

Volume 3 Issue 4 2016

Symposion

Theoretical and Applied Inquiries
in
Philosophy and Social Sciences

Romanian Academy, Iasi Branch
„Gheorghe Zane” Institute for Economic and Social Research
ISSN: 1584-174X EISSN: 2392-6260

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RESEARCH ARTICLES

What Would a Deontic Logic of Internal Reasons Look Like?

Rufus Duits

Abstract: The so-called ‘central problem’ of internalism has been formulated like this: one cannot concurrently maintain the following three philosophical positions without inconsistency: internalism about practical reason, moral rationalism, and moral absolutism. Since internalism about practical reason is the most controversial of these, the suggestion is that it is the one that is best abandoned. In this paper, I point towards a response to this problem by sketching a deontic logic of internal reasons that deflates moral normativity to the normativity of instrumental rationality, and provides support for the assertion that one can hold fast simultaneously to internalism and at least many of the intuitive commitments of liberal moral thinking. Crucial to the proposal is an account of the enkratic principle – I ought to attempt to realise what I ultimately desire – as the source of obligations we owe to ourselves. I attempt to show how from this, in conjunction with some plausible assumptions, obligations to others might be derived.

Keywords: deontic logic, enkratic principle, instrumentalism, internalism, universal prescriptivism, weakness of will.

1. Internalism and Instrumentalism

One view about practical reason that is common both in the academy and outside of it is a sort of combination of internalism and instrumentalism. Roughly, internalism about practical reason is the thesis that a necessary condition of something being a reason for action is that it is connected in some straightforward way to the agent’s motivation, and instrumentalism about practical reason is the view that it is not possible to practically reason about ends since practical reasoning is reasoning about means to ends. Internalism is a theory about what counts as a reason, and instrumentalism is a theory about that which makes something a reason.

Now, as has long been recognised, reasons internalism, if right, poses problems to any moral theory that espouses a conjunction of any forms of the theses of moral absolutism and moral rationalism (the view that holds that the wrongness of an action implies that there is a reason not to do it). Call the family of such theories “the morality system” (Williams 1985, Chapter 10), and consider the ‘amoralist’s challenge:’ on the shore of a lake, two moral philosophers who can’t swim are trying to convince an onlooker to save a drowning child. One says, “the child has a right to life! You have a corresponding duty to jump in and save her!” The other says, “think of the distress her death will cause to her parents!

You're a good swimmer; it's a hot day; what have you got to lose by jumping in?!" Suppose the onlooker replies: "I know the child has a right to life; I know her death will cause distress to her parents; I know it would be easy for me; but I just don't feel like it just now. Sorry."

Suppose that internalism is right. Then it appears that the exhortative assertions that the philosophers utter do not express practical reasons for our amoralist, since they are not connected in any way to her motivational state. On the internalist account of this situation, the most rational thing our onlooker could do (given that she knows that she has alternatives that she finds more attractive), *ceteris paribus*, involves not jumping in.

Put generally, if internalism is true, agents may sometimes be in positions in which the most rational thing for them to do is at odds with any of the demands issuing from the 'morality system.' From the perspectives of the theories within, this conclusion is absurd.

Problems are compounded when instrumentalism is introduced. Instrumentalism is the view that agents can only reason about means, not ends. But, arguably, traditional moral theories are precisely attempts to reason about the ultimate ends of moral action. If instrumentalism is true, our philosophers cannot get the amoralist to recognise or adopt their 'reasons' as her fundamental or ultimate reasons by any rational process. She could only come to recognise these as ultimate reasons by an affective process.

Now these problems have been considered to be among the best reasons for rejecting internalism and instrumentalism about practical reason. Since we are invested so fundamentally and in so many ways in a capacity to reason about fundamental moral norms and to take those norms as reasons for action, we take ourselves to have a *prima facie* case against the internalist and the instrumentalist. But, in this paper, I want to outline the structure of one of the approaches by which views that maintain a combination of internalism and instrumentalism about practical reason could go about responding to the amoralist's challenge – this so-called "central problem" of internalism (Finlay and Schroeder 2015). My hypothesis is that a deontic logic of internal reasons can provide a sufficiently fecund account of the normativity that philosophers attribute to the moral domain – its variety, extent, and bindingness – , such that these fears about the implications of internalism and instrumentalism can be pushed back. Whilst this account of logical form omits much – most, perhaps – requisite detail, I hope that I can at least render plausible some steps in this direction, and if these steps are taken with big philosophical boots on, this nevertheless enables me to reach my destination more efficiently.

My conclusions, formal though they are, look a bit like a strengthened and expanded version of universal prescriptivism, and might have practical implications not dissimilar to contractualism. I draw heavily on the work that R.

M. Hare pioneered on the logic of imperatives,¹ and, in undertaking this programme, I also aim to respond to some of the key objections against universal prescriptivism that Hare himself recognised; in particular, I want to indicate how the universal prescriptivist can and should engage in normative debate with Hare's *amoralist*, his *akratic*, and his *fanatic*.² The logic is presented in the form of a series of propositions with accompanying commentary. The key innovation of the account is the claim that at the heart of a deontic logic of internal reasons stand *duties to ourselves*.

2. Desire

The logic requires a bit of a walk in. Note that I will argue here neither for internalism nor for instrumentalism.³⁴

¹ In particular, in his 1952, 1963, 1971 and 1981.

² Hare believed that metaethical universal prescriptivism logically implied normative utilitarianism: "It is in the endeavour to find lines of conduct which we can prescribe universally in a given situation that we find ourselves bound to give equal weight to the desires of all parties; and this, in turn, leads to such views as that we should seek to maximise satisfactions." (1963, 123) Anticipating my discussion below, I should indicate why I do not think that utilitarianism results from the deontic logic offered here, nor indeed from Hare's own universal prescriptivism. Plausibly, it is a necessary condition for a moral theory to be classed as utilitarian that it derives moral judgements from the *aggregation of outcomes*. Whilst my account focuses evaluation on the way in which actions respond to the desires of affected parties, it is not in the least aggregative. Where there is a difference between the course of action that aggregatively leads to the best desire-satisfaction overall, and the course of action that leads to the satisfaction of the strongest – i.e., most ultimate – desire, the utilitarian would advocate the former course of action whilst I would advocate the latter. There is no logical implication of aggregation contained within the propositions advocated here. Similarly, despite Hare's profession, aggregation of outcomes is not a logical consequence of his metaethical position. His argument for utilitarianism goes something like this: "Since moral assertions are universal prescriptions, they forbid the making of exceptions; i.e., they must be responsive to the wellbeing of everybody equally. But giving everybody's wellbeing equal weight is the same as acting to produce the best overall outcome." The latter claim is false, however. Take a case in which acting to produce the best overall outcome requires harming one person significantly. An aggregative morality must legitimate so acting. But since I would prefer not being so harmed over any marginal personal benefit attained by so acting, I cannot, on universal prescriptivist grounds, propose acting in this way. Universal prescriptivism does not logically imply aggregation and thus does not lead to utilitarianism. My point here connects with Rawls' so-called 'separateness of persons' objection to utilitarianism.

³ For a comprehensive bibliography of accounts of the cases for these positions see Finlay and Schroeder 2015, and for a crisp overview of the debates, see Millgram 2001.

⁴ There is, however, at least one objection to these positions that it is incumbent on me to forestall: the objection that the truth of internalism implies the falsity of instrumentalism (this idea is perhaps to be found in Korsgaard 1986). The argument goes something like this: Suppose internalism to be true. Then my reasons for action are essentially connected in some appropriate way with the contents of my 'subjective motivational set.' Suppose also that – as part of this set – I hold a commitment to not utilising instrumental rationality. Now it seems that any insistence that I utilise instrumental rationality can only be premised upon the truth of

Nor will I attempt to provide a definitive account of the concept – fundamental to any internalist account of practical reason – of *desire*. Several remarks are in order here, however. I hope that my reasoning will be neutral as regards at least some of the different conceptions of desire in philosophy's marketplace. The essential proviso is that we take a conception compatible with instrumentalism. More specifically, it must be the case that desires and the ends of desires can either count as practical reasons for action themselves, or at least that they can appropriately give rise to practical reasons. This eradicates at least the following desire-conceptions from contention: conceptions according to which desires are solely causes of actions, dispositions to act, mental 'pushes,' or entropic rebalances towards psychic equilibrium; conceptions according to which desires are always the results of deliberation; behaviourist conceptions. But it leaves open choice between at least the following: conceptions according to which desires are attitudes characterised by a 'direction of fit' to the world; cognitivist conceptions, such as the affective conception of desire, according to which desires are 'joyful thoughts,' or the conception according to which desires are representations of welfare, benefit, etc., or the semiotic conception according to which desires are semic hierarchies.

There is a host of vocabulary in English to refer to the multifarious phenomena I gather under the single term desire: commitment, need, value, demand, wish, want, intention, inclination, proclivity, predilection, drive, instinct, ambition, hope, fear, ideal, pro-attitude, etc. These are all possible elements of what Williams calls the "subjective motivational set" [SMS] of an agent (1981, 103). It may, in some contexts, be important to distinguish between these as different sorts, but here such distinctions will be left out of focus for the sake of the simplicity and generality of the account.

externalism – i.e., it can't appeal in the appropriate way to my motivations. So it seems that we can't both be internalists and instrumentalists. An initial distinction that might be made in response to this supposed inconsistency is between descriptive and prescriptive instrumentalism. Descriptive instrumentalism would be the psychological thesis that, at least in large part, when persons reason practically they in fact reason instrumentally. Prescriptive instrumentalism would be the view that instrumentalism sets the standards of practical reason, so any purported practical reasoning that is not instrumental is thereby irrational. On the descriptive version, the above objection fails since there is no principled contradiction between the internalism requirement and the fact that persons for the most part reason instrumentally when they reason practically. Such a solution will not do for me, however, since prescriptive instrumentalism is required by the ensuing logic. Rather, the response should be that the establishment of instrumentalism as the correct account of practical reason cannot itself be the result of a process of practical reason, since that would be straightforwardly question begging. Instead, instrumentalism about practical reason must be a result of theoretical reason, if it is to be a result at all. But in this case the problem above is solved since the argument for instrumentalism does not need to be premised on internal reasons. On the basis of theoretical reasons – reasons that I won't here outline – we are entitled to claim that the person who is committed to non-instrumentalism is irrational and involved in paradox without contradicting internalism.

Every desire 'aims' at an end, *telos*, goal, target, etc. I take this teleological structure of desire to be uncontroversially the basic structure of desire. Desires are specified by reference to their *teloi*, and are thus individuated one from another by their respective ends. Ends can be means to other ends: desires *nest* within each other. I may leave the house desiring to buy cat food – but only because I wish to feed the cat. Since it is implausible to think that finite agents could have infinitely many distinguishable desires, in order to avoid circularity in justifications, instrumentalists are generally committed to the existence of what we might, with Aristotle (1984, 1097a), call *final ends* – end that are no means to further ends. Final ends would be the ends of what I will call *ultimate desires*, taking the adjective in its etymological sense as last, final, farthest, most distant, extreme. There may be psychological limitations on the scope of possible final ends, but this will have no bearing on the argument below, and I need not claim, in contrast to Kantians, for example, that there are any ultimate desires that are shared necessarily by all agents.

Just like other ends, final ends do not need to be specified clearly or consciously in order to conform desires – desires are often significantly non-thetic.⁵ Ultimate desires do not need to meet stringent persistence conditions: they can be transient and fleeting. A single agent may have one or many ultimate desires concurrently. If an agent has many concurrently, some of them may conflict, in the sense that the satisfaction of one implies the dissatisfaction of others.⁶ Whilst final ends are not subject to rational scrutiny *in vacuo*, they may be subject to rationalisation from the perspective of further ultimate desires. As

⁵ The specificationist view of practical reason - the view that at least a substantial part of what we do when we reason practically is to specify ends more precisely in a way that enhances the overall coherence of our projects - has been proposed as a genuine alternative to instrumentalism (Kolnai 1961, Richardson 1990). Whilst I think that the specificationist insight is a genuine and important one, I think the instrumentalist can quite easily accommodate an account of the phenomena specificationists lean on. In the first place, coherence amongst our projects, plans and desires is itself a commitment, part of one's SMS, and so reasoning that attempts to better it by trimming one's ends, so to speak, can be subordinated as instrumental to a further end. Second, specification of ends that takes the form of becoming more clear about what it is actually that one wants can be analysed either as specification of the best means to some further end (being clearer about one's ends so as to facilitate their realisation), or as *theoretical* reason used in service of practical ends. Suppose I have decided to clear my debts. One thing I might do is specify more precisely what this will mean practically by summing my debts together. But summation is a function of theoretical, not practical reason. So pointing out that theoretical reason is used - only ever? - in service of practical reason protects the instrumentalist's account from such specificationist worries.

⁶ So-called commensurability of ends - that is, the possibility of assigning them all values on a single hierarchical scale - may be instrumentally advantageous to individuals, but it is not an essential commitment of an instrumental account of practical reason. However, the possibility of conflictual final ends certainly introduces into any logic of instrumental reasons considerable complexity - complexity that I here grant myself the favour of avoiding since its analysis is tangential to my aims. See Chang 1998 for an overview of the debate.

Christoph Fehige writes (2001): “We can have reasons to adopt, or to make ourselves adopt, new desires and to dispose of existing ones. These reasons... will bottom out, say, in our desire to have, or not to have, certain desires, or in the fact that certain desires cannot, or cannot jointly, be satisfied.” Having so-called maieutic desires – desires about what desires or ends to have, even what final ends to have – does not take us out of the reach of instrumentalism (Schmidtz 1994).

How should we understand the relationship between desires and practical reasons? The so-called neo-Humean theory is typically held to propose two alternatives: either desires just are practical reasons, so the relationship is one of identity; or desires are necessary conditions of practical reasons, such that something is only the practical reason that it is in the presence of a particular desire – if it is bundled up, so to speak, with a particular desire. On the former view, the desire to get cat food is my reason for leaving the house; on the latter view, my reason for leaving the house can be construed to be the *fact* that the closest cat food available is in the shop around the corner, but only if taken in a bundle with – i.e., taken to be dependent on – the desire to get cat food (as efficiently as possible). Mark Schroeder (2007) has shown that these views have substantially different implications, but none of these implications bears significantly on the logic that follows here, so I will leave this issue unarbitrated. At any rate, in the simplest case (i.e., where we have only to do with a single desire): Desire, D , (or whatever it is bundled up with) of agent, S , is a practical reason for S to φ iff φ -ing is taken by S to facilitate most effectively – or, at least, effectively enough – of the options practically available the realisation of the target of D .

Taking this still rather rough but sufficiently determinate concept of desire in conjunction with instrumentalism and internalism about practical reason, one is committed to the following view: for any given agent, S , her practical reasons bottom out in her ultimate desires and their associated final ends, and thus her ultimate desires circumscribe for her the region from which she can draw practical reasons. On these assumptions, no purported reason that cannot be embedded appropriately within the end-seeking of one or more of S 's ultimate desires can be a practical reason for S at all.

3.1. Axioms

In the first place, an axiom that is henceforth implicit for every proposition that follows:

0. *Subsumption axiom*: If an agent, S , can in good faith describe her action, φ , by descriptors constituting any of the following propositions, then φ is subject to the norms expressed in and implied by those propositions.

‘In good faith’ captures two conditions: one, that S believes that she can accurately so describe her action, and, two, that S believes that she is sufficiently informed to make such a judgement. If either of these conditions fails, the action is not, by my lights, subsumed under the norms expressed by the following

propositions. Note that there is no requirement for objective standards of description here. This is a result of the fact that, on the internalist view, the sorts of practical reason that *S* has are not functions of the way the world is independently of *S*, but are rather constitutions of her SMS.

I endorse two norm-giving principles that are staples of many moral philosophical theories because they appear to be necessary postulates of any account of practical reason:

1. *Generalisation axiom*: the semantic import of any given non-indexical assertion remains the same across all its utterances.

This principle is found well expressed and developed in Hare's work⁷; he considers it a necessary part of any analysis of the semantics of assertions, not solely of normative assertions. It implies the following: If I genuinely assert "that leaf is green," I thereby normatively commit myself to the assertion that anything relevantly like the leaf indicated, i.e., of a conventionally similar enough colour, in any relevantly similar context, i.e., appropriately similar lighting conditions, is green. I thus commit myself to not asserting this sort of thing: "leaf *X* is green; leaf *Y* is the same colour as leaf *X*; and leaf *Y* is not green."

Distinguishing qualitative from numerical difference is useful here. The generalisation axiom is an implication of the fact that assertions track qualitative differences – differences in properties – across differences in numerical identities. Given two qualitatively identical but numerically distinct objects, the set of assertions that holds for one, will, *ipso facto*, hold for the other. Thus a distinction solely in numerical identity cannot ground a difference in predication.

Note that this characteristic of assertions is what enables any reasoning whatsoever. To reason is, at the very least, to extrapolate from a given set of propositions to those implied by them. This is only possible on the basis that the given set of propositions contain general statements or rules – that they refer to universals. This enables implied propositions to be identified as those that can be subsumed under the rules. Without the generalisation of predication, language would lack the rules or general statements that enable reasoning. Practical reasoning utilises the same generality. Thus some form of the generalisation axiom is going to be essential to any account of practical reasoning.⁸

⁷ See, in particular, his 1963, §2.2 and *ff.* Note that his nomenclature is importantly different on this from mine; he speaks of universalisability (c.f., *ibid*, §3.4), not generalisation. I use the latter term so as to forestall confusion with a Kantian approach to practical reason, and for want of a better term. See note 8 below.

⁸ It is important to distinguish generalisation as here outlined from the *universalisation* which is at the heart of Kantian approaches to practical reason. To see the difference, consider the questions that would be required by these procedures respectively in regard to the assertion "this leaf is green." On the generalisation procedure, I ask myself whether I am prepared to assert that anything relevantly like the leaf in any relevant similar context is green. On the universalisation procedure, on the other hand, I would have to ask myself whether everybody could assert that anything relevantly like the leaf in any relevantly similar context is green. The

2. *Impartiality principle*: personal identity *per se* is not a deontically relevant difference.

My criterion for determining whether a difference between two circumstances or actions is deontically relevant is the same as Hare's: some factor (in the most general sense) is deontically relevant iff it forms part of the justification for the duty or norm expressed.⁹ Anticipating the discussion below, given the definition of practical reasons herewith outlined, such justification can only be the envisaged means by which a desire is to be fulfilled. Thus neither aspects of an action or circumstance which have no bearing on the fulfillment of relevant desires, nor such aspects as prevent overall such fulfillment can be relevant differences. Thus it is not practically rational for an agent to lean on some wholly arbitrary difference between her and others to explain why it is legitimate for her to steal, but not for others. Nor would it be practically rational for an agent to lean on some difference that on an appropriately comprehensive and balanced consideration of counterfactual situations obstructs rather than facilitates the fulfillment of her desires. So, for example, I cannot claim that those who are especially hungry are permitted to push in at the front of the lunch queue when I am especially hungry, if, when I am only a little hungry, this policy will mean that I get nothing to eat.

Expressed in an alternative way: a difference between two circumstances or actions is deontically relevant to a given asserter iff the asserter is prepared to assert different deontic assertions regarding the two circumstances or actions respectively. For example, suppose a person accompanying small children joins the lunch queue. I may be prepared to assert – upon an appropriately comprehensive and balanced consideration of counterfactual situations – that those accompanying small children should be permitted to go to the front of the lunch queue, whilst those who are not, like me, should not. In this case, I am taking accompanying small children to be a deontically relevant difference.

Personal identity *per se* cannot be taken to be deontically relevant without contradicting the generalisation axiom. Suppose the impartiality principle to be false and thus that personal identity *per se* can constitute a deontically relevant difference. This would imply that not all normative assertions would maintain

latter would lead to very different commitments to the former. In particular, on the latter account, I need to be sure that everybody sees the leaf as I do before I make my claim, whereas on the former account, the ways that other people see the leaf are irrelevant to the commitments of my assertion. Since different people no doubt sometimes do see the very same emission of light in different ways, in particular, those with colour vision deficiency might not, for example, distinguish red from green, the universalisation procedure would undermine our ability to make assertions about colours. My analysis, below, in the case of practical assertions will be parallel: what counts will be whether I am prepared to accept relevantly similar actions in relevantly similar circumstances, in particular, in those in which I am an affected party. The test will not be "would I like it if everyone does it, or is it possible for everybody to do it?". The question will rather be "would I like it if it was done to me?".

⁹ Hare, 1963 §§2.2-2.5, 6.8.

their truth-value across all situations identical in respect of their properties, and thus that the semantic import of such assertions would not remain the same across all their potential utterances. In this case, the generalisation axiom would not hold. So the truth of the generalisation axiom implies the truth of the impartiality principle. Differences in personal identity *per se* are mere numerical differences between persons, not qualitative differences, so they cannot ground differences in deontic predication. Indeed, on many analyses, it is part of what we mean by a moral norm or duty that it applies, if it applies, regardless of the bare personal identity of the agent. On most understandings, to take bare personal identity as a normatively relevant difference is precisely to abandon the deontic domain – and certainly the domain of rational discourse about norms.

3.2. Logic and Commentary

3.2.1. The Enkratic Principle

Ceteris paribus:

3. One cannot desire that one does not realise what one ultimately desires.
4. One cannot be indifferent about whether one realises what one ultimately desires.

I propose these two as analytic. If one desires that one does not realise something, it cannot be the case that one ultimately desires that thing. Likewise for indifference. The *ceteris paribus* clause controls for situations in which an agent has two or more contradictory ultimate desires, say an ultimate desire for *X* and an ultimate desire for not-*X*, and extends across all subsequent propositions. Removing this complexity makes the presentation simpler. The result is that the ensuing propositions are relativised to single ultimate desires and the subsidiary desires nested in them.

5. [From 3, 4] One must desire that one realises what one ultimately desires.

'Must' is used henceforth in its familiar sense as norm or obligation-giving. Two different senses of this sort of use can be distinguished, however, having to do respectively with, on the one hand, norms of logic or reasoning, either epistemic or practical, and, on the other, norms of morality. Here, I want both senses to be heard simultaneously: the reduction of moral norms to norms of practical reasoning that is being attempted here proposes that the use of 'must' (and its cognates) to express moral obligations is to be analysed in terms of its expression of obligations of practical reasoning. 'Ought to' is avoided until a later stage for the sake of distinguishing my account from others that accept, implicitly or otherwise, a fundamental distinction here.

