements derive their motivational force from the fact that they are partially constitutive of these valuable interactions; rather, the value of human beings “is implicit in our understanding of the nature and point of” such interactions. Thus reflection on their goodness can lead to “a clear and cogent apprehension” of the value of persons.¹¹⁴

Brewer’s approach to elucidating the value of persons aims to bring to light the ways in which we already understand *that* persons (or, more specifically, humans) are valuable in ways relevant to moral obligations. This undertaking could complement attempts to show *why* persons are valuable. Such attempts are of course manifold and familiar. Appeals to dignity, rationality, the image of God, etc. are ways of attempting to understand what it is about people that makes them distinctively valuable. In one of the passages which suggest the value of persons interpretation of moral reasons, Scanlon even makes his own suggestion: people are “self-governing beings.”¹¹⁵

¹¹⁴ Ibid., 179.

¹¹⁵ Scanlon, *What We Owe to Each Other*, 183 Discussed in section III of this paper.

Conclusion

In an attempt to address the question of what can be learned from considering these three essays jointly, I will first explore a surface tension between the first two essays which both concern epistemology, and then say a bit about how to connect the themes of the third paper on moral obligation with what I say in reconciling the two epistemology papers.

Briefly put the surface tension is that the first essay argues for a conceptual separation between epistemology and ethical virtue while the second essay defends a conceptual connection between epistemology and ethical virtue. The first essay argues that virtue reliabilist accounts of knowledge do not need to treat character virtues as potential “knowledge-makers” since the telos of character virtues, even those concerning intellectual conduct, is not what it needs to be for an account of knowledge. The second essay argues that Socrates’ description of two upbringings and lifestyles and exhortation to virtuous living is not a departure from the attempt to analyze knowledge.

One line of response is to note that the passage discussed in the second paper explicitly concerns wisdom rather than all knowledge. It is because the digression concerns wisdom that the epistemology connects so closely to ethics. One’s conception of wisdom will be manifested in one’s ethic. Thus it might be a more promising strategy in the case of reliabilism to focus on reliabilist accounts of wisdom, if one wanted to show that reliabilist epistemologists should pay attention to character virtues in their accounts of knowledge. Perhaps it is focusing on the special kind of knowledge that is wisdom that is needed to bring out a conceptual connection between knowledge and virtue of character.

However, I do not think that this would suffice to draw the closer conceptual connection between virtues of intellectual character and an account of knowledge. This is because contemporary epistemologists have a different view of what is being analyzed in analyzing knowledge than Plato does. The chief concern of contemporary epistemology is knowing that something is the case, knowing that a claim is true. For them the knowledge of important things does not differ from knowledge of trivialities in its being knowledge, but only its being important. On this conception of knowledge knowing the answer to a question about how I should live my life or about the nature of God is no higher on the scale of being knowledge than knowing how many points a given basketball player scored on January 17, 1976. The first propositions are more important knowledge of course, but not superior *qua* being knowledge. For Plato on the other hand knowledge is paradigmatically of objects (especially the forms) and not of propositions. Knowing the form of the good is more important because it is more knowable and more real than other things. One can of course know in a qualified sense other things, even quite trivial things such as a doghouse if one understands the dog house quite well. But to know in the fully unqualified sense one must know reality in general not just parts of it. In particular one must know moral and ethical reality. So epistemological accounts that are wrong about reality in general will go hand in hand with correspondingly flawed ethics.

This feature of Plato's epistemology provides another way of framing my critique of Scanlon's account of moral motivation and moral obligation. Scanlon argues that moral motivation derives from the reasons we have to be in a certain relation to other people. He

gives the value of the relation decisive significance rather the value of the persons to whom we stand in the relation. Further, he seeks to isolate moral obligation as a distinct domain from other parts of ethics that involve responding to various other values. His explanation for why moral obligation has distinctive priority and importance rests on its peculiar relation to us and its effect on our lives. It does not rest on the claim that if we truly saw the world right, and thus had knowledge in the fullest sense, we would know that being virtuous is of supreme importance. Plato is committed to this claim and so can see real knowledge as leading to real virtue.

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Vita

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