6. [From 5] One cannot desire that one does not attempt to realise any given ultimate desire.

7. [From 5] One cannot be indifferent as to whether one attempts to realise any ultimate desire.

6 and 7 follow given, on the one hand, a very plausible construal of wanting whereby one who wills the end wills also the means: here's Kant: "Who wills the end, wills (so far as reason has decisive influence on his actions) also the means which are indispensably necessary and in his power. So far as willing is concerned, this proposition is analytic." (2012, Ak 4:417), and, on the other hand, given that the ultimate desires in question are ones, the realisation of which, to a degree at least, depend on actions of the agent herself. Whilst no doubt one could have ultimate desires the realisation of which depends *entirely* upon the actions of others or on environmental factors, such as the political or economic situation, reasoning with regard to them is not practical, since it can provide no reasons for actions, and thus is not subject to the norms of practical reasoning.

8. [From 6, 7] For any ultimate desire, one must desire to attempt to realise it.

9. One cannot accept anything as an overriding reason not to attempt to realise an ultimate desire (except, of course, the protocols of another ultimate desire – but such is controlled for by the *ceteris paribus* clause).

This is a result of internalism, instrumentalism and my definition of ultimate desire: ultimate desires circumscribe possible reasons for practical rationality; thus nothing can trump them in reason-giving.

10. [From 8, 9] *The enkratic principle*: (on pain of irrationality) I ought to attempt to realise what I ultimately desire.

This formulation of the enkratic principle differs from the way it is formulated currently in the literature.¹⁰ John Broome (2013) and Andrew Reisner (2013), *inter alios*, for example, have recently formulated it as so: "Rationality requires you to intend to do what you believe you ought to do." The most obvious shortcomings of this way of expressing the principle are as follows:

In the first place, *enkrasia* is juxtaposed to *akrasia*. *Akrasia* has had all sorts of interpretations, but none of these, to my knowledge, has been expressed *wholly* in terms of failing to intend to do what one believes one ought to do. Rather, *akrasia* is always defined in terms of the necessary condition of a failure of *action*. One would expect, then, that the enkratic principle would concern action rather than mere intention. After all, I might intend to do what I believe I ought to do, but at the moment of action suffer from a failure of nerve: I have not manifest *enkrasia*.

Secondly, the word 'ought' is here in the wrong place, at least for my purposes. For the meaning that should be ascribed to 'ought' is precisely to be determined. Too many questions are begged by this reference to what the agent believes she ought to do. Further, the most obvious explanation of what the 'ought' would amount to would invoke traditional understandings of morality in some

¹⁰ See, for example, the collection of papers in *Organon F*, International Journal of Analytic Philosophy, 20(4).

way or other. But surely one can be enkratic when such traditional moral norms are not at stake. Of course, on the theory being developed here, all action in breach of 10 would be construed as 'immoral.' Finally, Richard Holton's recent analyses of weakness of will suggest that at least aspects of the phenomena we refer to as weakness of will concern failures to act on resolutions regardless of whether we think we ought to act on them (see, in particular, his 1999 and 2012 – see also McIntyre 2006).

The enkratic principle, 10, targets certain forms of weakness of will, forms that can be analysed in terms of acting on a maxim that one – upon some balanced consideration – believes one has overriding reason to reject, i.e., not to act upon. This might not cover every aspect of akrasia and weakness of will that is philosophically interesting, nor every meaning associated with the lay conceptions of these phenomena, but my intention here is not to give a comprehensive account. I will offer here, however, a few clarificatory remarks regarding this analysis.

The word 'maxim' here does not support any significant philosophical weight and is used *in lieu* of 'principle.' By 'maxim' I mean just the subjective description(s) with which the agent would describe her action. Thus if she understands herself simply to be quitting smoking, then her maxim is simply "quit smoking;" if she understands herself to be producing illicit graffiti art as a form of protest against her authoritarian government, then her maxim would be "produce illicit graffiti art as a form of protest against the authoritarian government." Note that any given action may support multiple subjective descriptions. "Quit smoking," may perhaps equally be "don't light up another cigarette." Given the subsumption axiom, however, the agent is weak of will in the relevant sense if she can *in good faith* describe her action in terms of any maxim that she takes herself to have overriding reason to reject.

The agent must *believe* that she has such an overriding reason. Whatever our analysis of belief, a necessary condition here is that the agent *takes herself* to have overriding reason to act in a certain way. There is a natural usage of 'having an overriding reason' that fails to satisfy this condition – if I take the wrong keys with me when I leave the house, thus locking myself out, there is a perfectly good sense in which I had an overriding reason to take the set of house keys, not the ones I actually took. Since I am focused on some sort of failure of will, rather than a straightforward cognitive failure, however, the condition of belief must be written in, in order to hold the cognitive variable constant and avoid identifying such cognitive issues as issues of willing.

The agent must believe that she has an *overriding* reason. Taking into account all the reasons for acting that the agent takes herself to have, the overriding reason is the output of the balancing up of all these reasons. In the language of contractualism, the agent cannot reasonably reject the action that the balancing of reasons has justified. Exactly how this balancing of competing reasons for action should proceed, whether the agent really does have an

overriding reason for action according to some objective appraisal, and whether the agent has really taken all relevant factors into account in her balancing, is, to my purposes here, insignificant. All that is important is that the agent *take herself* to have an overriding reason. If her balancing of reasons results in a stalemate – two actions, say, that she takes to be equally justifiable – then, on my account, she cannot exhibit weakness of will by acting in one of those ways rather than the other, but she could exhibit weakness of will by doing some third action that she takes to be unjustifiable in her present circumstances relative to them.

On the view sketched out here, 10, or some variant of it, is the primary norm of practical reason – and thus the cornerstone of normativity. It is primary in several senses: In the first place, it is the *practical* pre-condition of the satisfaction of all other practical norms. Unless, one at least attempts to attain what one has overriding reason to achieve, one cannot satisfy norms that are associated with overriding reasons, no matter what they might be. In the second place, it is the *theoretical* pre-condition of the satisfaction of all other norms. Unless I also accept that I should attempt to act compassionately, for example, my acceptance of the norm of compassion is practically meaningless. Thirdly, it is normatively primary: whilst, for reasons that should already be clear, it is impossible on my account for 10 genuinely to conflict with other moral norms, should a conflict apparently occur, 10 would be overriding, since no practical reason can possibly count against it. Finally, my integrity as an agent would be threatened by any account that failed to normatively prioritise 10.

10 locates the *moral pivot* – the fulcrum between right and wrong, or good and bad – at a logical and psychological position somewhere other than that of the traditional theories of the ‘morality system.’ Rather than as the moment of harm, of autonomy-infringement, of disobedience to the will of god, 10 specifies failing to do what one believes one has an overriding reason to do as the basic form of ‘immorality.’ This proposal liberates moral thinking from an almost exclusive focus on relationships to others, and widens it to include, first of all, one’s relationship with oneself. It implies that included within the normative domain are *duties to oneself*.¹¹ But the view that there is something morally problematic

¹¹ Marcus Singer (1959) questions the very coherence of maintaining that there are duties to oneself. He rests his argumentation on three assertions: that duties always have correlative rights; that those with rights can waive them, thus releasing those subject to the correlative dutiful obligations; that one cannot release oneself from obligations (1959, 203). Taken together, he argues, these imply that the idea of duties to oneself is nonsensical: if the person who is under the obligation is also the person who has the correlative right, then that person would be able to release herself from the obligation by waiving her right. Since, by the third assertion, the latter is impossible, it cannot be the case that any person can have an obligation to herself, and thus there can be no duties to oneself. All three of these assertions can be challenged, however.

In the first place, it seems that not all duties have correlative rights, or at least that it is not contradictory to deny this. Take the duties that some hold we owe to the environment. Whether or not there are such things, those deep ecologists that advocate such duties do not

about weakness of will both has significant philosophical precedent and is familiar from common parlance and popular moral intuition. Just a smattering of heterogeneous ideas from the history of philosophical ethics that are all situated at least very closely to this insight: Alain Badiou's idea of a truth-procedure (2001, Chapter 4); Jacques Lacan's imperative not to give up on one's desire (2007, Chapter 24); Philippa Foot's conception of virtues as engaging the will (2003); Heidegger's conception of resoluteness (2001, §62); Nietzsche's injunction to become what you are (1999, §270); Kant's duties of self-cultivation (1996, 6:417 ff); the sin of sloth in Aquinas and the Roman Catholic natural law tradition (1948, Pt. II-II, Q. 35); Stoic ethics of self-cultivation (see, for example, Foucault 1998). On the other hand, we are all well aware of the pangs of conscience that accompany and threaten laziness, the moral disapprobation attached to 'giving in too easily,' the heroism of mind over matter, the moral approval of strong characters. Willpower is something that we all wish we had more of, and judge our worth at least partly in terms of.

Hare famously argued that weakness of will as traditionally understood was not possible. Hence, insofar as Hare's influence is all over this paper, it is

need to claim that the environment has in any sense rights correlative with them. Kant's duties of self-cultivation too are put forward absent correlative rights, as are our duties towards the dead – to execute their wills, carry out their wishes for burial, cremation, etc. It thus seems that we have no trouble making sense of the concept of dutiful obligations that are not accompanied by correlative rights.

On the other hand, given a suitably broad construal of rights according to which at least one sort of right amounts to nothing more than a sort of justified normative expectation, the duty to oneself that I have attempted to establish is accompanied by such a right: when I am weak willed, my attendant feelings of disapprobation, vice and disappointment in myself are justified. Conscience is clearly activated by being weak willed.

Singer's second proposition asserts that those with rights can waive them. Whether or not it makes sense to speak of a right in regards to weakness of will, this assertion is straightforwardly controversial. It is often thought not to hold in the case of the right to life, the right that corresponds to the duty not to kill. It is not obvious that if you want me to kill you, I am thereby morally permitted to kill you, that I am released from my obligation not to kill you. If intuitions were clear and consistent here, then the physician-assisted dying debate would not be so tricky. Further, by definition, one cannot waive the rights not to be tortured, raped, enslaved, etc. If I consent to you causing me pain and suffering, you are not torturing me; if I consent to you having sex with me, you are not raping me, and so on. Perhaps the right (if indeed there is one) associated with the duty of strength of will is of the sort that cannot straightforwardly be waived.

Singer's third proposition asserts that one cannot release oneself from obligations. As regards, weakness and strength of will, it is certainly not the case that one can release oneself from the obligation as here outlined as and when one wants: rather, one is released from one's obligation only when one takes oneself to have an overriding reason not to continue with one's resolution, project, etc. One is released from such an obligation by one or more *reasons*. Thus the account of obligation offered here accords with Singer's third assertion, but this does not make obligations in this sense any less obligations that one owes to oneself: one can have obligations to oneself from which one cannot release oneself at will.

incumbent on me to explain my disagreement with him over this issue. Hare takes the impossibility of genuine weakness of will to be a straightforward implication of his analysis of moral language in terms of universal prescriptivism: "It is a tautology to say that we cannot sincerely assent to a command addressed to ourselves, and at the same time not perform it, if now is the occasion for performing it, and it is in our (physiological and psychological) power to do so." (1952, §2.2, 20) Phenomena that appear to be instances of *akrasia* are thence explained away in one of two ways: either the 'oughts' involved are understood as universal prescriptions but the agent is psychologically or physiologically unable to act on them, or the universally prescriptive nature of the 'ought' is looked away from at the crucial moment of action, due to selfishness, in favour of a mere universal *description*, and is subsequently replaced by feelings of guilty conscience – in other words, we have a case of 'special pleading:' the agent applies the prescription to everyone but herself (1963, §§5.6-5.8, 76-80). The standard objection to Hare's account here is phenomenological: do we not find ourselves sometimes in situations in which we fail to do what we know we ought without ceasing to apply the 'ought' to our own case, and in which it really cannot be argued that we *could not* have performed the 'ought?' My proposal is that the philosophical analysis should give way to the phenomenological evidence here. Why does Hare maintain such a denial of the reality of weakness of will? No doubt, it is because he believes that his prescriptivist analysis of moral language would otherwise be undermined. But exactly why that should be the case is considerably under-argued. In the passage quoted above, he claims that it is simply a matter of *tautology*. It doesn't seem to me to be so. I can imagine sincerely assenting to a command addressed to myself and failing to act on it, despite the fact that the moment of action is at hand and it is within my power to act on it, just because I am too frightened – say, going over the top of the trench. Hare would reply that if I am too frightened, it is not within my psychological power to act; I would disagree, or at least require him to provide argument to this effect. To support my contention: suppose that the person who uttered the command, noticing my reluctance to obey, ups the stakes of my disobedience by threatening some sanction if I don't act as commanded – perhaps that I were to be executed. Now I act. What has happened here? On Hare's analysis, the commander has changed the psychology of the situation sufficiently such that I am now capable of acting; on my analysis, the commander has just strengthened my motivation to act by giving me a more powerfully overriding reason. I don't see any reason to accept Hare's view rather than my alternative. And so I don't see any reason to accept the claim that the truth of prescriptivism necessarily implies the illusoriness of weakness of will.

Several subsidiary principles of practical reason should be inserted at this point with regard to attempts to realise the final ends of ultimate desires. I owe a significant debt here to Onora O'Neill's analysis in her 1985:

What Would a Deontic Logic of Internal Reasons Look Like?

10.1. One ought to intend all means that one believes are necessary and at least some means that one believes are sufficient to the final end.

10.2. One ought to seek to make such means available when they are not.

10.3. One ought to attempt to ensure that the various means that one pursues in order to realise an ultimate desire are mutually consistent.

10.4. One ought to attempt to ensure that the foreseeable results of actions undertaken in order to realise an ultimate desire are consistent with the realisation of that desire.

These principles amount to a set of *norms of prudence*: norms of practical reason that govern the selection of means appropriate to given final ends.

3.2.2. Tolerance Principles

To make this section manageable, it is important to have at hand a distinction between two sorts of practical reasoning which I call first- and second-order. Second-order practical reasoning concerns what can most broadly be called 'punishment:' the norms surrounding the consequences of contraventions of other norms. 'Adulterers should go to prison' might be an example of this sort of norm: adultery is considered to be some form of infraction; going to prison is a form of punishment. First-order practical reasoning, on the other hand, is reasoning about norms concerning actions prior to any relevant contravention: for example, the norm "there is nothing intrinsically wrong with extramarital sex." I believe that the vast majority of our explicit moral reasoning is in fact second-order, but the postliminary discussion is expressly limited to first-order practical reasoning.

11. [From 1, 2] For any action φ in circumstances C that one accepts the permissibility of, one must accept for everyone the permissibility of actions relevantly similar to φ in circumstances relevantly similar to C .

I am obliged to accept the permissibility of at least some actions, since I am obliged by 10 to act, and any action that I perform under 10 is an action that I cannot accept the impermissibility of (because of 9). On the account developed here, obligation can be reduced to permissibility. In any given circumstances, I am obliged to φ iff φ is the only permissible action.

12. [From 10, 11] One ought to attempt to realise one's ultimate desire in action, but only in those actions that one accepts as permissible for any in relevantly similar circumstances.

We are now in a position to make quick work of showing what is irrational in general about the amoralist's stance.¹² The amoralist is one who refuses to acknowledge normative constraints upon her actions. Given 10, however, and the provision that she has some desires at the relevant moments, she is rationally

¹² C.f., Hare, 1963, §6.6.

obliged to act, but, given 2, her actions are subject to 12, and thus she is irrational not to acknowledge some normative constraints on her action. A simplified case: Suppose, walking alongside a river, she feels

D_1 : a whim to push a passerby into the turbulent current.

Suppose also that she has

D_2 : a commitment to staying alive.

Taken alone, D_1 provides a reason to φ_1 (push the passerby into the water). Given the impartiality principle, there is no normative difference between the amoralist being pushed into the water by the passerby and the passerby being pushed into the water by the amoralist, unless there is at least one deontically relevant difference between the two scenarios or agents. So D_2 provides, *ceteris paribus* (i.e., absent the identification of such a difference by the amoralist), a reason to φ_2 (refrain from pushing the passerby into the water). But $\varphi_1 \neq \varphi_2$: the amoralist cannot do both. The action she has most reason to do is the one that functions as best means to the overriding desire. Suppose this to be D_2 . In this case, *ceteris paribus*, the passerby acts irrationally by doing φ_1 .

13. [From 3, 10] One cannot desire that others prevent one from attempting to realise what one ultimately desires.

14. [From 4, 10] One cannot be indifferent as to whether others prevent one from attempting to realise what one ultimately desires.

15. [From 13, 14] One must desire that others do not prevent one from attempting to realise what one ultimately desires.

16. [From 2, 10, 11, 15] One ought not prevent others from attempting to realise what they ultimately desire – unless their pursual of their ultimate desires conflicts with one's pursual of one's own, and, upon appropriate comparison, one takes oneself to have reasons overriding to pursue one's own ultimate desires, and one adheres to proper procedure: *refraining from coercion; negotiating; seeking consent*.

12 and 16 amount to *principles of tolerance*. They concern the regulation of situations in which the attainment of the ends of one person's desire conflict with the attainment of the ends of another person's desire. Hare gives an example of a trumpeter, which could be useful here. Suppose the trumpeter's desire to play her trumpet conflicts with my desire to get an early night. In order to think about how such a conflict of interests can rationally be resolved, it is illuminating first to consider how conflicts of different desires belonging to the same person can rationally be resolved. Suppose I am tired and would like to go to bed early, but suppose also that I have a trumpet concert tomorrow for which, I judge, I ought to spend a little more time practising. I need to judge which piece of behaviour – retiring or playing – best serves my ultimate desires. This will require consideration of the relative importance to me of my respective ends, and of the efficacy of the means at my disposal to realise them. I may feel, for example, that,

although I need a little more practice, I am very tired, and I might therefore judge that my time would now be better spent resting.

Importing this procedure into the original scenario: I knock on the trumpeter's front door and ask her to stop playing – the noise is interfering with my ability to sleep, and thus preventing me from getting the rest I require in order to continue to fulfil my ultimate desires tomorrow. Perhaps I say to her: "Imagine if I was making a loud noise late into the night such that you couldn't sleep; how would you like it then?". Given 16 and the impartiality principle and the generalisation axiom, to respond rationally, the trumpeter needs to take account of my perspective. But suppose she weighs it against her own and concludes that her need to practice the instrument this evening for her important concert tomorrow is more significant relative to her ultimate desires than my need to get to sleep is significant relative to mine. Perhaps, she reasons, her concert is a one-off event that will make or break her career, whereas if I get a little less sleep the knock on effect that that will have on my ability to realise my ultimate desires will be negligible. In such an instance, the trumpeter may rationally conclude that she ought to go on practising despite my complaint.

This might seem counter-intuitive: isn't the right thing to do always to respect the goals and interests of others? Isn't the definition of immorality precisely the prioritising of one's own requirements over those of others – as our trumpeter is doing?

I want to respond to this query in two stages, the second of which I leave implicit in proposition 18 below. One important feature of the trumpeter case is that some sort of negotiation takes place. As a neighbour who needs some sleep, I want the trumpeter to shut up, but I must also realise that were I in her situation, or in a situation relevantly similar, I would also want to be able to practice my instrument. In neither position, would I wish to be *coerced* or forcibly prevented from pursuing my interests. In which case, I cannot, without being irrational, attempt to coerce or force the trumpeter to refrain from playing – at least in the first instance. What I can do rationally, however, is *negotiate*. Perhaps I could encourage her to use a mute or a different room so that both of our desires can be fulfilled. Perhaps I could encourage her to play just for another ten minutes, as I might decide myself to do were I the tired trumpeter above. Perhaps I could get her to make her practice worth my while by insisting on a favour in return as a way of re-balancing the importance of the realisation of my desire against the realisation of hers. Perhaps, if I knew that half an hour's less sleep would result in a box of my favourite chocolates, I would reevaluate the importance to me of that half an hour of sleep.

First-order practical reasoning – reasoning prior to the perception of a contravention by another – , then, appears to carry, in cases of interpersonal conflicts of interests, the following four commitments: In the first place, I must be actively considerate of the interests of others, since I cannot but desire them to be actively considerate of my interests. Secondly, I must never resort in the first

instance to coercion or force. I would never in the first instance consent to the trumpeter torturing me with her trumpet; she would never consent to me confiscating her trumpet. Thirdly, instead, I must abide by an overriding commitment to negotiation to rationally resolve conflicts of interest. I would never rationally consent to my interests being down trodden before I had had a chance to negotiate them. Finally, consent is to be sort from all parties concerned before I can prioritise my interests over those of others. Any alternatives to these conditions would leave my own interests or ultimate desires too vulnerable, such that, due to 10, I could not rationally endorse them.

I recognise the fact that there is mountainous philosophical work to do on the analyses of consent, coercion, and what counts as legitimate negotiation that I am unable to pursue here.¹³ In order to keep my lights trained on my current aims, I will assume for the sake of argument that such accounts would not in principle render my appeal to these concepts unworkable, leaving them rough but ready.¹⁴

Now, this response provides us with better ammunition against the so-called fanatic than Hare has. Hare's fanatic as presented in *Freedom and Reason* is someone who holds onto an ideal even when pursuing it conflicts with all other interests they may have. He gives the example of the Nazi who discovers that both of his parents are Jewish, and, instead of abandoning his racist Aryan ideals upon the clear realisation of their implications, buys his own one-way ticket to Auschwitz. In this early text, Hare despairs of using moral argument against such a Nazi – he is consistent and not irrational, even if mad. He claims, however, that

¹³ I can offer, however, a few pointers as to the shapes accounts of coercion and consent appropriate to my aims here might take. Broadly in the Nozickian tradition (Nozick 1969), but contrary to a couple of aspects of his analysis: Firstly, to capture the sorts of phenomena that I want, I would not restrict analysis of coercion to conditional threats, including also applications of direct force – “occurrent” coercion (Bayles, 1972). Secondly, there would be no reason to posit as a necessary condition of coercion that it be explicitly communicated to the coercee. If I hide the trumpeter's trumpet so that she cannot play the next evening, I am involved in a form of coercion even if it is not signalled to her that I have hidden it. Thirdly, the analysis in the literature most compatible with the account of practical reason offered here is Mark Fowler's “normative conception” (Fowler 1982). Fowler writes: “A coerced agent must be faced with the choice of yielding to a threat or acting contrary to practical reason. He is forced to perform his deed because he literally has no reasonable alternative.” (331) I would analyse ‘contrary to practical reason’ in terms of overriding reasons. So part of the proposal would be: I coerce someone when I confront them with a threat that constitutes an overriding reason for them to do the deed I wish them to do.

As regards consent, on the other hand, I would endorse an account of its conditions that *requires* it to be signified in a communicative act to the relevant parties. This condition is requisite if consent is to work its “moral magic” (Hurd 1996) of transforming the morality of a situation. A fairly standard account of its other conditions would also be appropriate: that it be voluntary, intentional, informed, and given by one competent to do so (Kleinig 2010).

¹⁴ I would also advocate, but here cannot justify, the claim that the analysis of practical reason offered here can substantially explain why it is that the phenomena referred to by these terms are immensely important to our ethics of conflicts of interest.

such fanatics are very rare, and concludes that the best strategy one can take against them is one of “persistent attrition” (1963, §9.8, 180), forcing them continually to empathise and to reconsider their position in the light of the interests that they would have were they in the position of their victims.

Hare construes the conflict between the Nazi and his victims here as one between interests and ideals. What entitles me to make a further logical move against the fanatic’s position is the placing of both interests and ideals into the more general category of desire. Hare himself undertakes a parallel move in *Moral Thinking* where he analyses the relevant conflicts as of *preferences* (1981, Chapter 10). But there his defence is confused by his appeal to utilitarian considerations (cf. note 2 above). The further logical move against the fanatic is to point out that, as regards first-order practical reasoning, he cannot judge that it is permissible to coerce his victim since he could not rationally permit himself to be so coerced by somebody else’s fanaticism. If he wishes – ultimately – to remove all Jews from the European continent then necessary to the first-order task is an overriding commitment to negotiation. Of course, such a further move may not in fact *convince* the fanatic.

If Hare had been writing today, he may have used the suicide bomber as his example. Such a person is a real-life example of someone who is willing to give up literally everything earthly for the sake of the cause of his ultimate desire. Could it not be objected that on my account his willingness to die legitimises his killing of others, since he is being rationally consistent? Since his overriding ultimate desire is for martyrdom, he does not seem to be snared in irrationality when he acts to kill others since, given the impartiality principle, his desire to kill is consistent with his desire to die.

13-16, however, enable us to analyse such cases in terms of conflicts of interpersonal ultimate desires. When it comes to reasons overriding, perhaps we really do have a dead heat. The suicide bomber has a fanatical desire to kill, which, given the consequences he is prepared to accept, appears to rival the desire his victim has to stay alive. But whilst he is prepared to accept being killed, he cannot, on pain of irrationality, accept the coercive or forcible thwarting of the fulfillment of his plan. But then he cannot without contradiction coercively or forcibly prevent others from fulfilling their ultimate desires. By failing to attempt to negotiate consent (whatever that would be), he fails to meet the conditions for his desires to count properly as normatively overriding.

3.2.3. Beneficence Principle

17. In many circumstances, one desires that others act to help one get what one ultimately desires.

The proposition that one desires that others act to help one get what one ultimately desires is an empirical assertion of social psychology that, plausibly, holds in very many circumstances for any agent.

18. [From 1, 2, 10, 17] The *beneficence principle*: When others are in relevantly similar circumstances to these, one must act to help them get what they ultimately desire.

This grounds norms of kindness or care. Whilst it is uncontroversial that such norms pertain, and, indeed, perhaps account for a great part of traditional morality, recent discussions have focussed on their scope and extent. Do they imply that I have obligations towards those at risk of famine or conflict in regions of the world remote from me? If so, how much am I obliged to help? Do I ever have such obligations to strangers above friends and family members? Whilst I will not be able to do sufficient justice to these questions here, it is worth remarking:

Contemporary utilitarians like Singer and, perhaps to a lesser degree, contractualists such as Scanlon advocate the greatest extent of the reach of this sort of obligation.¹⁵ Indeed, on the traditional utilitarian approach, one should, for example, continue to give donations to relieve the lives of those in poverty until doing so would cause as much suffering to oneself as would be relieved by one's gift. This has been formulated as the 'over-demandingness objection' to utilitarianism: surely, it is argued, it goes wildly against our moral intuitions to suggest that we should give so much. Ensuing debate has focussed on the difficult-looking task of fixing a precise limit, or, at least, a formula for one, that marks off the extent of the obligations of beneficence from what is supererogatory.

My account here sidesteps the need to formulate an objective such limit, i.e., one that holds for all in all cases. Rather, on my account, the reach of obligations of beneficence will be set *relative* to each individual and each particular case according to the different values assigned to the respective interests that are relevant. For example, suppose I am criticised for failing to remember the birthdays of my close family and friends. Whether or not I am rationally obligated to try harder to remember these birthdays will depend, *ceteris paribus*, upon (a) the importance my family and friends place on their birthdays being remembered, and (b) the importance I place on not having to remember their birthdays. If I find it immensely irksome to remember birthdays and my family and friends don't mind too much that I forget, then I am not rationally conflicted if I don't try harder to remember their birthdays. Of course, if the remembering of birthdays is construed as a generic act of kindness, then it is going to be less likely that I can escape the obligation to try harder to remember birthdays since it is going to be very unlikely that I am a person who does not value kindness. If I merely enjoy the actions of those being kind to me, I ought, *ceteris paribus*, to be similarly kind to others.

Whilst such a response will only partly answer the challenge, since setting such *subjective* limits in particular cases may be just as difficult as setting one objective limit, I am at least able to provide a formula for very simplified cases: one has a rational obligation to give up until the point at which the welfare or

¹⁵ Singer's classic statement is his 1972; for Scanlon's account, see his 1998, Chapter 5, §8.

benefit facilitated by the gift is equally important to the fulfilment of the beneficiary's ultimate desires as not giving is to the fulfilment of one's own. If I am not wealthy, or if I am wholeheartedly committed to my family, profession, or other projects, etc., this point may arrive very early on, and I may thus be obligated to give comparatively little. On the other hand, most of us in the HICs of the world would, by the lights of this formula, be obligated to give much more than we do.¹⁶

4. Concluding Remarks

The most significant outcomes of the foregoing blueprint I take to be twofold. Firstly, I hope to have indicated how we might be able to have our cake and eat at least most of it – that is, one way in which we might be able to be internalists and instrumentalists about practical reason and at the same time endorse, with a rigorous grounding, many of the intuitive commitments of the 'morality system.' This amounts thus to showing the way towards an answer to the challenge posed by the so-called 'central problem' of internalism. Presented in this way, the mysterious *aura* that philosophers like to impute to moral obligation is deflated to plain instrumental practical rationality; despite not recognising special or 'queer' moral properties, fairly standard obligations concerning our treatment of others remain largely intact.

Secondly, I hope to have provided sufficient justification for the claims that, on internalist and instrumentalist assumptions, we have enkratic obligations towards ourselves, and that our obligations to others can be understood as indirect obligations to ourselves. The enkratic principle expresses our fundamental obligation towards ourselves, but it also founds our obligations to others since it is an essential part of the reason why one is irrational if one refuses to be held to account by the interests of others. Given the impartiality principle, it is because it is irrational not to pursue what one has overriding reason to pursue that it is irrational not to respect what others have overriding reasons to pursue.

This view is counterpoint to the liberal tradition that asserts that, if there are any duties to ourselves, they are to be construed as indirect duties to others. It is surprising that a tradition in which Kant has been so influential has arranged things this way around:

¹⁶ It might be thought that approaching the problem of beneficence through an analysis of the normativity of practical rationality in this way leads to the conclusion that there are no supererogatory beneficent acts, since giving more than one has reason to is contrary to practical reason in a similar way to not giving as much as one has reason to. This may be a counter-intuitive result, since, in general, the existence of supererogatory beneficence is rarely doubted. The account here given, however, does not suggest that supererogatory beneficence cannot exist. Since a variety of actions may, in a given circumstance, be equally rational, there may well be permissible actions of beneficence that are not obligatory. It should also be noted that, by making the integrity of the agent central to the account, the proposal here is better suited than utilitarianism to weighing against one another possibly conflicting obligations to family, friends, etc., and to strangers.

[T]here is no question in moral philosophy which has received more defective treatment than that of the individual's duty towards himself... All moral philosophies err in this respect... Far from ranking lowest in the scale of precedence, our duties towards ourselves are of primary importance and should have pride of place... It follows that the prior condition of our duty to others is our duty to ourselves; we can fulfil the former only insofar as we first fulfil the latter... Our duties towards ourselves constitute the supreme condition and the principle of all morality. (Kant 1963, 117-121)

But, as Kant recognised, the view that one has obligations to oneself that are grounded independently of one's obligations to others is suggested by much common sense moral thinking: conscience bites not only when we conceive ourselves as having done wrong to others, but also and perhaps even more painfully when we fail, due to weakness of will, to fulfil the projects most dear to ourselves.

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Visual Modes of Ethotic Argumentation: An Exploratory Inquiry

Ioana Grancea

Abstract: Ethotic arguments are defined as sequences of claims-and-reasons regarding speaker character, based on which the plausibility of speaker assertions can be questioned. This is an exploratory study concerning the role of visuals in ethotic arguing. In this paper, I bring together contributions from visual argumentation theory and from studies regarding various modes of construing an ethotic argument, in an attempt to offer an adequate account of the argumentative action of images in ethotic sequences of discourse. In the last section, I propose a case study which illustrates the argumentative action that visuals may perform in the ethotic genre of advertising.

Keywords: advertising, blending theory, ethotic arguments, visual arguments, visual rhetoric.

1. The Context of this Inquiry

Contemporary forms of public communication make extensive use of non-verbal elements such as photographs, drawings, videos, symbols, music, choreography, as a complement to their verbal component. The increasing availability and easy circulation of such materials online makes it more and more tempting for authors to incorporate them in a discourse that is meant to spread an idea among a large audience (Groarke 2013, 34-36). In the context of new media developments, that tend to diminish the cognitive ability to focus on a single discourse for long sequences of time (Carr 2010, 161-184), it seems more important than ever to master techniques of making a discourse engaging for the audience. Sometimes, nonverbal stimuli can answer this challenge, by the diversity they bring to a verbal discourse and by the artistry they often imply.

But accessibility and pressure-to-entertain are not the only reasons why contemporary authors use a wide range of nonverbal elements when they are trying to spread an idea. Multimodal communication is often employed with persuasive purposes, when authors are trying to influence the audience's attitude in a certain respect – for example, change their brand preferences, donate for a charity, (dis)trust a political candidate, volunteer for a helping program, or participate in a public protest. In such contexts, well-placed nonverbal elements can make a substantive contribution to the overall meaning of a discourse, change its argumentative route or expand its rhetorical action. In these situations they are attributed an *argumentative* function, a function that – by definition – transcends mere illustration or reiteration of an idea already expressed in the verbal mode (Blair 2015, 218). On this account of multimodal argumentation, the act of stating

a claim, as well as the act of presenting reasons and evidence for a claim, can be legitimately performed by means of various forms of 'discourse,' some of which are declarative sentences, while others include nonverbal elements (Groarke 2013, 34-36).

The present inquiry takes a special interest in visual modes of arguing for an idea (for an introduction to the study of visuals in argumentation, see Birdsell and Groarke 1996, 2006, Blair 2003, Roque 2009, Shelley 2003). I start with a premise, supported by many theorists in the field, that a responsible analysis of argumentative discourse should also take into account the possibility for visuals to advance an implicit claim and to provide reasons and evidence for it (Blair 2015, Groarke and Tindale 2012). I subscribe to the line of research that analyzes contexts in which images are not a mere embellishment of argumentative discourse, but provide a substantive contribution to its meaning and argumentative architecture.

It must be said that the visual imagery one encounters on a daily basis does not seem to qualify for a meaningful message, much less an argument. Few mass-mediated images seem to help the nuanced understanding of a subject. Most of them seem to do quite the opposite: awake instincts and emotions or create an illusion of knowing something about a subject, while in reality leaving us in the dark about many aspects that are essential to that subject (Sartori 2006, 32-34). Images may falsify reality by presenting it in a distorted fashion, either by means of an unfair selection of the events to be captured on camera (Sartori 2006, 77-80) or through photo doctoring (Kobre 1995, 14-15, Wheeler and Gleason 1995, 8-12). Judging from a distance, the idea that images can participate in argumentative structures seems absurd, given their limits in conveying propositional content.

Yet, this kind of bird's eye view on the role of images makes itself guilty of the same shallowness it accuses images of. Without a close look on their rhetorical action understood in context, nothing responsible can be said about visuals as argumentative devices. The researchers who looked closely at instances of hybrid communication (usually, combinations of words and images) concluded that it often happens for the image to send a meaningful content without which the respective discourse would not convey the same message. In other words, if one took the image out of the hybrid structure, an essential part of that argument would be lost (Kjeldsen 2012, 242-250, Blair 2015, 217-218).

After two decades of argumentation theorists' effort to account for the role of visuals in argumentation, I intend to complete the emerging picture with a close analysis of an area of discourse that has received less attention, namely that of *visually-rendered ethotic arguments*. To be more specific, my exploration regards visual elements that can play a constitutive role in hybrid or multimodal discourses that are organized on the following structure:

X is probably Y because R1, R2, R3, ..., Rn, which entitles one to assume that X's holding that C is worth/not worth taking seriously,

where X is the author trying to persuade the audience of some claim C, Y is a character trait of X that may affect the audience's view on C, and R1, R2, R3, ..., Rn are reasons provided for the audience to believe that X is probably Y.

It is this sense in which I use the term *ethotic argument*, building on the work of scholars that analyzed situations where the claim of an argument regards the character of the speaker (Brinton 1986, Walton 1999, Oldenburg and Leff 2009) and then becomes one of the reasons for another claim, saying that such character traits (should) affect the plausibility of the conclusions set forth by that person.

The purpose of this article is to look closely at messages that can be interpreted as instances of ethotic argumentation and are realized (partly or wholly) with visual means. The next section provides an overview of recent theoretical contributions regarding the use of visuals in argumentation.

2. Arguing with Pictures

What can visuals bring in argumentative contexts? One frequent answer regards the power of images to get the viewer *acquainted* with a subject. *Presence*, in rhetorical terms – the ability to bring the object of the discourse close to the audience by means of expressive speech and concrete examples. To exemplify this research direction, the work of Sarah McGrath argues for the inclusion of veridical images in contexts of moral deliberation, since they have the ability to offer vivid details that words are not always capable of expressing. For example, when discussing the acceptability of a practice from a moral point of view, people should be exposed to detailed imagery of that practice being enacted (McGrath 276-277, 285). The factual details that one may become aware of when seeing the image are not emotional distractions, but rationally-processed information, highly relevant for the decision one has to make about the moral acceptability of a practice. McGrath imposes a set of requirements on the use of images in deliberative contexts, one being that the images not be modified with the help of any post-production technology, and another one regarding the representativity of the images – the images should not portray exceptional situations where enactment of that practice is undertaken in conditions that make everything more dramatic. The legitimate images are those that represent regular instances of that practice.

Yet, in real instances of communication, images that purport to represent portions of reality raise serious difficulties when presented as arguments in a debate. The audience *knows* that technical developments have made it possible to alter photographs and video footage at one's will. Even if the photographs or the films presented are not modified, there will always be a great deal of skepticism surrounding them. In addition, the possibility for pre-production rhetorical choices may also raise suspicions about the ability of a visual argument to help viewers access reality: is the situation a set-up or a spontaneous recording of a

real event? Are we seeing actors or real persons? Are the images representative of the cause-and-effect relations that are important in that context or they just select what the author wanted us to see? These are questions that reflect common skepticism about images' ability to work as factual arguments or trustworthy evidence.

Apart from the ability of images to provide *presence* and *acquaint the audience* with a topic, researchers have proposed that images can advance implicit claims or give implicit reasons to an audience by means of the unexpected associations they make between their compositional elements. In such cases, the audience is stimulated to complete the message with the unspoken premises and then ponder on the ideas that they convey.

Such 'blank spaces' left intentionally in the argumentative architecture of the discourse may work in a variety of ways. If the audience is interested in the message, the fact that the images suggest and evoke (rather than state in an explicit manner) will be a reason for engagement. The spectator will try to fill in the gaps, in an attempt to justify the association that is proposed between (apparently) incongruent elements. In other words, they will perform an inferential process, based on what they see, to decipher the meaning of the rhetorical figure that is presented (Phillips and McQuarrie 2004, 114-128; Scott and Vargas 2007, 344-353, McQuarrie and Mick 2003, 583-586). This cognitive process does not necessarily imply the production of full-length explicit propositions, among which the spectator draws logical connections by using appropriate language (Roque 2015, 178-184); instead, it often consists in the attribution of (novel) semantic associations to the idea, cause, course of action that is the object of the argumentative act, such as doing X stands for Y value, therefore we should support X, given that we agree that Y is important. The audience can feel enthusiasm, passivity or even disagreement with the ideas that emerge when they finish the ad-hoc analysis of the association proposed by the image, but the point is that – in many cases – they get a specific, well-articulated idea about the object of the discourse, and that they get it through a pictorial element, not (exclusively) by means of words.

On the other hand, if the audience is only peripherally attending to the content of the images – for example, not trying to understand what they convey, but reading a corporate report that includes images besides a lot of verbal text – images may help create an atmosphere, set a certain tone of the discourse and, in some cases, even convey an implicit message that may come to be associated with the arguments developed in the textual part (Hollerer et al 2013, 151-161).

Jan Kjeldsen identifies the basis for the possibility of visual argumentation in their ability for semantic condensation (Kjeldsen 2012, 241). Explaining that he draws on psychoanalytical accounts of humour, dream work and cartoons, Kjeldsen defines condensation as “concentration of different ideas into one.” The term itself could have been replaced with “blending,” used both in cognitive and rhetorical studies that investigate the associative patterns of the mind

(Fauconnier and Turner 2002, 113-138) and their discursive applications (Grancea 2013, 73-87).

But beyond controversies over the choice of term, Kjeldsen offers a valuable direction in this area of study, with his emphasis on images' ability to create – with persuasive purposes – semantic connections between cognitive items that are not necessarily connected in reality. This *blend* itself is often an implicit argument: images that put together characters, settings, objects belonging to different cognitive domains always have a *target*, a *reference point* that belongs to reality and that is relevant for the object of the argumentative act (an idea, an attitude, or a course of action that the audience is expected to find appealing, interesting, worthwhile, desirable and so on). The implicit statement about the target-element may work as a *rhetorical stimulus*. This term is introduced by Anthony Blair to describe that element of a discourse that raises an eyebrow, invites controversy, awakens the interest for closer analysis and motivates a high level of engagement with a discourse (Blair 2015, 230-233). This approach is echoed by Kjeldsen's account of the argumentative action of pictures, that he characterizes as a „rhetorical enthymematic process in which something is condensed or omitted, and, as a consequence, it is up to the spectator to provide the unspoken premises” (Kjeldsen 2012, 240).

Kjeldsen also addresses the use of visuals in *ethotic argumentation*. He proposes an interesting interpretation on both brand ethos and advertising argumentation, by stating that the artful execution of an advertisement can become basis for a claim about the brand sponsoring that advertisement: the (team behind the) brand may be perceived as sharing the wit, artistry, humour or intelligence that emanate from the advertisement (Kjeldsen 2012, 250).

The idea is quite common in the advertising world, although I assume few people have framed it in terms of ethotic argumentation. For example, the creative director of advertising agency Saatchi and Saatchi Australia warns that “if your commercials are stupid, people will assume your brand is stupid too” (Newman 2006, 111). Shaping brand preference by means of creative advertising is a well-known strategy in the field of marketing. In many cases, there is almost nothing relevant to be said about product qualities in order to differentiate a branded product from its competitors, since many categories are highly homogeneous in this respect. Therefore, the battle moves on the ground of marketing communication. *Brand personality* comes in: a set of strategies employed by practitioners to build a *brand ethos*, a voice of an implied author that is common to all the commercials belonging to a brand.

If one supposes that the claim of an ad is always “buy this product,” then this is a classical example of a peripheral route to persuasion, which is by definition not led by argument quality. Yet, if we understand that the discourse is about shaping brand preference, then brand ethos and style gain relevance for the claim being advanced – which may sound like this: “given that this brand supports a worldview that you share, perhaps it is worth investing in this brand instead of

its competitors (given that you know you need a product in this category and are certain that all competitive brands are similar in terms of quality and price),” which turns out to be different from the *non sequitur* that it seemed to be at first sight.

Although he has approached the notion of ethotic argumentation in the aforementioned article about the argumentative dimension of pictorial advertising, Kjeldsen does not go too far in exploring the contribution of visuals in advancing either an ethotic claim or the reasons that support it. This is why I feel it is worth going further in this direction. Apart from this, Kjeldsen seems to relate *ethotic arguments* to aspects of *elocutio*, in classical rhetorical terms: they are treated as meta-arguments, judgments regarding the stylistic quality of a discourse. But I believe it is worth looking at the *inventio* level of the discourse, analyzing cases when ethotic arguments are constitutive to the discourse.

3. Ethos as Subject of a Claim

Ethotic arguments are classically defined as the offering of reasons to support a certain view on an author’s character (either positive or negative). The perception thus formed is supposed to affect the plausibility of the ideas set forth by the respective author (Brinton 1986, 246, Walton 1999, 183).

There are two directions of ethotic arguing. One of them takes the form of an *ad hominem* argument, defined as the use of personal attack “to criticize or refute an argument that has been put forward by the person who is the subject of the attack” (Walton 1999, 183-184). One may be questioning a speaker’s veracity, prudence, perception, cognitive skills or morals, and from that point, advance conclusions about the plausibility of the claims and reasons advanced by the speaker. The *ad hominem* argument is often included in the ‘list of fallacies,’ because attack on a person may be nothing more than an opponent’s attempt to distract audience attention from one’s own failure to respond with adequate counterarguments. In other words, it often qualifies as a remark that is not relevant to the point of the discussion. But in certain cases the use of an *ad hominem* argument may be justified, especially when the speaker qualities that are questioned are essential for the assessment of the ideas that the speaker supports (Walton 1999, 185).

Another form of ethotic argumentation is the *pro homine* argument (Groarke and Tindale 2012, 308), that consists in bringing arguments for speaker credibility, such as openness to re-assess prior commitments in light of new evidence, qualified knowledge of a subject, impartial attitude, respect and sincere collaboration in the process of deliberation, consistency between declared values, conversational attitudes and real-life behaviour (Walton 1999, 197).

Construing a certain *ethos* often means stimulating audience identification with the author and creating a sense of communion that is a necessary condition for the success of any act of argumentation (Perelman and Tyteca 2012, 26-40). For this purpose, an author may provide reasons that enforce a perceived

similarity with the audience, or that confirm author's genuine interest and empathy towards the audience's problems. Do these cases qualify for the inclusion in the class called 'ethotic arguments?' Given that they do not deal with credibility issues per se, and that they are expressions of self-presentation, we may be tempted to give a negative answer. We may label them as 'pathos' appeals and then send them in the 'peripheral stimuli' box, where we place those elements of a discourse that do not affect the central argumentative route. But a closer look on their argumentative action indicates that the same conditional influence is in place here as it is in the classical ethotic arguments.

Building on the current understanding of argumentation as referring both to propositional attitudes and practical reasoning (Roque 2015, 191-192), I tend to give an affirmative answer to the question above: I believe these cases are instances of ethotic arguing. Anthony Blair emphasizes the fact that arguments are not always attempts *to change* audience's mind with respect to an idea by *proving* that idea to be plausible (Anthony Blair 2015, 222). A larger and more inclusive view of arguments would be more realistic: sometimes they are related to identification, deliberation about the course of action that is desirable in the future of a community, or even the re-affirmation of shared values that brought a group together in the first place and that need a refreshment of legitimacy within the same group. This may lead us to wonder if credibility is the *only* important dimension of speaker character in all cases. I am inclined to say that ethotic arguments include any references to the character of the speaker that are supported with reasons, and are then put in a relation with the argumentative point of the discourse. The relevance of this connection will become subject to evaluation, after identifying the context of the discourse, its genre and its general purpose. Walton acknowledges the need for evaluation standards that are appropriate to the genre and domain of the discourse in which the ethotic argument appears (Walton 1999, 185-186).

Various lines of reasoning and argumentative techniques can be used for this purpose. For example, Oldenburg and Leff discuss the use of anecdotes in political discourse and conclude that an important rhetorical function of anecdotes is that of stimulating identification of the candidate with the audience (Oldenburg and Leff 2009, 4), while providing an argument for the whole of a candidate's character and values.

For instance, when recounting meetings with ordinary people, Hillary Clinton and George Bush not only provide (weak) evidentiary arguments on behalf of their policy positions, but – more importantly – they attempt to shape their own image in the audience's mind: Hillary Clinton presents herself as a fighter for better health care in the US, and George Bush as a caring person who encourages Americans to stand for freedom, no matter what the costs are. Bush's recounting a meeting with the widow of a fallen soldier can thus be interpreted as an ethotic argument: it shows his caring for individual suffering of Americans who were directly involved in the war on terror. He (publicly) remembers being

touched by the personal story of this woman, praying with her, as well as reflecting with her at the greatness of fighting for freedom and give your life in the name of such a high value.

Similarly, Clinton's cause of helping invisible Americans is illustrated by three meetings she recounts, all of which show the urgent need for better health care in the US. A mother with cancer that worries about the future of her children, a soldier worried about the destiny of his friends and a child worried about his family being able to make ends meet after a severe reduction of his mother's wage – are all instances of the invisible Americans that Clinton fights for. Her meetings with these people are evoked in the context of her attempt to persuade her supporters that the (then) presidential candidate Obama will continue this fight, the fight which motivated their support for her. She maintains the fighter ethos, even as she retreats from the competition and asks her supporters to vote for Obama: to remain coherent, she presents herself as a fighter not on her own behalf, but on behalf of the invisible Americans. Just like the people she met and whose stories she shared with the audience, she is more preoccupied about the well-being of others than that of her own.

In the next section, I will bring in three case studies that illustrate the working of visual modes in ethotic argumentation and discuss a path to find adequate criteria for their assessment.

4. Case Study: Amateur-like Film Shots of Happy Moments Used to Promote an *Unbanklike* Bank

The case study I propose offers a fresh look on a series of video commercials that I interpret as having ethotic purposes. I will explain the basis for my interpretation and then look at the function that the flow of images fulfills in the ethotic sequence of argumentation.

As already mentioned in the previous section, context and genre need to be correctly identified before assessing the relevance that an ethotic argument may have for the upper-level claim advanced in a discourse. This means that getting familiar with the perspective of the team that created the ads is a condition for the success in this kind of analysis. Without backstage information about campaign purpose and strategy, the risk of interpretive abuse is high.

Instead of interviewing advertising practitioners myself, I use their own public confessions about the work they did for their clients. The book I count on for this purpose is written by Pat Fallon and Fred Senn and is called *Juicing the Orange. How to Turn Creativity into a Powerful Business Advantage* (2006). It recounts in an extensive manner some of the experiences with clients of their advertising agency (Fallon Worldwide), providing the exact details that are needed in order to understand the context in which those campaigns were created: what kind of research had been undertaken before the campaign and with what results, what the character traits of the target audience were, and what the content of the creative brief was – the creative brief being the strategic document that is

addressed to the creative department and that includes the key messages that the campaign has to send as well as a consumer insight that justified the expected impact of these messages.

Obviously, video commercials are just one component of an advertising campaign, so it is not legitimate to attribute all effects to them. But a golden rule of the field is that a campaign needs to be based on a single message that is conveyed through various platforms, and that all components of a campaign need to have unitary style, atmosphere, and tone. In other words, it is not an abuse to suppose that the strategy behind the campaign is one and the same with the strategy behind the video commercial, that the target audience of the campaign is the same as that of the video spot, and so on. The case I choose to focus on is their campaign for City Bank, with the central message being “Life is more than money. Live richly.”

In 1999, City Bank launched a series of video commercials that seemed to be irrelevant for the category of services that the brand was competing in¹.

It seemed unusual (to say the least) for a bank ad to spell on the screen “life is more than money. Live richly.” The most predictable reaction would be wonder: how come a financial institution, built around the circulation of money, can be suitable for the public delivery of such piece of wisdom? Yet, given the wide range of emotion-oriented texts that consumers are exposed to on a regular basis, perhaps the text itself would be acceptable if it had been accompanied by images portraying the warmth that the bank employees are willing to show to their clients. This might have given viewers an interpretive key: this bank takes care of its clients, and this is why it states that money is not all there is to life. Consumer satisfaction, leading to brand loyalty, is more important than short-term financial gains. Supportive employees, user-friendly services, comfort for the bank customers – any of these cues would have helped the verbal component seem more acceptable in its position as brand self-presentation.

But the images did not point to any type of employee behaviour, or bank service, or brand promise for that matter. No politeness. No friendly policy. No loyalty program. Then what did the visuals contain? Obviously looking as if they were taken by amateurs, the images presented ordinary people spending precious moments together. No apparent connection to bank services. No trace of a professional hand in realizing the technical part of these videos.

In one of the commercials, the camera rests for a long time on a young boy who is learning to fly a kite. We only see his moves, repeated again and again with slight variation, and we can feel how focused he is. We concentrate, too, trying to figure out if he will manage to fly the kite. The single camera angle includes the boy and the sky, the boy and the kite, the kite and the sky, and then a white cloud

¹ I invite readers to watch some of these unusual video commercials:
<https://www.youtube.com/watch?v=AEqKkhn1I6w>
<https://www.youtube.com/watch?v=GG6hus7SuEc>
<https://www.youtube.com/watch?v=6PrM2ZxL-tQ>

on the sky. A monotone point of view, same angle – a technique rarely seen in professional videos. Yet, despite the stillness and lack of action, the word ‘boring’ does not come to mind. We are involved, we want to see the rest of the picture, we want to see his reaction when he flies the kite. It almost makes us feel as if we are the ones filming, as if we are on vacation with someone close and try to catch a moment on camera. The peaceful atmosphere is accompanied by the joy of discovery – which is only suggested visually, no descriptive words being used. The constant look at the sky that is forced upon viewers by the camera angle also suggests freedom, the courage to aim high, as well as a silent force within, pushing the boy (and us) beyond limits – that quiet feeling of transcendence that we sometimes experience when being in a state of flow.

Then another kite appears: we only see the hands of the other person – we assume he is a father or an uncle or perhaps an elder brother, but certainly he is the one teaching the boy to fly the kite. Then we are given a long-shot of the two figures, accompanied by the two kites which seem to be dancing and revolving around them, creating the only trace of dynamism in this video. A ritual dance, almost, given the harmony and perfect coordination between the two playful kites.

No words are spoken. No voice-over is delivering the message. The verbal component consists only of text written on the screen at the end of the spot, saying:

The things you remember most

Aren't things.

There's more to life than money.

City. Live richly.

The lack of a voice-over helps maintain the *ethos* of the spot. The implied author of this commercial seems to be *respectful* towards the intimate nature of the experiences shared by the two characters. We are given privileged access to it, but we are implicitly required the same stillness. We are invited to turn inwards in order to make sense of the experience these two people share. On the outside, there is nothing spectacular, no powerful stimuli that would suggest a child's enthusiasm, no narrator telling us what to make of it – this would destroy the beauty of the moment by pointing to it in an explicit manner. No seller-buyer tone is allowed in this poem. No authorial instructions are given. As if we read a page of a novel, we are introduced in the private world of two characters. Although in this case no one describes in words how they feel or what they experience, we grasp their inner state from the images. Everything is so still, and we are not to disturb the stillness – perhaps the stillness is an expression of one's wanting such moments not to end, one's desire to stop time and keep the flow moment ongoing, hold on to the ones we love, keep the kites dancing around us.

In another video commercials of the same campaign, we see grandma and grandpa singing together in a courtyard. They are similarly being filmed from one

camera angle, without any move of the camera. We watch their little performance with tenderness, wondering who is attending it. No answer is given, since the camera does not move. At the end, no applause is given, and we may assume that nobody was actually attending. Perhaps they did it for the fun of it. Unlike the emphatic silence in the first video I analyzed, in this one the two characters speak a bit – about the verses of the song grandpa forgot. Again, no one says anything about the bank. Only the text appearing on the screen re-affirms that life is more than money and blends this message with the City Bank logo.

In yet another spot (the one actually mentioned in the book), a young dad keeps spinning around his young son for the entire length of the video. We spin with them, and nothing else happens. No spoken words, again. We only see the happy face of the child and are left to think that a way to feel rich is to count your blessings – a suggestion made by the text appearing on the screen, blended predictably with the same message about life being more than money ‘signed’ by Citi Bank.

What are we to make of these commercials? Perhaps they are a reminder that what we remember most, what counts most, is not dependent on material values, but on the beautiful experiences we share with the people we hold dear. On this account, the scenes of the video could be interpreted as evidence for the claim “life is more than money.” But given the context of this campaign, it is difficult to accept this as a claim to be argued for in front of the audience. In fact, the research undertaken before the campaign identified the target audience with a group of ‘balance-seekers,’ people who were not keen on money and were generally satisfied with a modest way of living, but who were hoping to have enough money when special occasions arose in their family – a wedding, a trip, a broken roof, a medical treatment that is needed (for more on the psychographic profile of the target audience that the campaign was envisaging, cf. Fallon and Senn 25-32). In other words, these people already felt that “life is more than money.” This message was strategically built to mirror the viewpoints they were expressing in the focus-groups organized before the campaign.

Then perhaps the message can be translated into an invitation to spend more money in order to be able to sustain your loved ones in their special moments – for example, being able to buy a beautiful new dress to your wife on her birthday and thus feel that you “live richly.” But this account, though plausible because we are dealing with a bank commercial, is hard to maintain: the filmed events suggest how happy one can be without much money. These videos would do quite well if they had been used in a social campaign showing alternative ways to spend without spending (much) money – ‘low-budget options for spending wonderful times’ seems to be the implicit message of these episodes. This may explain the low-budget production as well – the purportedly amateur style of the videos and the choice of only one setting in all the videos, no camera move, nothing spectacular. In this manner, the content as well as the execution of the video spots points to low-cost options. So, the second interpretation must be cancelled too.

The third interpretation, the one that I find most believable, is that these images work as ethotic arguments: they build a brand personality for City. In fact, at the beginning of their collaboration, the agency members had received an unusual brief from City's brand managers: their mission was to turn City into an "unbanklike" brand (Fallon and Senn 2006, 23-25). A brand that would distance itself – through its communication strategies – from all category clichés used in bank commercials. A brand that would compete on equal foot with Disney and Coke. A brand that would be perceived as providing services adapted to consumer needs and wishes, needs and wishes that they understand and respect. *Ethos* was basically written all over the client brief, although probably with a different terminology. Having clarified that, what argumentative architecture are we to attribute to this series of commercials? Do visuals have a role in this construction?

The typical genre expectation is that a commercial offer reasons for buying a product or service (Kjeldsen 2012, 243). 'Reasons for buying' may mean two different things, which in turn imply two different persuasive routes. One consists of explaining how the branded product or service answers a current problem of the audience, a need or a wish they may have. Here, it is important to give arguments that enforce the claim that this brand can help. The cause-and-effect relationship is often suggested, and the brand is presented as having a good effect. But the City Bank commercial does not seem to fit in this category. If we translated the message using this interpretive key, saying "if you want special moments with your family, like the ones we show in these videos, City Bank can help," it does not make much sense. These images are not to be seen as evidence of the effects produced by City Bank services.

The other approach to the 'reasons to buy' theme in commercials is to offer a reason for brand preference. As outlined in Section 2 of this article, in categories where offers of competitors are largely similar, preference may be shaped by the ethos one infuses a brand with. Brand ethos needs to cover all aspects of a business: if one is to start building a brand personality, consistency is one of the most important ingredients. In the present case, if the images suggest that City treasures its clients, and finds them so wonderful that they are worth an entire campaign honouring them, their lifestyle and their view on the world, then City better be consistent with that message in all brand touchpoints. The employees, the program, the atmosphere in the bank, the notifications received from the bank – all need to express the same tone of communication. Otherwise, *brand ethos* falls apart. In other words, building brand ethos does not mean a rhetorical move that attributes human traits to products and services in order to display creativity and draw attention in a cluttered environment. *Brand ethos* means that an overarching concept aligns all the activities of that brand. The interesting aspect is that brand ethos is, in fact, a mirror of consumer ethos – as uncovered in the qualitative research undertaken before a campaign is set. This is how the rhetorical action of visuals might be explained in this case, too.

The images chosen by City Bank stimulate audience identification with the characters and the lifestyle choices they make. This idea is supported by the audience characterization provided in the book (31-32). Thus, interpreted as an ethotic argument, these images express City's communion with the audience: they see the world with the same eyes.

City love their clients enough to dedicate entire episodes to them, as an act of reverence towards their charming way of making life count. City is not engaged in an act of selling, as no remark is made about bank services. City is offering a visual poem on how beautiful their clients' lifestyles are, and how inspiring they can be for anyone who needs remembering that life is more than money.

It is important to note that any of these claims would have sounded ridiculous when spelled out in an explicit verbal discourse. In a poetic one, they could have perhaps been included, but perhaps with high losses on the level of clarity. The visuals function as a middle-ground solution, from this point of view: they imply, they evoke, they suggest, thus relieving us from the harshness of an explicit verbal discourse. At the same time, they are more transparent and more accessible than a poetic verbal discourse would have been in this case. These images transport the viewers, they enchant the viewers and, most importantly, they mirror viewers' values and thus perform an argumentative function for the implicit claim "City is a brand that treasures its clients and their values, and shapes its offer accordingly." Even the mode of realization of the videos confirms this idea: clients come first, not the bank. And yes, definitely 'unbanklike.'

5. Concluding Remarks

My case study analysis seems to confirm that visuals have a special role in advancing implicit claims, which turned out to be important for the efficacy of ethotic arguments in advertising. These images were clearly used to form a 'mirror' cognitive space, one of the four forms of *blended* spaces theorized by Fauconnier and Turner (2002). To be more specific, City Bank – a brand belonging to one cognitive domain – was blended with images of typical clients engaged in beautiful moments that needed little or no financial support – obviously belonging to a different cognitive domain. Typical for 'mirror blends' is the fact the organizing frame of one of the two items that enter the blend becomes the organizing frame of the blend. In this case, it was the theme of unpretentious choices that make our life more beautiful that became the organizing frame of the blend. This theme had emerged in discussions with members of the target audience long before the campaign was set. City's presence in the blend was given different interpretations in the case study I presented, but only one fulfilled the basic requirements of honest interpretation: that all the elements of the discourse be intelligible in the interpretive key that is proposed. My conclusion was that City's ethos is the subject of this discourse and that images play a distinctive role in providing reasons for the audience to approve of that ethos.

By looking closely at the ethotic argumentation developed by Fallon practitioners in the name of City Bank (the implied author), I tend to believe that a verbal reconstruction of the argument is not necessary for meaning to be effectively communicated. This is because the audience that is targeted by this message may want to enter the rhetorical game, may want to treat City as the author and not as the object of the discourse and, more importantly, may agree to attribute certain personality traits to the bank that dared to go this far in charming them with an unconventional mode of communication.

As I have announced from the beginning, this paper is an exploration in uncharted territory. I invite theorists from both lines of research – both visual rhetoric and ethotic argumentation – to contribute in this direction.

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Faire l'amour

Christophe Perrin

Abstract: What does it mean to 'make love?' Or, rather, what are we doing when we 'make love?' This expression makes of love a praxis on which the history of philosophy, rather modest, has said little. Philosophy has certainly evoked love, but always as a passion, an emotion, a feeling, and rarely as an action, exercise or even as a test. It is this aspect of the issue that it is important to study in order to determine it. At bottom, only a definition will be in question.

Keywords: love, to love, lover, in love.

Il suffit d'aimer pour être *amoureux*; il faut témoigner qu'on aime pour être *amant*. On est *amoureux* de celle dont la beauté touche le cœur; on est *amant* de celle dont on attend du retour. On est souvent *amoureux* sans oser paroître *amant*; & quelquefois on se déclare *amant* sans être *amoureux*. *Amoureux* désigne encore une qualité relative au tempérament, un penchant dont le terme *amant* ne réveille point l'idée. On ne peut empêcher un homme d'être *amoureux*; il ne prend guere le titre d'*amant* qu'on ne le lui permette (Diderot et D'Alembert 1751, 315-316).

Voici ce qu'écrivait l'amoureux et l'amant de Sophie Volland à l'entrée 'AMANT, AMOUREUX, adj.' de l'*Encyclopédie*¹. Ces lignes sur l'amour n'ayant d'autre but que d'offrir quelques précisions à son sujet – encore qu'en la matière, professeur ou étudiant,² chacun soit expert et que, ici comme ailleurs, les cordonniers sont toujours les plus mal chaussés –, comment être plus judicieux qu'en commençant par opérer la distinction entre *aimer* et *être amoureux*? C'est que, si l'amant est par définition l'*aimant*, celui qui aime, et si être amoureux n'est donc pas encore

¹ Notons que c'est à l'abbé Girard que l'on doit d'avoir initié la différence: "Il suffit d'aimer, pour être Amoureux: il faut témoigner qu'on aime, pour être Amant. On devient amoureux d'une femme, dont la beauté touche le cœur: On se fait amant d'une femme, dont on veut se faire aimer. Les sentiments de l'Amour logent dans le cœur d'un Amoureux: les airs de l'Amour paroissent dans les manieres d'un Amant. On est souvent très amoureux sans ofer paroître amant: Quelquefois on se déclare amant sans être amoureux. C'est toujours la passion qui rend les hommes Amoureux; alors, la possession de l'objet est l'unique fin qu'ils se proposent. La raison ou l'intérêt les fait souvent Amants; alors, un établissement honnête ou quelque avantage particulier est le but où ils tendent." (1718, 6-7) Mais le distinguo bientôt s'approfondit et il faudra attendre les compilations des travaux des synonymistes du XVIII^e siècle par leurs successeurs au XIX^e pour que la question cesse. En témoigne par exemple l'article "Amant, Amoureux" de Jean-Étienne-Judith Forestier Boinvilliers dans le *Dictionnaire universel des synonymes de la langue française* (Boinvilliers 1826, 37).

² Ce texte s'origine dans une communication donnée à l'Université catholique de Louvain le 14 avril 2016 à l'occasion du colloque du *Cercle des Étudiants en philosophie* intitulé "L'amour en philosophie." Que ledit Cercle soit ici remercié de son invitation.

être amant ainsi que ces mots de Diderot nous le soufflent, *aimer est-ce seulement être amoureux?* Et notre adverbe de pouvoir s'entendre doublement, au sens restrictif : aimer, est-ce *n'être qu'amoureux?*, comme au sens interrogatif : aimer, est-ce *même* être amoureux? Drôle de question d'emblée. Aimer manifestement, c'est être amoureux, car être amoureux c'est aimer, du moins s'énamourer, s'éprendre, se prendre d'amour comme on se prend les pieds dans le tapis puisque l'on 'tombe amoureux,' 'ravi,' 'conquis,' 'transi' que l'on est alors ou encore, selon d'autres métaphores, 'pincé,' 'mordu,' 'féru' – c'est-à-dire frappé. Reste que si l'amour fait mouche, si l'amour nous touche quand il décoche ses flèches, à le ressentir, nous n'en sommes pas encore à en porter, ce qu'est aussi, sinon surtout, aimer. Réflexion faite, et on ne le dira jamais assez, *l'amour est le fait* d'aimer, verbe d'action et verbe transitif de surcroît, tandis qu'*être amoureux* désigne un *état* qui renvoie à une passion subie et se rapporte à soi. On en déduira qu'aimer ne consiste peut-être pas tant à *éprouver* subjectivement des émotions et des sentiments qu'à les *prouver* effectivement, à en 'témoigner' comme le suggère Diderot, autrement dit à les traduire en acte, à en attester par des actes. Cocteau y insistait: "il n'y a pas d'amour, il n'y a que des preuves d'amour" – mais il s'agit plutôt de Pierre Reverdy, à moins que ce ne soit Roger Vailland³... En ce sens, aimer serait d'abord *faire*, faire preuve d'amour et, par là même, faire l'amour. Osons dès lors le demander: qu'est-ce donc que *faire l'amour*?

D'abord une expression répondra-t-on avec raison, populaire dans notre langue sans être pour autant vernaculaire⁴ et qui, rebattue, n'en est pas moins ambiguë. Certes, sous la plume des grands auteurs classiques, 'faire l'amour' signifie le plus souvent 'faire la cour,'⁵ ce qui pourrait vouloir dire qu'avant même d'y parvenir, qui fait montre d'un intérêt déférent envers autrui pour le conquérir fait finalement déjà l'amour. Mais à lire les exemples proposés par Furetière à la suite de la définition qu'il donne de l'amour, "cette violente passion que la nature inspire aux jeunes gens de divers sexes pour se joindre, afin de perpétuer l'espece," on comprend que le tour ne s'entend d'ordinaire guère autrement que dans le contexte de la chair. Ainsi, si l'"on dit, qu'un jeune homme fait *l'amour* à une fille, quand il la cherche en mariage," "on le dit aussi odieusement, quand il tafche de la fuborner," et puisqu'"on dit, qu'une femme fait *l'amour*, quand elle se laisse aller à quelque galanterie illicite," "on dit aussi, Faire la bête à deux *dos*, pour dire, Faire

³ Jean Cocteau a bien ce mot mais le prête à Pierre Reverdy (Touzot 1990, 339). Mais Élisabeth Badinter (Badinter 1980, 10) comme Margarita Xanthakou (Xanthakou 2005, 171) disent, elles, l'emprunter à Roger Vailland.

⁴ 'Liebe machen,' 'to make love,' 'hacer el amor,' 'fare l'amore'... existent bien en allemand, anglais, espagnol ou italien.

⁵ Ainsi lorsque Corneille écrit de Jason qu'il "fit l'amour" à la reine Hypsipile "et lui donna parole de l'épouser à son retour" lorsque ses hommes et lui "prirent terre à Lemnos" où ils "tardèrent deux ans" (Corneille 1950, 616) ou lorsque Voltaire évoque ces "jeunes gens connus par leurs débauches" qui, en France, "élevés à la prélature par des intrigues de femmes, font publiquement l'amour, s'égaient à composer des chansons tendres" et "donnent tous les jours des soupers délicats et longs" (Voltaire 1961, 16).

l'amour." (Furetière 1690, 58 et 468) À ce propos, rappelons-nous l'échange entre cousin-cousine dans la satire anonyme des *Caquets de l'accouchée* : "elle [...] me demanda, laquelle des deux conditions ie voudrais choisir, ou d'estre cocu, ou abstrait à ne jamais faire l'amour? Le lui fis [cette] response [...] i'aymerois mieux que tous les laquais de la Cour courussent sur le ventre de ma femme, que d'estre abstrait à ne point faire l'amour." (X 1625, 124-125) Au diable donc le puritanisme qui, au Grand Siècle, fait employer la formule "comme un euphémisme [...] sous l'influence rigoriste des nouveaux calvinistes," (Duneton 1985, 83) ainsi que le soufflent ces vers du *Parnasse des poètes satyriques*: "Voila mon cher amy, ce qu'on fouloit en Cour/De tout temps appeler f..tre ou baifer s'amie,/Mais de nos Huguenots la fimple modestie/Nous apprend que ce n'eft finon faire l'amour." (Viau 1660, 285) 'Faire l'amour,' en somme, ne nomme que le "coit classique" à ceci près que, sur l'acte ainsi désigné, ses acteurs pourraient projeter leur fantasme, celui de l'"amour vrai." (Salanskis 2007, 89) Car l'expression a quelque chose d'une incantation: on dit 'faire l'amour' pour que "faire l'amour coïncide toujours avec ce que son sens paraît exiger (l'accomplissement de l'amour)," et cela quand bien même c'est "le langage commun" lui-même qui "trahit la reconnaissance de la distinction de l'amour et de la sexualité, soit en autorisant un usage faible de *faire l'amour*, ouvrant la possibilité du faire l'amour sans l'amour (par exemple, lorsque la question 'as-tu déjà fait l'amour' est posée [...]), soit en offrant la distinction *faire l'amour/baiser*." (Salanskis 2007, 89) Mais quelque soupçon que nous puissions avoir sur le fait que c'est bien l'amour que nous faisons – et non seulement la chose⁶ – quand nous faisons l'amour – mais encore employons le mot –, impossible de s'en départir sans partir de cette interrogation: faire l'amour, qu'est-ce à dire? Mieux: faire l'amour, qu'est-ce à *faire*?

Sans doute nous tous qui l'avons déjà fait n'aurons nul besoin de le refaire – et Sartre, au fond, nous le déconseillerait, tant "avoir fait l'amour, c'est beaucoup mieux que de le faire encore; avec le recul on juge, on compare et réfléchit" (Sartre 1981, 84) – pour nous faire une idée de la réponse à cette question, suggestive s'il en est – et Françoise Sagan, en effet, de l'expliquer par le fait que "les mots 'faire l'amour' ont une séduction à eux, très verbale" en sorte que, "en les séparant de leur sens," lorsque l'on y pense, "ce terme de 'faire,' matériel et positif, uni à cette abstraction poétique du mot 'amour,' [...] enchant[e]." (Sagan 1954, 137) Mais pour les amateurs avertis que nous sommes, soucieux de savoir ce que nous faisons pour le faire au mieux, l'interrogation n'en est pas moins réelle. Car elle vire en réalité au *problème* étant donné, d'un côté, que "l'amour, pour le bien faire, il faut l'avoir beaucoup fait: les novices n'y entendent rien" (France 1924, 137) mais, d'un autre côté, qu'"il n'y a que les imbéciles qui sachent bien faire l'amour." (Brassens 1952, face 2, titre 2) D'où le paradoxe suivant, celui du meilleur amant comme étant le sot le plus sage, l'ignorant le plus expérimenté, celui dont la

⁶ Euphémisme, là encore, que l'expression 'faire la chose.'

pratique est aux antipodes de la théorie parce qu'elle lui est diamétralement opposée. Si tant est qu'il y ait là quelque sens à trouver, on y trouverait peut-être la raison pour laquelle l'histoire de la philosophie, du *Banquet* de Platon au dernier essai de Ruwen Ogien, le pourtant bien nommé *Philosopher ou faire l'amour*⁷ (Ogien 2014), est restée fort discrète sur l'amour – non pas sur l'amour comme passion, émotion ou sentiment, mais sur l'amour comme action, exercice ou épreuve finalement. Après tout, augmenter son savoir pourrait bien ici faire diminuer son savoir-faire – un risque que, même pour parvenir à une sagesse de l'amour, l'amour de la sagesse ne semble pas faire courir. Et pour cause! Mieux vaut tenir – et donc faire l'amour – que courir – et donc savoir faire l'amour, voire savoir ce qu'est faire l'amour. S'ensuit que, pour l'essentiel, les philosophes ne diffèrent pas de Madame Blanche à qui Proust prête la célèbre réplique de la salonnière Laure Baignères: "L'amour? avait-elle répondu une fois à une dame prétentieuse qui lui avait demandé: 'Que pensez-vous de l'amour?' L'amour? Je le fais souvent, mais je n'en parle jamais." (Proust 1969, 195) Et les champions de la raison de traditionnellement préférer faire valoir les droits de celle-ci quitte à forcer le trait du sujet sur lequel ils entendent ne pas les abdiquer tout à fait: l'amour est alors présenté par eux comme ce dont la déraison empêche la rationalité.

I.

Revenons ainsi un moment sur ce que l'on fait généralement de l'amour en philosophie pour masquer le fait que l'on n'y pense pas essentiellement ce que c'est que *faire l'amour* – et cela, encore une fois, parce que l'on ne veut point y penser d'avoir peur, non de mal faire, mais de mal le faire (l'amour) de l'avoir fait (penser l'amour). Or, ce que l'on fait est net: on réduit l'amour à l'*affect* et, ce faisant, on lui interdit le champ du *concept* – ou on l'en disqualifie. Comment? En dissociant d'abord la chose du mot pour les opposer terme à terme, en discutant ensuite non de l'amour lui-même mais du choix qu'il serait, en discréditant enfin non pas le choix de l'amour même mais les choix faits par amour. Détaillons, pour commencer, ces trois points.

En dissociant la chose du mot pour les opposer terme à terme d'abord: la chose est diverse, le mot est un. Ces cinq lettres en français, amour, substantif

⁷ Ce livre participe de toute une floraison d'ouvrages signés, ces dernières années, par des philosophes français sur le sujet, du *Paradoxe amoureux* de Pascal Bruckner (Bruckner 2009) au *De l'amour. Une philosophie pour le XXI^e siècle* de Luc Ferry et Claude Capelier (Ferry et Capelier 2012) – en passant par *Le sexe ni la mort. Trois essais sur l'amour et la sexualité* d'André Comte-Sponville (Comte-Sponville 2012) – et par l'*Éloge de l'amour* d'Alain Badiou et de Nicolas Truong (Badiou et Truong 2009). Or, au sein de la tradition philosophique occidentale où l'amour n'a jamais été une question centrale, cette nouvelle vague renoue avec un courant de pensée ancien, celui qui faisait de la bonne vie son interrogation principale. Aussi ne s'étonnera-t-on pas, dans cet engouement présent pour l'amour, du réinvestissement de concepts, sinon de conceptions passées qui, dès lors, pourront en limiter l'originalité.

masculin au singulier et féminin au pluriel pour ne rien compliquer, renvoie en effet à une pluralité de sentiments et, donc, de comportements qui diffèrent tant par leur objet – amour conjugal, filial, parental, amour de l'art, de la patrie, de "Saint-Simon" et des "épinards" (Stendhal 1982, 931) comme celui de Stendhal qui, dans *De l'amour*, distinguait pour cela quatre types d'amour: l'amour-passion, l'amour-goût, l'amour physique et l'amour de vanité – que par leur finalité – le plaisir, la survie, la gloire, ou rien qui n'ait à voir dans le cas du "pur amour," défini par Fénelon comme cet "amour pour Dieu seul, considéré en lui-même et sans aucun mélange de motif intéressé, ni de crainte, ni d'espérance" (Fénelon 1983, 1012). En ce sens, où peut bien résider l'essence et, grâce à elle, l'unité de l'amour? Contrairement au nouvel immortel qu'est Alain Finkielkraut cependant, ne blâmons point notre langue pour sa pauvreté à dire ce qu'est l'amour, sinon pour son incapacité à distinguer "le désir ardent qu'a un être de tout ce qui peut le combler et l'abnégation sans réserve" (Finkielkraut 1984, 11). Loin de résoudre la difficulté, avoir plus de mots pour décrire la chose l'amplifie. Prenons le grec ancien qui torture l'amour, ou qu'il le dédouble en *ἔρω* et *ἀγάπη*, ou qu'il le triture en leur ajoutant la *στοργή* et, surtout, la *φιλία*, jusqu'à pousser le vice et différencier en celle-ci, pour finir par tout mélanger, la *φυσική* – *φιλία* entre les êtres d'une même famille –, la *ξενική* – *φιλία* entre les hôtes – la *εταρική* – *φιλία* entre les amis – ou encore l'*ἑρωτική* – *φιλία* entre personnes du même sexe ou de sexes différents. Force est bien, derrière les particularités, d'en revenir au point commun de ces différentes passions pour dire quelque généralité, au "noyau de ce que nous appelons amour," à savoir "un seul et même ensemble de tendances" (Freud 1940, 98) que si d'aucuns ramèneront à sa cause prétendue – la libido – d'autres préféreront désigner par son effet attendu – la *prælectio* – : porter celui qui en est traversé vers un autre que lui admis comme bon, l'élue de son cœur, étant donné qu'aimer, c'est élire, opter, choisir.

En discutant non de l'amour lui-même mais du choix qu'il serait ensuite: par où l'on en revient à d'autres choses que l'amour, mais des choses bien connues, elles – mieux en tout cas. Partant du fait qu'aimer, c'est distinguer et singulariser ce et surtout celui que l'on aime, en somme le rendre impossible à confondre avec quiconque, quelconque comparé à lui, c'est la question de la prédilection qui est posée – et par ce mot, *prédilection*, soit le choix d'une affection préférentielle, retour est fait à l'évidence de Platon et d'Aristote, celle selon laquelle on ne peut désirer et aimer que le bien ou ce qui paraît tel. D'aucuns croiront alors ce choix fonder sur une liberté arbitraire, d'autres parleront d'inclination qui, par la seule force du bien, porte vers un objet en raison de sa nature aimable précisément, d'où le 'faible' que l'on a pour quelqu'un ou le 'penchant' pour lui. Parfois, la dilection de et dans la pré-dilection est si indiscernable, si insaisissable que, dit-on, on aime sans aimer, car on n'aime sans passion. On parlera d'amourette, de béguin, de fantaisie, de lubie, de toquade, de passade qui, précisément, passeront. Mais qui est 'dingue' de quelqu'un, 'fou amoureux,' sinon 'complètement frappé' d'avoir essuyé un 'coup de foudre,' croira qu'il n'a pas 'l'embarras du choix.' C'est qu'à ses

yeux, c'est le meilleur qui s'impose à lui; l'excellence de l'aimé non seulement recommande mais commande son choix. Et quelle douceur que la servitude volontaire! Quoi de meilleur en effet que se faire l'esclave de sa 'maîtresse' puisqu'elle est ici-bas le seul souverain bien qui soit? L'amour serait-il donc esclavage? N'allons pas jusque-là. On récusera malgré tout l'idée que le choix d'un bien, et même du meilleur, attente à la liberté. Leibniz n'enseigne-t-il pas que le préférable incline sans nécessiter? Reste que l'amoureux, 'enclin' justement, n'y peut rien: dans "une apparition," (Flaubert 1952, 36) la perfection s'est imposée à lui et l'a ravi par sa splendeur. Alors peu importe le fondement réel de ce φαινόμενον αγαθόν. Serait-ce l'utilité comme le pense Spinoza, liée à l'effort de persévérer dans son être? La volonté de puissance comme le croit Nietzsche, liée à la joie d'acquérir plus de force? Ou bien simplement la vanité, l'amour-propre comme le devinent les moralistes, quand bien même il leur faudrait expliquer dans ce cas comment l'amour, manifestation spontanée de l'amour de soi, en vient à projeter sur l'autre mérites et qualités? Peut-être tout amour est-il flouté car floué en réalité: ce n'est pas mon bien qui s'y trouve en jeu mais, Schopenhauer y insiste à son époque contre tout le romantisme, la volonté de l'espèce qui se joue de moi pour m'imposer des buts relevant du seul mouvement absurde de son vouloir aveugle. Mais quand bien même l'homme ne choisirait rien en amour et même si "toute femme est bonne" (Rousseau 1959, 158) pour lui ainsi que l'assure Rousseau, celle qu'il aime, il en mettrait sa main au feu bien qu'il se mette le doigt dans l'œil, n'est pas comme les autres et vaut bien tout ce qu'il décide de faire pour elle.

En discréditant non pas le choix de l'amour même mais les choix faits par amour enfin: "Candide s'enquit de la cause et de l'effet, et de la raison suffisante qui avait mis Pangloss dans cet état:" or, si celui-ci réplique: " Hélas! [...] c'est l'amour; le consolateur du genre humain, le conservateur de l'univers, l'âme de tous les êtres sensibles, le tendre amour," celui-là rétorque: "Hélas [...] je l'ai connu, cet amour, ce souverain des cœurs, cette âme de notre âme; il ne m'a jamais valu qu'un baiser et vingt coups de pied au cul" (Voltaire 1979, 157), et Musset de résumer Voltaire: "on est souvent trompé en amour, souvent blessé et souvent malheureux." (Musset 1952, 243) Malheureux parce que blessé et blessé parce que trompé, d'où la critique, classique, de l'amour au nom de l'illusion en laquelle il est censé consister. L'illusion, non l'erreur notons-le. Croyance à une réalité qui n'est que semblance, sinon création d'un être qui ne saurait être, l'amour, quel qu'il soit, parie sur la vie car croit dur comme fer en l'existence de l'aimé, parfait selon lui – en tout cas meilleur que les autres – ; il jure de l'effectivité des qualités et, par corollaire, de l'authenticité des sentiments. Aussi la désillusion qui fait le désamour revient-elle à devenir athée: on cesse alors d'adorer l'aimé jusqu'à l'amour lui-même, même "véritable," naguère ce "feu divin qui sait épurer nos penchants naturels," du moins ce "feu dévorant qui porte son ardeur dans les autres sentiments," (Rousseau 1961, 138 et 61) désormais tenu, puisque l'on en est revenu, pour un production de l'imagination, une invention sociale, une ruse

de la nature, du corps, de l'inconscient, ou autre. Dès lors, le choix de l'aimé lui-même est revu et corrigé. Choisir une singularité qu'on estime bonne parce qu'on l'a douée de toutes les perfections, vive le diallèle – ou, c'est selon, la cristallisation stendhalienne. Homme parmi les hommes que la nature fabrique à des milliards d'exemplaires, l'aimé se trouve élevé à la dignité du tout; pour le "ver de terre amoureux d'une étoile," (Hugo 1964, 1549) il devient l'"abrégé des merveilles des cieux." (Molière 2010, 680) Sans doute en le parant d'une infinité de qualités, notre finitude a-t-elle un rôle à jouer, et les psys de toute sorte de parler d'idéalisation, de projection, de refoulement, d'aveuglement. Bien sûr, l'amour rend aveugle ou, du moins, borgne. Car l'amour voit très bien ce qu'il veut voir, mais d'un œil, clignant pour mieux concentrer celui qu'il garde ouvert sur ce qu'il connaît par cœur, ces détails infimes qui rendent l'aimé à nul autre pareil, qui font de lui cette monade incomparable. Si Don Juan multiplie les conquêtes, c'est justement parce qu'aimer ne peut être qu'aimer cette personne-ci, ici et maintenant, cette substance unique et irremplaçable qui diffère du tout au tout avec tout le reste. On aime, chez ceux qu'on aime, précisément leurs traits spécifiques: leur sourire – Mona Lisa – , leur nez – Cléopâtre – , leurs yeux bigles – "une fille de mon âge, qui était un peu louche" (Descartes 1903, 57) – , quitte, conclut Pascal, à n'aimer "donc jamais personne, mais seulement des qualités" (Pascal 1963, n° 688) en vérité, moins singulières que communes, quitte, également, à confondre un bien relatif avec le bien absolu et, pis, le bien de ce bien avec le sien propre. Car en voulant *ce* bien qu'est pour lui son aimé et qu'il tient pour *le* bien, l'amoureux veut aussi bien le bien en général, du moins leur bien commun à tous deux. D'où cet autre choix que je fais, crois faire ou crois pouvoir faire, non pas seulement celui de *prendre* le bien que je vois devant moi, fût-ce en lui sautant dessus pour le *posséder*, mais encore celui de *donner* ou, du moins, de *partager* celui que je possède moi. On parvient ainsi à la dualité si soulignée de l'amour, tantôt généreux, autrement dit amour qui s'offre à satisfaire les besoins d'autrui au détriment des siens propres – amour que toute une tradition issue de Thomas d'Aquin et de Jean-Pierre Camus appelle *amour de bienveillance* – , tantôt captieux, autrement dit amour qui cherche à accaparer l'autre au point de conduire, parfois, à souhaiter son aliénation, voire sa disparition – *amour de concupiscence* ou, comme le nomme Malebranche, "amour de complaisance," voire "amour d'union" (Malebranche 1958, 102). Or, si l'amour de concupiscence est "le désir ou le sentiment qu'on a pour ce qui nous donne du plaisir, sans que nous nous intéressions s'il en reçoit" explique Leibniz, l'amour de bienveillance, lui, "est le sentiment qu'on a pour celui qui par son plaisir ou bonheur nous en donne" (Leibniz 1882, 150). Ce dernier est donc désintéressé et non mercenaire, à l'inverse même du premier, en sorte que toute la difficulté est, pour l'homme, de réussir à les conjuguer, si tant est que la chose soit possible. Reprenant cette ancienne distinction scolastique, les psychologues contemporains parlent

aujourd'hui, avec Édouard Pichon, d'"amour oblatif" et d'"amour captatif,"⁸ l'important étant, dans le premier, d'aimer quand l'essentiel, dans le second, est de l'être (aimé). Mais réputés inconciliables, il faudra donc choisir entre ces deux amours lequel est le 'vrai,' du moins le bon, et la tradition de plaider pour le premier. Disons-le en latin avec Leibniz: *amare est felicitate alterius delectari*⁹; bref, aimer c'est se réjouir de la félicité de l'autre, trouver de la joie dans la joie de l'être aimé, tenir le bonheur d'autrui pour constitutif du sien, vouloir son bien quitte à ne pouvoir en tirer un bénéfice exclusif. Ira-t-on jusqu'à dire : vouloir son bien quitte à ne pouvoir en tirer aucun bénéfice? Non. Dans ce que l'on estime généralement être l'amour vrai, il va de soi que l'on doit, parfois (mais quand?), s'oublier comme *ego*, mais certainement pas comme partie prenante du couple et, en ce sens, membre à part entière de l'unité amoureuse régie par la sacro-sainte réciprocité. Pour nous aujourd'hui, l'amour ne lie-t-il pas des *partenaires* qui *participent* d'un bien commun en prenant et donnant chacun leur *part*?

II.

Nous reviendrons, plus tard, sur cette dernière illusion sur l'amour, celle dont est victime jusqu'à Diderot lui-même dans son mot liminaire lorsqu'il estime l'amant en attente d'un retour de l'aimé. Pour l'heure, avec cette figure contemporaine des 'partenaires' qui n'ont surtout pas besoin de tout partager pour au moins partager leur lit, retour est fait à notre question première, celle donc de savoir en quoi consiste le fait de *faire l'amour* et, par conséquent, le fait d'être non pas *amoureux* mais *amants*. Incapable désormais de botter en touche en accusant les philosophes et de ne pas la poser clairement, et de ne pas y répondre franchement, partons du peu que nous avons: cette expression même. Entre 'foutre' ou 'baiser,' chaudement vulgaires, et 'copuler' ou 'coïter,' froidement scientifiques – voire 'se joindre' ou 's'unir,' tièdement mystiques, sinon 'rataconniculer' ou 'coqueliquer' fraîchement littéraires –, 'faire l'amour,' ce syntagme courant en français trouve une place à part. Selon son acception usuelle – et ne réfléchissons pour l'heure qu'à cette signification –, tout en désignant la sexualité comme un acte parmi d'autres au sein de la praxis – faire l'amour, faire la lessive, faire la cuisine, etc. –, elle recèle une dimension plus affective que dans les infinitifs précédents car moins bestiale mais plus humaine. Or, c'est précisément cette tension que l'expression résorbe que l'on peut exposer et que l'on doit explorer. D'une part, notre sexualité ressortit à l'animalité, au mouvement spontané de corps vivants animés de pulsions naturelles universelles. Aussi, plutôt qu'une chose que l'on donne ou que l'on reçoit, l'amour est-il une chose que l'on produit, que l'on accomplit. D'autre part,

⁸ Cf. Stocker 1961, 79; Lagache 1986, 374, etc.

⁹ "Cette définition, Leibniz n'a pas à l'élaborer car elle est perpétuellement présente à son esprit," si bien qu'on la trouve partout chez lui: dans son *Codex juris gentium diplomaticum*, dans son *De notionibus iuris et iustitiæ*, etc.; en réalité, "il l'a inventée de bonne heure. Dès 1669" (Naert 1959, 58).

notre sexualité se déploie dans une liaison qui, passagère ou durable, se nourrit des personnes et des personnalités de ceux qui la nouent et l'entretiennent. Aussi cette chose que l'on fait, *l'amour*, ne se fait-elle pas comme on fait le ménage ou le repassage. Telle qu'elle s'entend d'ordinaire, l'expression 'faire l'amour' nous pousse ainsi à nous demander si l'accouplement – qu'il soit ou non lié à ce que l'on nomme de nos jours, après Vincent Cespedes, l'encouplement (Cespedes 2003) – est une forme privilégiée, ou non, de la relation amoureuse. Dans cette perspective, trois points de vue semblent pouvoir se prolonger, le premier pour lequel l'acte sexuel est pour ainsi dire la *réaction* à ce puissant stimulus, "Ερωϋς, pulsion guidée par la seule finalité biologique, le deuxième pour lequel il est davantage l'*action* d'un ou de plusieurs agents qui assument ce qu'ils font, le troisième pour lequel, aussi actif, réactif voire productif qu'il soit, il ne va pas sans une passivité irréductible. Détaillons chacun de ces points, chacune de ces vues, avant d'envisager l'expression 'faire l'amour' autrement – et plus sérieusement.

L'amour-réaction – dans l'amour que l'on fait, deux corps s'enlacent et s'entrelacent avec ou sans l'intention de se reproduire, le fait que ce soit le plus souvent sans, tant "faire l'amour en tout temps, [...] il n'y a que ça qui nous distingue des autres bêtes" (Beaumarchais 1957, 299) qui ne le font généralement qu'avec, elles, ou plutôt dans, n'empêchant surtout pas qu'il en aille autrement. Faire l'amour s'appuie en ce sens sur ce qu'il reste d'instinct en nous et, sous cet angle, aucun homme ne se distingue. La chose est d'ailleurs d'autant plus vraie que, quelque sexe qui soit le nôtre, une même forme de force biopsychique inconsciente s'exprime en nous malgré nous et prime l'individu précis sur lequel nous finissons par jeter notre dévolu. Le désir nous fait certes désigner quelqu'un pour l'assouvir, mais ce choix n'en est pas un, n'ayant rien de libre au sens de délibéré, quand bien même il n'est surtout pas nécessaire, dépendant de contingences survenues durant l'enfance et, donc, durant les phases antérieures de notre sexualité, ainsi que Freud l'a montré dans ses trois essais sur le sujet. Si, en parlant ainsi, on ne parlait d'amour, 'faire l'amour' ne serait alors rien d'autre que ceci: satisfaire une tendance naturelle impersonnelle. Mais n'y aurait-il pas plus puisque, en disant qu'on le fait¹⁰, on fait plus que ce qui est dit? D'où, derrière le défoulement d'une pulsion, derrière l'assouvissement d'une inclination, un projet pour sûr plus ambitieux et plus glorieux qui se réfère à un grand, voire au plus grand sentiment. Illusion là encore? Assurément pour Schopenhauer, pour qui "l'instinct sexuel, bien qu'au fond pur besoin subjectif, sait très habilement prendre le masque d'une admiration objective et donner ainsi le change à la conscience." (Schopenhauer 1966, 612) En pensant qu'il aime une femme qui le mérite objectivement, l'homme cherche simplement à en tirer parti, profit. Derrière ce motif se trouvent un mobile: la jouissance, et un même objectif: la procréation. Faire l'amour revient dès lors à dissimuler les penchants du corps

¹⁰ Et non qu'on s'y fait ou qu'on se laisse faire – ce que l'on dit aussi mais justement quand on n'est pas à ce que l'on fait, et donc quand on ne le fait pas, l'amour, même si on se laisse le faire...

sous les élans du cœur, raison pour laquelle, historiquement, la sexualité a fait l'objet de sévères condamnations. 'La chose,' pour ne pas la nommer, rappelle l'animalité dans ce qu'elle a de violent car d'indifférent, de neutre, d'anonyme. Dans l'acte sexuel, par son désir destructeur au sens où Hegel en parle dans sa *Phänomenologie des Geistes*, le sujet, quel qu'il soit, réduit l'autre, quel qu'il soit, à un objet et le ramène à lui au risque de sa suppression. Dire que c'est l'amour que l'on fait ne sert alors qu'à ennoblir une situation biologiquement nécessaire mais moralement délétère ou, du moins, qui le serait bien si la tendresse des préliminaires et les prouesses dans ses suites ne s'en mêlaient. Peut-être "l'acte d'amour" peut-il en effet ne pas durer plus, "parfois," que "quelques minutes," mais il peut aussi s'accomplir "toute la nuit" et paraître "tantôt insipide, tantôt extraordinairement voluptueux" dans les "raffinements" et les "variations" (Beauvoir 1958, 111).

L'amour-action – dans 'faire l'amour,' s'il y a *amour*, un mot potentiellement usurpé diront les sceptiques, il y a aussi *faire*, c'est-à-dire agir et, d'abord, le choisir, jusqu'à s'affranchir de ce qui ne cesse de nous déterminer pour commencer à nous déterminer nous-mêmes. Or, comment y parvenir? Comment faire pour agir s'il ne peut s'agir, à faire l'amour, que de répondre à un besoin, avec tout ce que la chose comprend de naturel, d'universel et de contraint? Peut-être en admettant, avec Ricœur, que le volontaire n'est jamais dépendant de l'involontaire et que notre liberté est toujours un mélange de contraires qui n'existe qu'à consentir à des éléments sur lesquels elle ne peut rien – du moins rien d'autre que cela-même, vouloir ce qui ne relève pas de notre vouloir, reprendre à notre compte ce qui ne peut être mis à notre compte. Ainsi, si la passion amoureuse est subie, ce qu'elle contient d'involontaire, d'irréfléchi, d'incontrôlable, et, par là même, d'extraordinaire, d'exquis, d'enviable, s'offre certainement comme une force insoupçonnée, sinon une énergie inespérée pour l'action. À nous seulement de lui donner sens si tant est que, plutôt que laisser le désir nous emporter ou plutôt que nous emporter contre lui, nous décidons de l'assumer. En ce cas, notre langage en fait foi car, quelles que soient nos performances, nous usons de ce performatif. Dire que ce que nous faisons est 'faire l'amour,' c'est le faire, autrement dit c'est le faire advenir et bientôt tenir; en somme, par nos gestes et dans nos mots, c'est produire et maintenir un authentique rapport humain sur fond d'une situation originelle qui reste animale. Mais sans doute la nature n'est-elle pas la seule puissance coercitive à menacer l'amant dans l'amour. On fait certes l'amour dans l'intimité, mais la sphère publique parvient à s'introduire dans le domaine privé. La sexualité possède en effet des codes définis par la société qui peuvent faire l'objet d'une maîtrise. C'est pourquoi l'amour est aussi une affaire politique. Et Foucault l'a montré en suivant l'évolution d'un discours typique dont, bien sûr, l'origine est incertaine mais qui, sous couvert de scientificité et sous prétexte de promouvoir la santé, est historiquement parvenu à faire de la sexualité l'objet d'un pouvoir réel en fixant ce qui, en elle, relève du normal et du pathologique. Plutôt qu'à la levée des tabous et des interdits, n'aboutit-on pas à des représentations

“liée[s] à une pratique médicale insistante et indiscreète, volubile à proclamer des dégoûts, prompte à courir au secours de la loi et de l'opinion, plus servile à l'égard des puissances d'ordre que docile à l'égard des exigences du vrai” (Foucault 1976, 72)? Dans ces conditions, comme dans le slogan phare de la contre-culture américaine des années 1960 dont la paternité a été revendiquée par Gershon Legman, “*Make love, not war,*” l'expression ‘faire l'amour’ serait au fond une invitation faite aux hommes à se déprendre de toutes les pressions et oppressions pour inventer des rapports interpersonnels plus libres, et ce même dans un domaine, le sexe qui, à l'image de l'orgasme, leur échappe, sinon les dépasse. Mais si faire l'amour n'est en ce sens rien d'autre qu'une proposition tout sauf indécente, quel degré d'activité requiert-elle? Jusqu'où faut-il ‘faire’ l'amour? Sans forcément tomber dans l'activisme, ne risque-t-on pas cependant de trop en faire et, ainsi, de contrefaire l'amour en omettant ce qu'il recèle également de spécifiquement passif?

La passivité de l'amour – même envisagé comme cette supercherie de la biologie pour assurer la préservation et la propagation de l'espèce s'exprimant par le penchant contingent de tel individu pour tel autre, le désir amoureux verrait l'amour aussi vite défait qu'il n'est fait sans contrôle de ce qu'il peut avoir d'involontaire, dimension notoire qui a fait aux hommes concevoir le mariage, cet “amour dans lequel disparaissent tous les éléments passagers, tous les caprices, tout ce qui est purement subjectif” et par lequel deux personnes n'en constituent plus “qu'une seule [...] en renonçant, au sein de cette individualité, à leur personnalité naturelle et individuelle” (Hegel 2009, 145). En passer par la loi semble alors l'unique manière d'entériner l'aspiration à l'unité, sinon à la réunion, selon le mythe d'Aristophane, de deux êtres dont l'intimité sexuelle elle-même appelle à être ordonnée pour être prolongée. Faire l'amour s'inscrit du coup au sein d'un processus dont il peut constituer le début mais dont il ne saurait être le terme. Mais si tout cela conviendra à l'entendement, la sensibilité s'y retrouverait-elle? Force est de constater qu'il n'est pas nécessaire de ramener l'acte d'amour à la logique pour apprécier pour lui-même le champ érotique. Car ne comporte-t-il rien qui lui soit propre, ne serait-ce que la possibilité d'un autre langage, celui du cœur et de “ses raisons que la raison ne connaît point” (Pascal 1963, n° 423)? Ferdinand Alquié le fait remarquer: toujours “l'analyse dissocie, par abstraction, l'affectif en état et en connaissance de cet état: elle permet ainsi son énonciation. Mais mon sentiment n'est pas ce que je connais et énonce” (Alquié 1979, 21); c'est pourquoi faire l'amour peut en être une expression privilégiée dès lors que sont réunies les conditions propres à le manifester. Lesquelles? Celles qu'il faut pour que faire l'amour rompe avec toute forme d'impudeur, d'instrumentalisation, de prostitution ou de pornographie. Alors faire l'amour revient à se donner les moyens de vivre, en se l'offrant et, donc, en le recevant, ce qui ne se comprend ultimement que comme passivité et ouverture à l'altérité, en dépit du risque que porte en elle toute relation sexuelle. Faire l'amour commence en effet avec la caresse, c'est-à-dire, à en croire Levinas, “l'attente de cet avenir pur” car “sans

contenu,” “faite de cet accroissement de faim, de promesses toujours plus riches, ouvrant des perspectives nouvelles sur l’insaisissable.” (Levinas 1983, 82-83) Mais le danger ne faiblit pas: toujours la chair de l’autre peut disparaître derrière son physique, et c’est pourquoi l’amour doit prendre des garanties telles qu’il puisse parer à ce défaut – ce à quoi nous renvoie le faire du ‘faire l’amour.’ C’est qu’il s’agit bien de faire l’amour, pour ne pas laisser l’amour se défaire. Reste que ce faire ne peut être celui d’une activité tous-azimuts puisque ce qui doit se découvrir quand peuvent se découvrir les amants, c’est l’autre en tant qu’autre – à commencer par l’autre que je suis sans le savoir moi-même. Tout n’est donc pas maîtrisable et faire ici consiste aussi, en partie, à ne rien faire, du moins à se rendre disponible à ce qui va se faire – ‘ça va le faire’ – ou pas d’ailleurs, bref à ce qu’on ne peut faire ni soi-même, ni de soi-même. Faire l’amour dès lors, c’est tout faire pour en venir à une intimité réelle où puisse se dévoiler ce qui jamais ne se montrera sans cela.

III.

Ainsi se comprend certainement ce que comprend l’expression ambiguë qu’est ‘faire l’amour’ telle qu’on l’emploie couramment lorsqu’on y réfléchit légèrement. Est-ce à dire que ce sens l’épuise entièrement? Non, et ceci parce que l’on y peut trouver une autre signification dans le cadre d’une conception phénoménologique de l’amour où se distingue nettement l’amoureux, qui aime – et encore... –, de l’amant qui, lui, fait l’amour, c’est-à-dire qui *fait le fait d’aimer* entendu comme il se doit. Plaçons là notre réflexion dans l’horizon de la pensée développée par Jean-Luc Marion dans *Le phénomène érotique*. En effet, “faire l’amour” (Marion 2003, 124) s’y définit à la fois comme *ce qui fait* et *ce que fait* l’amant – le propre de l’amant étant de faire l’amour, il n’est amant qu’autant qu’il le fait –, et *l’acte érotique*, concrètement, de se résumer à *l’avance*. Qu’est-ce à dire ou, mieux, qu’est-ce à décrire puisque nous sommes ici dans le champ de la phénoménologie? Deux précisions d’abord avant d’y venir.

Premièrement, pourquoi parler désormais d’acte érotique et non plus d’acte sexuel? Réponse: parce que le défi relevé par Jean-Luc Marion consiste à ne dire de l’amour que ce qui peut valoir pour tous ses types, le pari qu’il fait contre toute la tradition philosophique étant celui de l’univocité de l’amour, sans quoi l’on s’interdit d’en parler réellement et, de fait, l’on n’en parle tout simplement pas – logique: “un concept sérieux de l’amour se signale en principe par son unité, ou plutôt par sa puissance à maintenir ensemble des significations que la pensée non érotique découpe, étire et déchire à la mesure de ses préjugés” (Marion 2003, 14-15); or, force est d’avouer que les plus grandes métaphysiques de l’amour partent non pas du constat mais du postulat de l’équivocité de l’amour... *Deuxièmement*, qu’est-ce que l’avance? Réponse: l’avance est le nom de la situation de l’amant au stade ultime de la réduction érotique. Qu’est-ce alors que l’amant et qu’est-ce que la réduction érotique? *L’amant* est le nom pris par l’*ego* que je suis après avoir compris que 1. tous les hommes désirent connaître; 2. tous les hommes désirent

connaître non pour connaître mais pour le plaisir de connaître, c'est-à-dire pour le plaisir de jouir de soi à travers le procès de la connaissance; 3. tous les hommes qui désirent connaître pour le plaisir de jouir de soi à travers le procès de la connaissance n'y parviendront que lorsqu'ils seront sûrs du savoir qu'ils peuvent avoir; 4. sûrs, ils ne le seront jamais avec des certitudes, même celle d'exister, puisque la question de la vanité, l'"à quoi bon?", peut les balayer à tout moment en un rien de temps; 5. sûrs, ils ne le seront que par l'obtention d'une assurance, celle qu'on les aime, rien d'autre ne leur important réellement; 6. cette assurance, nul ne peut se la donner à lui-même, car personne ne peut s'aimer soi-même, chacun attendant de l'autre qu'il la lui offre sans consentir à la lui donner le premier; 7. pour sortir de cette impasse qui risque fort de dégénérer en méfiance généralisée, sinon en haine, puisqu'à la haine de chacun pour soi, presque naturelle, risque de s'ajouter bientôt la haine de chacun pour tous en tant que tous refusent de livrer à chacun ce dont il a besoin et, en définitive, la haine de tous pour tous en tant que tous sont dans la même situation que chacun, il n'est pas d'autre moyen que de faire le premier pas, d'aimer, donc de faire l'amour, de s'avancer, de se découvrir, de se dénuder. Qu'est-ce, du coup, que la réduction érotique? *La réduction érotique* est le nom du régime sur lequel l'amant se vit et se voit lorsque, la vanité ayant révélé l'inanité de ses certitudes et son besoin d'assurance, l'essentiel devient pour lui de savoir, d'abord, si on l'aime, puis, et finalement, si lui peut aimer le premier, à savoir peut réaliser l'acte érotique d'avance. Voici pour les mots. Venons-en aux choses.

Par définition, on le disait en commençant, l'amant est celui qui aime, *l'aimant* par lequel il y a un aimé. Logiquement, comme chronologiquement et même ontologiquement, le premier aime en premier et devance le second qui, à ses avances, répondra ou non. L'amant ne peut manquer de lui en faire: sans savoir s'il a été vu par l'autre, sans savoir s'il va être entendu, l'amant prend les devants et, donc, "l'initiative," (Marion 2003, 134) choisissant de faire "*comme si*," (Marion 2003, 149) comme s'il avait été vu, comme s'il allait être entendu, et même comme si l'aimé l'aimait déjà, voire comme si l'aimé était déjà, lui aussi, un amant. Mais comment faire comme si? Tout simplement en faisant ce que l'on fait quand on aime. Mais quoi? Tout! Ne dit-on pas qu'"on peut tout faire par amour"? Tout soit, mais sûrement pas n'importe quoi. Ce que l'on fait quand on aime, c'est justement aimer et ne pas compter – 'quand on aime, on ne compte pas.' On ne compte ni ce que l'on dépense – temps, argent, énergie, etc. – , ni ce que l'on dispense – soutien, soin, tendresse, etc. Ainsi, aimer serait donner pleinement, donner jusqu'à se donner soi, s'abandonner, et donner vraiment, donner à perte, donner à fonds perdu. Ce que l'avance fait comprendre, c'est que l'amour est le fait des téméraires, non des apothicaires, de ceux qui osent, non de ceux qui dosent, d'où une "rationalité" (Marion 2003, 15) spécifique, et non arithmétique. Lorsqu'il se fait amant, *l'ego* n'attend plus de l'amour "un échange à peu près honnête, une *réciprocité* négociée, un compromis acceptable," (Marion 2003, 113-114) car tout cela relève de ce que n'est pas l'amour.

Insistons-y – et ceci contre Diderot lui-même, qui se trompe sur ce point, lui qui affirme qu’“on est amant de celle dont on attend du retour.” L’amant, qui n’est donc pas l’amoureux, n’attend justement rien en retour de l’amour qu’il fait en se donnant à autrui, et ceci non seulement parce que ce serait inconvenant – donner pour recevoir, c’est investir –, mais surtout parce que c’est impossible: belle et bonne dans le commerce, la réciprocité, qui définit l’échange, est nulle et non avenue en amour, que définit le don. C’est que, contrairement à là, il n’est ici pas de termes de l’échange car aucun moyen-terme qui soit objet d’échange. Les partenaires commerciaux s’échangent quelque chose, ceci contre cela – des bras/du chocolat –, en sorte qu’il y a entre eux des éléments qui permettent, objectivement, de calculer s’il y a égalité entre eux – pas de bras, pas de chocolat; de gros bras, du grand chocolat! – ; les ‘partenaires’ amoureux, eux, ‘s’échangent eux-mêmes,’ si bien qu’il n’y a ni échange, ni partenariat. Pour que la réciprocité soit possible en amour, il faudrait que l’amour ne soit pas l’amour de l’un pour l’autre mais l’amour de l’un et l’autre pour un objet commun... ce qu’il finit par y avoir quand il n’y a plus d’amour et que, dans le cadre du divorce, il s’agit de partager les biens!

Bref, l’amant aime en pure perte. Soit le cas, banal, presque universel, où l’un des deux n’aime pas ou n’aime plus. “Qui désigner comme le moins malheureux des deux?” (Marion 2003, 140) Réponse: non pas celui que l’on croit, celui qui ne fait aucun effort ou qui a décidé d’arrêter d’en faire, mais celui auquel on ne pense pas: l’amant, c’est-à-dire celui qui ne cesse d’aimer même si autrui ne vient pas à lui ou même si autrui est parti. “À lui seul il maintient l’amour à flot.” (Marion 2003, 140) Mais si l’amour prend l’eau, pourquoi ne pas quitter le bateau? À quoi bon justement, demanderont ceux qui, parmi nous, pour mieux se masquer le fait que ce sont eux qui le sont, jugeront l’amant en question nihiliste et, bientôt, masochiste? Or, nihiliste et masochiste, l’amant ne peut l’être, lui qui n’a nul besoin de se convaincre ni de persuader quiconque que l’amour est une ‘valeur’ et un ‘bien.’ Une ‘valeur,’ car une activité qui est à elle-même sa propre fin: de même que l’on joue pour jouer, on aime pour aimer. Un ‘bien,’ car une activité dont le plaisir n’attend pas la fin: de même qu’on aime jouer, on aime aimer, c’est-à-dire, exactement, jouer le jeu de l’amant. C’est pourquoi en amour, “si l’on veut vraiment gagner, il faut aimer et persister” (Marion 2003, 140), persister et signer. Et “le vainqueur est – le dernier amant;” il remporte la “mise” (Marion 2003, 140) et empoche le gros lot: l’amour, qui, seul, fait “s’assurer de soi” et “se rassurer contre tout assaut de la vanité” (Marion 2003, 37). Rappelons-nous Musset, mais cette fois en entier, à moitié cité qu’il était tout à l’heure: “on est souvent trompé en amour, souvent blessé et souvent malheureux,” on le sait, “mais on aime, et quand on est sur le bord de sa tombe, on se retourne pour regarder en arrière;” or, “on se dit: ‘J’ai souffert souvent, je me suis trompé quelquefois, mais j’ai aimé. C’est moi qui ai vécu, et non pas un être factice créé par mon orgueil et mon ennui.’” Musset l’avait compris: loin qu’il faille être pour aimer, c’est aimer qui fait être.

On devine l'étrange logique – car la logique logiquement étrange mais en même temps étrangement logique – du faire l'amour. Elle est en réalité celle du *qui perd gagne*. L'amant est celui-ci qui lorsqu'il "s'adonne" (Marion 2003, 116) à l'amour et s'y abandonne corps et âme, ne perd rien, ne se perd pas et, mieux, a tout à gagner à tout perdre. Précisons. Si, premièrement, *l'amant ne perd rien*, c'est qu'il n'a rien à perdre à aimer. "Dernier à aimer" (Marion 2003, 140) parce que premier à le faire, il est celui que personne ne peut désormais arrêter, parce que celui que rien ne peut plus atteindre – pas même le fait que l'on n'éprouve rien pour lui. Affranchi de l'exigence d'un retour quant à son amour, l'amant a en effet franchi un point de non-retour. "Qu'il ne m'aime pas tant qu'il voudra, qu'il m'aime aussi peu qu'il pourra, il ne m'empêchera jamais, moi, de l'aimer, si je l'ai ainsi décidé," (Marion 2003, 117) tel est, lorsqu'il s'avance vers l'aimé, le discours qu'il se tient en silence. Objecterait-on que, aimant sans être aimé, l'amant perdra au moins son amour de même qu'il perdra clairement son temps? Impossible. Qu'un amour donné ne soit pas reçu, accepté ni même rendu ne saurait, d'abord, le rendre nul et non avvenu, et ne saurait, ensuite, léser que celui qui lui oppose son refus. Perd celui qui ne prend pas ce qui lui est offert – et qui, souvent, ne sait pas ce qu'il perd. Si, deuxièmement, *l'amant ne se perd pas*, c'est qu'il sait toujours où il se trouve en aimant à perte. Parce que, de l'amour, "l'abandon et la déperdition définissent le caractère unique, distinctif et inaliénable," (Marion 2003, 117), c'est dans l'amour que l'amant évolue à chaque fois qu'il aime sans retenue. Ainsi, l'amant se trouve: "plus [il] aime à perte, plus [il] aime tout court" (Marion 2003, 117), et plus il aime tout court, plus il est l'amant. Ainsi, l'amant s'y retrouve: "plus [il] aime à perte, moins [il] perd de vue l'amour," (Marion 2003, 117) et moins il perd de vue l'amour, moins il est perdu. Si, troisièmement, *l'amant a tout à gagner à tout perdre*, c'est que gagner, ne serait-ce qu'un peu, lui ferait perdre beaucoup. Supposons que l'amant, qui s'en va aimer, en vienne à être aimé – et n'en revienne pas, tant lui sait qu'il n'est pas aimable. Vivra-t-il un "amoureux heureux?" (Marion 2003, 115) Les guillemets dont s'affuble l'expression chez Jean-Luc Marion en fera douter. Ou il vivra heureux de vivre ce qu'il vit, à savoir une relation qui "ne pourra [...] rester un amour, puisqu'[elle] relèvera[...] d'emblée de l'échange et du commerce," ou il vivra son amour, un amour qui, "réglé au plus près par la réciprocité" pour commencer, ne pourra le rester, donc ne pourra "rester heureux." (Marion 2003, 115) Si le poète a toujours raison car, oui, il n'y a pas d'amour heureux, le philosophe doit le compléter: mais le bonheur d'aimer le veut. L'amour à "sens unique," (Marion 2003, 331) l'amour unilatéral sert finalement les intérêts de l'amant. C'est en lui qu'il trouve "non pas l'assurance d'être, ni de l'être [*sic.* aimé], mais *l'assurance d'aimer*" (Marion 2003, 121) – l'assurance non la certitude.

De ce point de vue, on comprend mieux que Jean-Luc Marion souscrive en définitive à la liste dressée par l'apôtre Paul de ce que Kierkegaard, qui y revient, nomme, lui, les 'œuvres de l'amour' et, parmi elles, notamment à celle-ci: tout supporter. Évoquons-la pour terminer attendu que tout le travail de l'amour est là – un *travail bénévole*, cela va de soi qui, s'il mérite salaire forcément, n'en hérite

pas nécessairement. En raison de l'avance qui fait de lui ce qu'il est, l'amant supporte justement et le retard de l'aimé, qu'il endure, et l'accomplissement de l'amour, qu'il soutient.

L'amant supporte (endure) le retard de l'aimé. L'amant n'est pas l'aimé en effet. Il est celui qui "s'avance" (Marion 2003, 111) quand lui commence par reculer, car celui qui se découvre quand il faudrait encore se dissimuler, pis, celui qui se déclare avant même qu'on ne lui ait parlé. L'amant tente sa chance sans attendre qu'autrui la lui ait donnée. L'amant ose et, par conséquent, s'expose fatalement à tomber – à tomber amoureux comme à tomber de haut. Ce qu'il fait trop tôt pour l'aimé, l'aimé le fera trop tard selon lui – et peut-être jamais. Mais autrui, qui se fait donc désirer, c'est-à-dire d'abord attendre, en viendrait-il à lui répondre sans tarder que l'amant, sans attendre, relancerait d'autant pour se relancer. Comprenons-le bien: l'amant n'aime pas pour être aimé en retour, l'amant aime pour aimer et aime d'aimer; ou plutôt: l'amant aime d'aimer l'amour – tel est le moyen de l'amour – et pour l'amour d'aimer – telle est la fin de l'amant. Encore une fois, peu lui importe la réciprocité – à moins d'être fou, l'amant ne donnerait pas sans compter s'il comptait qu'on lui rende autant qu'il donne. Seul compte à ses yeux le maintien de la possibilité que cet amant potentiel qu'est autrui devienne amant par le truchement de son propre amour à lui. C'est pourquoi seul compte le maintien de son envie d'aimer, de laquelle tout dépend et qui ne dépend que de lui. Quoi qu'il en soit, il est donc clair que l'amant ne peut recevoir de l'aimé qu'à lui redonner davantage, dans la mesure où il ne lui revient pas seulement de faire le premier pas, mais où il lui appartient encore d'avoir le dernier mot. Aussi l'amant endure-t-il d'autant mieux le retard de l'aimé qu'il l'encourage.

L'amant supporte (soutient) l'accomplissement de l'amour. C'est qu'"au départ, lorsque éclate la déclaration d'amour, l'amant décide de tout" (Marion 2003, 138) et décide même de tout d'un coup. Du seul élément dont il décide réellement, aimer, dérivent tous les autres nécessairement. Sa décision bien sûr, qu'il dit en la prenant, est l'amour, qu'il fait en le disant: l'amant "déclare son amour comme on déclare la guerre [...] c'est-à-dire parfois sans même prendre le temps et le soin d'en faire la déclaration." (Marion 2003, 129) Ainsi, l'amant *fait l'amour*, au sens où il le "fait éclater" (Marion 2003, 129) au grand jour. Mais de ce fait, il se fait aussi bien l'amant qu'il fait l'aimé et lui "fait faire l'amour" (Marion 2003, 138) à son tour. Précisons ces trois points avec et comme J.-L. Marion, soit à grand renfort de métaphores. En faisant l'amour, l'amant *se fait l'amant* d'abord, puisqu'il n'est pas d'amour sans amant et réciproquement. L'amant ouvre le bal en dansant, de sorte qu'il s'impose comme le premier danseur et, dans un premier temps, comme le seul en piste. En faisant l'amour, l'amant *fait l'aimé* ensuite, puisqu'il n'est pas d'amant sans aimé et réciproquement. L'amant ouvre la danse en invitant parmi l'assistance celle qu'il veut pour cavalière et, ce faisant, la "rend donc possible" (Marion 2003, 138) et visible en tant que telle. Visible, parce qu'elle n'eût point paru sans lui, perdue qu'elle était d'abord dans la salle. Possible, parce

que nul n'eût su, et pas même elle, qu'elle dansait elle aussi s'il ne lui avait offert de le rejoindre. En faisant l'amour, l'amant *fait faire l'amour* enfin, puisqu'"il suppose qu'autrui finira par le faire." (Marion 2003, 139) L'amant ne se persuade pas simplement de la présence, face à lui et en dépit de l'apparence atone et monotone de toute l'assemblée, d'un autre danseur que lui qui pourrait l'inviter, il le provoque car le persuade qu'il sait, voire veut danser autant que lui, sinon avant lui. Aussi l'amant soutient-il d'autant plus l'accomplissement de l'amour qu'il l'endure.

Nous parlions du travail qu'est l'amour en songeant à l'étymologie du mot, le verbe *tripaliare*, soit le fait de torturer ou de tourmenter avec un *tripalium*, ce dispositif de contention formé de trois pieux jadis utilisé dans les fermes pour ferrer les chevaux ou aider à la délivrance des animaux. Baudelaire ne s'y trompait pas: "Il y a dans l'acte de l'amour une grande ressemblance avec la torture ou avec une opération chirurgicale," (1975, 659) aussi douce ou bénigne soit-elle. Par où nous pourrions conclure en répondant simplement à notre question initiale. Au final, faire l'amour ne se réduit surtout pas à avoir des relations sexuelles avec autrui. D'ailleurs faire l'amour peut se faire seul et signifie d'abord *se faire l'amant*; mais faire l'amour de se faire bientôt en charmante compagnie en tant que cela revient aussi à *faire l'aimé* jusqu'à, ultimement, *lui faire faire l'amour*. Ce faisant, qui que l'on soit – homme, femme, enfant, démon ou Dieu –, on aime vraiment, car activement.

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Echoes of the Eugenic Movement from Interwar Romania in Communist Pronatalist Practices

Andreea Poenaru

Abstract: The present article dwells on the idea of the empowerment of women as it was used by the Communist regime. Eugenics, a field much discussed in inter-war Romania, was the main tool in controlling women. The principles of this science, related to the idea of biology as destiny, were adopted and applied so that the private sphere became public. My thesis is that even if these principles were used in the communist strategy in order to strengthen the nation, in fact, their core aspect – reproduction – became only a means for increasing work force and in the end weakened the family and implicitly the nation.

Keywords: birth control, Communism, Eugenics, family, women's empowerment.

Introduction

The feminine problem was already included in the documents for the Congress of the Establishment of the Communist Party. Nina Neuvrit was chosen as the reporting person for the feminine movement and she presented a paragraph regarding feminine organizations that assured the public that there was a real participation of women in political life and a real recognition of their role in this field. In fact, the aim was the indoctrination of a certain social section that, by its maternal role, educated the future members of the socialist society. There was no fight for women's rights anymore. They were offered by the Party. The ideal was imposed by the State – a woman had to wish for the propagation of Communist principles, a fact that guaranteed her a superior state than the previous. In fact, women's roles were defined especially through the principles of Eugenics. What was the role of Eugenics in this scenario and how was its impact on population, especially on women? I will try to answer these questions by showing how the ideas of the eugenicists were inserted in the communist political discourse regarding women.

Eugenics in Interwar Romania

Between 1918 and 1947, doctors, anthropologists, biologists, lawyers, sociologists, and other scholars from the field of social science adopted the theory of biologic determinism with the aim of re-asserting the role that the State would

play in assuring the progress of humanity (of the nation defined from a biological point of view) according to eugenic principles.

As Dr. Gheorghe Banu asserted in an article published in *Revista de igienă socială* (Social Hygiene Magazine), Eugenics is a science that studies the factors that are under the control of the society, susceptible of modifying physical or mental race features and whose purpose is to hinder the procreation of inferior, degenerate (dysgenic) elements, which tend, at one moment, to overcome the normal elements (Banu 1935, 101). Why was Eugenics needed? An explanation comes from the pages of the same magazine: in order to neutralize infection (syphilis), toxic (alcoholism), and social (insufficient food) factors (Banu 1935, 102). Other reasons present themselves as follows.

First, before 1918, giving birth and nurture were, as it is natural, closely connected with the private sphere. From 1923 these processes became public and political. The eugenicists delimited the politicization of the private life by identifying women's rights and responsibilities with their reproductive functions (Bucur 1995, 128). In my opinion, the rise of Eugenics did not serve women's empowerment at all. Not because they should not have given birth, but because of the pressure put on them and of the dramatic turn that it took.

Secondly, after the creation of the Greater Romania the eugenicists were among those who believed that there was the need of modernizing the newly created state using traditions. They concentrated their rhetoric and strategy on improving the national biologic capital and implicitly on women who seemed to be promising actors in the modernizing process if they were to assume the traditional roles of mothers and use their natural feminine gifts of compassion and kindness in the public sphere. The vision of a healthier and more prosperous nation centered, this time, on concepts regarding the various roles that were to be played by men and women – different roles according to hereditary and biological differences (Bucur 2002, 107).

I will include here the opinion of Professor Iuliu Moldovan because he was considered to be the leader of the movement. He viewed women's movement, feminism, as a form of individualism that was contrary to women's eugenic destiny. According to his work, *Biopolitics*, which was a kind of guide for the new movement, the woman had to have a decisive role:

(...) in all matters that regard the very essence of the community, further in education, in protection, and in household and it is good that she would be offered a consultative vote in solving all other needs that arise or could arise in the life of a community as it is in matrimony (Moldovan 1926, 80).

In other words, the woman participates in the public life, but this involvement:

could not be done in the same extensive or intensive manner as the man because the woman is the protector, the main factor that keeps the family closely knit and her main task is maintaining the purity and the natural evolution of this central entity, unique as regards its importance for the future (Moldovan 1926, 81).

Nevertheless, Iuliu Moldovan's interest in women's problems is contrasted by other contemporary analyses. His trust in the Romanian women's availability of taking part in the political life was very high in 1936. He asserted his support for women's right to vote that was necessary for modernization. At the same time, he pointed to the fact that women had to take care of this process, organizing themselves and becoming more active in the field of welfare work, precisely for gaining the right to vote (Moldovan 1926, 75). This attitude is remarkable and, in comparison to the eugenicists from other parts of the world – especially those from the United Kingdom, France, and the USA –, unique. Even if in these countries, women were an important part of the electorate, directly affected by eugenicists' ideas and programme, they were not offered the empowerment in the political sphere. In Romania, the eugenic arguments for women's empowerment were promising radical changes regarding gender roles in the political arena, in the context of a feminist movement that was less numerous and less organized. Still, Moldovan's attitude proved to be just a mere strategy through which he wanted to dilute the appeal of feminist groups' rhetoric. Even if he seemed to accept the idea of women's suffrage easily, he was to use this argument in order to capitalize on the maternal qualities for the fulfilling of the common good and not for guaranteeing women's access to any job or way of empowerment in the public sphere. The implications of this attitude proved to be profound: even if the eugenicists wanted to separate the public from the private space, they were actually trying to bring both in the political sphere thus placing the State in a position of control (Bucur 2002, 112).

The purpose was to create a strong feminist organization within the State framework, which could have validated the mother's characteristics and fight for biological purity. In this context, concerning girls' education, Valeria Căliman advised that they were not to be encouraged to practice intellectual jobs because it would have stopped them from dedicating to their true mission. "The woman-clerk, the woman with material independence would not be attracted by the real family life. What is allowed for a woman endowed with special traits can be fatal for a woman that wants just to acquire a certain good by studies." (Căliman 1942, 126) The woman, as an eugenic being is an instrument for the eugenic strengthening of the nation (Căliman 1942). The exceptional women were viewed as a deviation from the normal. The few cases of exceptional women were either unmarried or sterile; persons who had wasted their admirable qualities without the possibility of transmitting them to the future generations.

In the pages of *Buletin pentru Eugenie și Biopolitică* (Bulletin for Eugenics and Biopolitics), a publication of Astra society, Maria Băiulescu, the president of the Romanian Women Union, supported the idea of biology as destiny – women were, in the first place, procreative. Within this equation, birth and nurture became political imperatives; it was a woman's duty to strengthen the nation (Bucur 1995).

The main issue was, obviously, the family, one of the victims of modernization. The eugenicists did not condemn women's modernization as a threat to the health of the nation. They just preferred isolating certain enemies. The favourite scapegoat was the feminists and also, generally, all women who had used the opportunities offered by modernization with the supposed aim of escaping maternal responsibilities. It was not the industrialization, the economic instability, and the cheap, unqualified work market that were condemned, but women's ambitions or their wrong perspective regarding day to day economic problems. Instead of looking for solutions for protecting the health of the family and especially that of children, women had to respond to economic pressure by taking a job outside the household. The eugenicists identified women with household responsibilities and the man with the public ones, so they could not see that the two spheres were in fact permanently overlapping (Bucur 2002, 115).

Furthermore, I think that the politicization of the private sphere seems to have simplified a growing control on women's life and, consequently, established a more severe limitation of their social authority and roles. Nevertheless, at least in the beginning, the situation had been different. Leaders of women's organizations, as Maria Băiulescu, adopted the eugenic definition of women's social roles as a means of acquiring a stronger social status and a more clear recognition of the mother and of the wife.

In early eugenic writings, women were portrayed as moral guardians of the future in a way that resembled the model of the republican maternity from USA and France. The eugenicists described these roles not only as natural but also as a fulfillment of women's specific qualities. They were a source of moral authority and could make the most important contributions to the future health of the nation (Bucur 2002, 119). At the Women's Union Congress in September 1931, Maria Băiulescu stated that "family is a hereditary tree which supports the State; the strength of the family is the woman. If this foundation were shaken, the end of moral order, of belief, and also of a people would certainly come" (quoted in Bucur 2002, 118).

In the 30s, when women made a shift in their interests from asking the true recognition of the mother and of the wife to requiring the right to vote on an equal basis, the tone of the eugenic analysis changed. The eugenicists stopped worshipping the noble institution of maternity and women as guardians of morality. They started to concentrate on feminists' dysgenic actions, on the abandon of the household, and on the dangerous behaviour of those women that entered interethnic marriages. Consequently, there appeared the necessity of imposing negative eugenic measures in the context in which the idea of race purification was more and more popular in Germany and Italy. A discourse of fear and exclusion was on the rise, accompanied by a limitation of woman's role in society (Bucur 1995, 138).

Many authors saw the interethnic marriages as a threat for healthy social relations. They employed a double approach. First, these marriages would have

diminished the background of the human eugenic capital. Secondly, the chances that the children resulted from these families would grow up identifying themselves as non-Romanian, were higher and this represented a danger for the health of the nation.

Eugenics Principles in Communist Key

A problem that resulted from employing eugenic principles in the political sphere was the fact that the Communist regime managed to plan, in the end, all the aspects of the private life. They were under public surveillance through measures that resembled those proposed by eugenicists, among which there were the elaborating of individual genealogical files, forced divorces, and the criminalization of abortions.

The eugenic ideas re-emerged once with the debates regarding abortion in the 1960s. There was a reinvigoration of the eugenic discourse from the 1920s regarding the relations between the State and the individual. In early Communism, the control over abortion was not strict. In fact, it was completely decriminalized at the end of the '50s when the regime legalized abortion by decree no 463 from September 30, 1957. In a time when rapid industrialization was one of the main objectives of the State leadership and especially of the new General Secretary, the lowering of birthrate could have been an omen.

While Ceaușescu and the other leaders were signaling this problem publicly, Petre Râmneanțu, an old disciple of Iuliu Moldovan, started, in his turn, to send various memoranda concerning the same issue. He described the decrease of the birth rate in Romania as a degenerative phenomenon, suggesting a series of reforms that would have made the problem disappear. Râmneanțu's language and measures were very close to the inter-war ideas regarding the control of women's access to reproductive means and the promotion of a responsible behaviour (in eugenic meaning) of sexually mature couples. The memorandum insisted on the efficient education of women, their responsibilities as mothers, and also on the need of introducing genetic conscience on all levels of education (Bucur 2002, 140). Another issue was abortion.

Râmneanțu requested the criminalization of abortion and the control of the State over all means of contraception. He recommended the punishment of both mothers and the medical personnel that assisted the abortions. He also suggested stimulators for reproduction by increasing the alimony for children proportionally with their number. It is not known if the analysis caused a direct answer from the Health ministry and from Ceaușescu, but it is certain that on the 1st of October, 1966 the Parliament promulgated the Decree no 770 which re-criminalized abortion (Bucur 2002).

In Romania, the link that was established between demographic issues and nationalist policies transformed women's bodies into instruments for the use of the State. The paternalistic State exercised its authority partially by elaborating a discourse and practices centered on family. Women's entrance into the public

sphere would have led to their liberation. The nation was to be re-built through a neo-Stalinist project in social engineering called 'homogenization' with the aim of creating the new socialist man.

The homogeneity elaborated in the 80's was aimed at achieving social equality by making social differences insignificant. Race, gender, ethnicity were to be homogenized. Persons were to be recognized by their contribution to the building of socialism and not by what made them different from one another. People existed only in the public sphere of the State. The main contribution of the family was in the eugenic field of reproduction and, implicitly, in that of work force and of spiritual reproduction – youth education and integration in society (Kligman 1992, 365).

The political reconstruction of the family was a fundamental component of socialist transformation. When the reaching of this purpose was considered to be necessary, there came laws, decrees, and normative documents. These normative stipulations had vital importance for the efforts of the new regime that wanted to restructure social relations so that they would become compatible with the political and economic organization of the Socialist State. These measures regarded the family, the relations between sexes and generations, the attitude regarding human reproduction and mutual relations within the family, and the structural process of creating a new socio-political system. In 1955 the laws regarding abortion were revised. They specified the conditions in which women had the right to interrupt their pregnancy legally. In 1956 the State introduced financial assistance for families with children. In 1957 the policy regarding abortion was revised again and, this time, abortion was liberalized (Kligman 2000, 90).

The Communist Party used the legislative activity in order to reshape the relation between the public and the private spheres so that the latter would become, willy-nilly, a partner in the radical project of changing the society. In Communism, a social category that had been deprived of rights in the past was viewed as a target for the discourse and strategies connected to emancipation and social progress. The aim was that of illustrating the success of the new policies and the transformation that resulted from them.

In defining the project of the woman's involvement in the public space, the Communist Party that had taken the lead after the war, had to integrate a series of compelling factors among which the first was the socialist rule of the democratic game that presupposed the proclamation and juridical regulation of the equality between men and women. The assimilation of the Soviet model imposed conditions for the access to positions of responsibility and to all jobs, for social protection, material and symbolical support (Cîrstocea 2002, 127).

Equality was one of the fundamental ideological doctrines of the Socialist states and constituted an important element of the official political discourse. The publication of the Family Code meant the official recognition, through law, of the equality between women and men in the private sphere, i.e. in family life.

Women's equality with men in the public sphere was guaranteed by the Constitution. Thus, the new political regime broke up with the past radically and redefined the border line between the public and the private officially. The State claimed its paternalist rights of protecting the family and determining the reproductive cycles. The interest conflict that resulted from the target figures and the circumstances of the daily life were reflected in the life of the women who suffered the bitter consequences (Cîrstocea 2002, 54). There was no intention of really liberate the woman. On the contrary, she was only viewed as a supplementary work force for the great industrial projects. As in any totalitarian regime, the annulment of the individual leads to the lack of meaning of the private life generally and of the family in particular.

The political manipulation of abortion and the contraceptive practices explains partly why the reproduction policy constitutes such an important area for the confrontation between the State and the interests of its citizens. The legislation regarding reproduction brought the State directly in the private territory of its citizens' bodies (Cîrstocea 2002, 55).

It seems that the legalization of abortion was also influenced by other geo-political factors. In 1956 the Soviet Communism had its first major crisis. Hungary, Poland, and Democrat Germany revolted against the Soviet domination. Many Romanian students and intellectuals from the university centers in Bucharest, Cluj, Timișoara asserted their solidarity with the Hungarian insurrection. Even if the agents of the Militia State repressed all their activities, the wave of arrests and expulsion aggravated the relation between the State and population. The liberalization of abortion was one of the stimuli offered to the people in order to diminish the tensions and change the image of the regime (Cîrstocea 2002, 60).

The moment when women's history in Romania showed an existence of itself was the autumn of 1966 when the law interdicted the deliberate interruption of pregnancy for women that had less than four children and were under 40. The birth rate had lowered to 14 to 1000 inhabitants and this was a sign of diminishing the work force and a threat to the rhythm of industrialization. So, there was no talk about real moral principle. From that moment on, birth became a competence of the State. Consequently, there appeared the paradoxical situation in which the woman had the possibility of having any position she wanted, legally, but she was deprived of the right over her body (Raduly 1996, 174). As I mentioned before, that was not a moralizing campaign, but a violent intrusion. Abortion was not a murder, but an act against the State which needed workers.

The preoccupation for women's health came from the wish to control the means of reproduction. The numerical growth of population was a political objective. Consequently, from 1984 women that could have children had the obligation of undertaking an oncologic control that was aimed at finding out if they did not break the law by using contraceptive means (Deletant 1997, 175).

Ceaușescu's 'humanism' proved to be misogynism. Women were accepted and praised as workers for the socialist process, as mothers and good

householders, but they were viewed as deviant, as “a reflection of the decadent imperialism” (Băban 2003, 390) if they tried to enjoy life by dedicating themselves to art and literature and if they showed personal aspiration.

Conclusion

This financial and moral support was in fact not for mothers and children as human beings, but for the work force that they represented and that served the purposes of the Communist Party. The image of the woman tended to be even more primitive than that of the eugenic movement. The official discourse showed her as a keeper of traditions, an educator, and a bearer of moral values but, in fact, the woman was just a means of reproduction, a good of the State that had to be used in the interest of the nation.

It is ironical in a way: we may still remember that until 1989 one of the very few specialties for children (and not only) was a kind of biscuit called ‘Eugenia.’ But this can be viewed only as a joke for connoisseurs. I think everybody who was a child then knows how it tasted, but we did not fully know the trials that our mothers went through as ‘liberated’ women who had the ‘right’ to work day and night, in three shifts, but did not have the right to see their children grow. I am referring here to the social product that occurred in the process: the so-called ‘generation with the key hanging around the neck.’ We who were children then may have happy memories because that is what we were – children, but our parents still shudder at the memories from the famous factories and plants, the laboratories of the false women’s freedom and equality. In the hands of the Communist Party, Eugenics was the tool of transforming the private sphere into a political instrument and it proved to be a hindrance for the evolution of the family welfare.

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The Buck Passing Theory of Art

James O. Young

Abstract: In *Beyond Art* (2014), Dominic Lopes proposed a new theory of art, the buck passing theory. Rather than attempting to define art in terms of exhibited or genetic features shared by all artworks, Lopes passes the buck to theories of individual arts. He proposes that we seek theories of music, painting, poetry, and other arts. Once we have these theories, we know everything there is to know about the theory of art. This essay presents two challenges to the theory. First, this essay argues that Lopes is wrong in supposing that theories of arts were developed to deal with the 'hard cases' – developments such as Duchamp's readymades and conceptual art. This is a problem since Lopes holds that the buck passing theory's capacity to deal with the hard cases is one of its virtues. Second, this essay argues that the buck passing theory has no account of which activities are arts and no account of what makes some activity an art.

Keywords: aesthetics definitions of art, buck passing theory of art, Dominic Lopes, philosophy of art, theories of art.

1. Introduction

Challenged to define art, philosophers have typically adopted one of two general strategies. Those who adopt what Dominic Lopes (2014) calls the "traditional stance" identify some exhibited feature that all works of art share. Advocates of the 'genetic stance' define art in terms of a distinctive genesis that artworks share. Both the traditional stance and the genetic stance have something in common. They begin by defining art in general. Only then do they go on to define the individual arts, such as music, painting and literature. Recently, Lopes has proposed a striking and original alternative approach to the definition of art. Instead of attempting to define art (or develop a theory of arts), he proposes that the buck be passed to theories of the individual arts. On his view, philosophers should aim to provide theories of music, painting, sculpture, dance, and so on. Something is a work of art if it is classified as such by a theory of some art. Lopes' proposal deserves careful attention, but there are reasons to doubt that he has succeeded in passing the buck to theories of the arts.

As Lopes understands it, a buck stopping theory of art completes this schema:

x is a work of art = x is...

or this schema:

x is a work of art iff x is...

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Traditionally, buck-stopping theories replaced the ellipsis with “imitates *belle nature*” (Batteux 1746/2015), “has significant form,” (Bell 1914/1961) “communicates emotion from an artist to an audience” (Tolstoy 1899) or some other exhibited feature shared by artworks. More recently, genetic theories have replaced the ellipsis by something like “has been enfranchised by an art theory,” (Danto 1986) “has been produced for presentation to an artworld public” (Dickie 1984) or some other genetic feature that artworks share. Lopes, on the other hand, thinks that the schema should be completed in these terms:

x is a work of art = x is a work of K , where K is an art.

On this view, the responsibility for coming up with a theory of art is passed to the theories of the arts. So, for example, if x is a work of music, and music is an art, then x is a work of art. A theory of music will determine what a work of music is. Once we know what the K s are and know the theories of each K , we know everything there is to know about a theory of arts.

The candidates for K s are what Lopes calls ‘appreciative kinds.’ Appreciative kinds include arts such as music and activities such as flower arranging, ice dance, dog breeding and so on. A challenge for Lopes, as we shall see, is to determine which appreciative kinds are arts.

2. Lopes’ Desiderata

Before we can begin to evaluate the buck passing theory, we need to have an idea of the desiderata that a satisfactory theory of art will satisfy. In making the case for the buck-passing theory, Lopes states four desiderata for any good theory of art. For a start, the theory must be viable. Next, the theory should be systematically informative. It must ground empirical research in the arts. Finally, it must deal with the hard cases. In Lopes’ view, the buck passing theory of art satisfies these desiderata better than any buck stopping theory.

One can take issue with Lopes’ position in two ways. One can differ with him in his assessment of the degree to which the buck passing and buck stopping theories meet his desiderata. Alternatively one can argue that Lopes has chosen desiderata that wrongly favour a buck passing theory. Here I will accept Lopes’ desiderata but question whether the buck passing theory satisfies them better than buck stopping theories. Before undertaking this task, I will say a few words about each desideratum.

When Lopes says that a theory of art must be viable, he means that it must be able to withstand two objections. The first is the coffee mug objection: Suppose that ceramics is an art. Even if it is, intuitively a mundane coffee mug bought at Walmart is not a work of art. A theory of art must be able to explain why this coffee mug is not an artwork while a piece of fine Imari porcelain is. The second is the free agent objection. It seems that there are works of art, such as Robert Barry’s *Inert Gas Series*, which consisted in releasing inert gasses into the atmosphere,

which are not works of some *K*. For every work of art, including *Inert Gas Series*, Lopes must identify a *K* to which it belongs.

The second desideratum is being systematically informative. That is, a theory of art should yield an account of the individual arts. Such an account completes this schema:

K is an art = *K* is...

That is, ideally a theory of art will indicate what makes some *K* an art kind. Usually, a theory has been thought to satisfy this desideratum when it explains what the *K*s have in common.

Next a theory of the arts should ground empirical art studies. That is, it should pick out the works of music for musicologists, identify the works of painting for historians of painting, and so on.

Finally, a theory of the arts should assist us in dealing with the hard cases. By the hard cases, Lopes means those works of art, created since the beginning of the twentieth century, that have challenged traditional conceptions of the arts. They include *Inert Gas Series*, Duchamp's *Fountain*, Warhol's *Brillo Boxes*, Chris Burden's *Shoot* and so on. A good theory will resolve the question of whether or not they are artworks.

The buck passing theory does well when measured against two of Lopes' desiderata. I grant that Lopes' buck passing theory is viable. That is, he has good responses to the coffee mug and free agent objections. To the free agent objection the response is that conceptual art is a *K* and the supposed free agents (*Inert Gas Series* and so on) belong to this kind. The medium of works of this kind is something like language or ideas. The response to the coffee mug objection is more complex. In essence, Lopes argues that being a work in some medium is not a sufficient condition of being a work of art in that medium. He writes that, "Works in an art are not merely works in an associated medium. They are works that exploit a medium in order to realize artistic properties and values." (Lopes 2014, 144) Works of art have an associated 'appreciative practice' lacked by non-artworks. The coffee mug, since it has no associated appreciative practice, is not a work of art. I also grant that the buck passing theory is able to ground empirical art studies. Indeed, it is here that we can expect this theory to be superior to buck stopping theories. This is because the buck passing theory grows out of theories of the individual arts and these theories grow out of empirical studies of the individual arts.

Having granted that Lopes can deal with the hard cases and can ground empirical studies of the arts, I will question whether Lopes is justified in placing as much emphasis on the hard cases as he does. Most importantly, there is reason to doubt that the buck passing theory is just as systematically informative as some buck stopping theories.

3. The Hard Cases

When it comes to the hard cases, Lopes believes that the buck passing theory beats buck stopping theories hands down. Buck stopping theories have reached what Lopes calls a 'dialectical impasse.' Holders of the traditional stance are unwilling to accept that *Inert Gas Series*, for example, is an artwork. Advocates of the genetic stance disagree. Each stance is the product of conflicting intuitions and these intuitions establish conflicting criteria of theory choice. Only the buck passing theory, Lopes believes, establishes a way forward: pass the buck to a theory of conceptual art. (Of course, we then need some reason to believe that conceptual art is an art and people differ on this question.) Lopes takes the ability of the buck passing theory to cope with hard cases to be a reason to favour this approach. Unfortunately, it is not obvious that a capacity to deal with the hard cases is an important desideratum of a satisfactory theory of art and Lopes is aware of this. His theory faces what he calls "the objection from history." (Lopes 2014, 24)

Lopes recognizes that he needs to establish that theories of art emerged to deal with the hard cases: "The hypothesis is that, as a matter of historical fact, the hard cases spurred interest in theories of art." If the search for a theory of art is a long-standing enterprise, then the attempt to address the hard cases that emerged in the course of the twentieth century is an afterthought. The inability of a theory of art to deal with these hard cases would be "no great strike against it." (Lopes 2014, 24)

Unfortunately, Lopes is wrong about the history of theories of art. Paul Oskar Kristeller (1951, 1952) is the principal authority cited in favour of the claim that the question "What is art?" has not occupied philosophers for long. This is unfortunate, because the consensus that Kristeller is right about the history of aesthetics is rapidly unraveling (Halliwell 2002, Porter 2009, Young 2015). Reduced to its essentials, Kristeller's hypothesis states that nothing quite like the modern conception of the fine arts existed before the eighteenth century. In antiquity, the middle ages, the renaissance, and even into the eighteenth century, he believed, people had conceptions of poetry, painting, music, sculpture and dance. According to Kristeller, however, these arts were not grouped together as the fine arts until Batteux's *The Fine Arts Reduced to a Single Principle* (1746/2015).

Lopes goes on to put his own spin on Batteux. Lopes argues that Batteux was not interested in providing a theory of art. That is, Lopes holds that Batteux is not interested in completing the schema:

x is a work of art = x is....

Instead, Batteux is alleged to be interested in completing this schema:

K is an art = K is....

That is, he was supposedly interested in determining which of the arts is a fine art. Thus, according to Lopes, Batteux had a theory of the arts, not a theory of art. A

(buck stopping) theory of art would give an account of what art is by giving an account of what all of the arts have in common. A theory of arts would merely identify the arts and distinguish them from other activities. According to Lopes, only theories of the arts existed prior to the twentieth century. In fact, the search for a theory of art goes all the way back to antiquity.

Here the consequences of reliance on Kristeller come home to roost. Contrary to what Kristeller believed, the category of the imitative arts was well established in antiquity. Both Plato and Aristotle grouped together poetry, painting, music, sculpture and dance. These arts were clearly distinguished from other arts, such as rhetoric, agriculture, carpentry and so on. However, the ancients did not have a theory of art unless they had an account of what poetry, painting, and so on have in common. They did: these arts imitate and they are distinguished from the arts that provide for the necessities of life. Aristotle writes that, “epic and tragic poetry, as well as comedy and dithyramb (and most music for the pipe or lyre), are all, taken as a whole, kinds of mimesis [representation or imitation].” (Aristotle 1987, 32) In this context, Aristotle adds painting to the list of imitative arts and elsewhere he adds sculpture (Aristotle 1909, 49). Plato gives the same list of arts and agrees on their common feature: they imitate.

The ancient theory of art was well known to Batteux, who wrote that, his “position is not novel. It was ubiquitous in the ancient world. Aristotle began the *Poetics* by stating the principle that music, dance, poetry, and painting are imitative arts.” (Batteux 1746/2015, 8) Batteux also names Plato as a forbearer. It is easy to demonstrate that for at least two hundred years prior to Batteux there was widespread agreement about membership in the category of the fine arts: poetry, painting, music, sculpture and dance. Glareanus, Bartoli, Vasari (contrary to what Kristeller claims), Lodovico Castelvetro, Sidney, Marshall Smith, Pope, Charles Rollin, Toussaint Remond de Saint-Mard, Dubos (again contrary to what Kristeller claims) and many others broadly agreed on membership in the category of the fine arts from the sixteenth century on (Young 2015).

So we need to ask what Batteux was doing, if everyone already agreed on membership in the category of the fine arts. Batteux answers this question in the Preface to *The Fine Arts*. There he explains how he began by asking himself the question, ‘What is poetry?’ Although Batteux had an intuitive grasp of what constituted poetry, he was not content with this. He “wanted an exact definition.” (Batteux 1746/2015, lxxvii-lxxviii) Following Aristotle, Batteux concluded that poetry is essentially imitation. Batteux went on to explain how his search for an exact definition of poetry morphed into an effort to give a definition of the fine arts in general (the list of which he took for granted). He wanted to know what they all have in common. He concludes that the fine arts are essentially imitations of *belle nature*. If we want to know of any individual work whether it is a work of art, we need only ask whether it is an imitation of *belle nature*. In short, Batteux developed a theory of art.

Batteux was not the only eighteenth-century writer seeking a theory of art. Consider, for example, James Harris. At the outset of the Second of his *Three Treatises*, Harris writes that his design is “to treat of Music, Painting, and Poetry; to consider in what they *agree*, and in what they *differ*; and WHICH UPON THE WHOLE, IS MORE EXCELLENT THAN THE OTHER TWO.” (Harris 1744, 55) (Later Harris adds sculpture to the list of the fine arts.) Like Batteux he reaches the conclusion that “They *agree*, by being all MIMETIC or IMITATIVE.” (Harris 1744, 58) In addition, they contribute to the ‘elegance’ of life, unlike other arts that provide for necessities. The fine arts differ in that they employ different media.

It is important to Lopes’ case that no one seems to have presented counter-examples to Batteux’s theory. This is important because Lopes takes it as evidence that eighteenth-century authors were not interested in establishing, as a general principle, that a work of art is an imitation of *belle nature*. As evidence of this Lopes writes that it “is striking that nobody seemed to worry that paintings and sculptures of crucifixions and martyrdoms (or the horrible scenes of battle and despoliation in much epic poetry) are works of art that do not imitate beauty in nature.” (Lopes 2014, 32)

The trouble with this passage is that it depends on a mistranslation of Batteux’s term ‘*belle nature*.’ Literally, it means beautiful nature, but this translation is misleading. One of Batteux’s examples of the representation of *belle nature* is Molière’s *Misanthrope*:

When Molière wanted to represent misanthropy, he did not search Paris for an exemplar of which his play was an exact copy. This would only have been a history or a portrait. Half of his point would have been lost. Instead, he collected all of the characteristics of a bleak disposition that he was able to find in people and combined them with all characteristics of the same type that his imagination could produce (Batteux 1746/2015, 12).

This passage indicates that when Batteux talks of *belle nature* he does not necessarily refer to something beautiful. Rather, when Batteux spoke of *belle nature* he refers to archetypes or exemplars created by an artist. Consequently, representations of a crucifixion or a battle can be representations of *belle nature* in Batteux’s sense and they do not count as counter-examples to Batteux’s theory of art.

Worse still from Lopes’ perspective, Batteux spends a considerable amount of time refuting alleged counter-examples to his theory. For example, he considers the objection that his theory has the consequence that, “the Songs of the Prophets, the Psalms of David, the Odes of Pindar, and Horace [are] not real poems.” (Batteux 1746/2015, 119) He does so in the approved manner, imagining an interlocutor who presents these as counter-examples to his theory. Batteux concentrates on dealing with the alleged counter-examples provided by the Songs of the Prophets and the Psalms of David. It could be objected that these are works of art despite the fact that they do not represent *belle nature* since they are outpourings of genuine emotion. He explains the distinction between these works

and poems that are works of fine art: the prophets were in the grip of ‘enthusiasm’ (that is, in the grip of some emotion) and not imitating anything. Poets merely feign enthusiasm for the purposes of imitating *belle nature*. Consequently, Batteux concludes, David’s *Psalms* are not works of art.

Batteux also devotes considerable effort to explaining how music is an art and musical compositions works of art. He is aware that someone might think of music as a counter-example to his theory: an art that does not imitate *belle nature*. So he argues at some length that music is, contrary to this suggestion, an imitative art. He explicitly states that even purely instrumental music is imitative.

From these reflections we can conclude that, contrary to what Lopes believes, philosophers in antiquity and in the early modern period had a theory of art. Theories of art received new impetus from the need to deal with the hard cases, but philosophers have always had buck stopping theories of art that attempt to identify features that all artworks have in common. That Lopes is wrong about the history of aesthetics does not, however, doom the buck passing theory. Buck stopping theories may still be less able to provide a satisfactory account of the hard cases than the buck passing theory. I am not certain that the objection from history is a decisive objection to Lopes’ theory. On the other hand, an inability to deal with the hard cases is not an insurmountable problem for buck stopping theories.

4. Systematic Informativeness

The buck passing theory faces another objection. Lopes admits that the buck passing theory is not systematically informative. It does not tell us what makes a *K* an art. He is not concerned by this because he thinks that buck stopping theories do not tell us this either. On this point Lopes is wrong. Buck stopping theories are typically explicit attempts to give an account of what all of the arts have in common. In this way, buck stopping theories give an account of what makes some *K* an art. If systematic informativeness is an important desideratum of a satisfactory theory of art, then buck stopping theories will have a crucial advantage over a buck passing theory. As Lopes writes, “It would be bad news for the buck passing theory of art if buck stopping theories do turn out to be systematically informative.” (Lopes 2014, 19)

As Lopes notes, the question about whether a theory of the arts is systematically informative can be framed as Wollheim’s *bricoleur* problem. This is the problem of why “certain apparently arbitrarily identified stuffs or processes should be the vehicles of art” while others are not (Wollheim 1980, 43). A theory that has an answer to the *bricoleur* problem is systematically informative.

As theories of art were initially conceived, they aimed to be systematically informative. Theories of the arts would identify some common feature that all works of art have in common. The individual arts were distinguished from each other according to their media. The medium of literature was language, the medium of dance was movements of the body, and so on. Works of literature have

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the common feature of all artworks, manifested in the medium of literature. Works of dance have the common feature of all artworks, manifested in the medium of dance, and so on.

In contrast, if the buck passing theory of art is correct, then art may well be far more heterogeneous than anyone has previously anticipated. Lopes embraces this consequence of his theory. A buck passing theory of art could easily be combined with a Dickie-style institutional theory of painting, a Beardsley-style aesthetic theory of music, and a Batteux-style imitation theory of dance. In such an event, we are left with a completely unsystematic theory of art. Lopes recognizes that not being systematically informative is the basis of an objection to his theory. At any rate, it would be if buck stopping theories were any more systematically informative.

Lopes begins the argument for the conclusion that buck stopping theories are not systematically informative as follows. Suppose that a buck stopping theory completes the art-defining schema thus:

x is a work of art = x is ϕ .

(ϕ might be 'has significant form' or 'imitates *belle nature*.') Lopes is quite right when he says that there is no valid inference from this completed schema to the conclusion that,

x is a work of K , where K is an art = x is ψ .

According to Lopes, the best that a buck passing theory can do is adopt a 'bridging assumption.' Such an assumption may say that, "if x is a work of K , where K is an art, then x is ϕ partly in virtue of its taking advantage of K 's medium." (Lopes 2014, 20) This bridging assumption does not, however, indicate K 's medium. For example, "It remains open what is the medium of music and a theory of music with nothing more to say on the matter is hardly systematically informative." (Lopes 2014, 20)

I do not think that specifying the medium of music (or any other art) presents any particular difficulty. (I will return to this point in a moment.) Lopes has, however, another reason for thinking that a buck stopping theory will not be systematically informative. As he says, a systematically informative theory aims to complete this schema:

K is an art = K is....

The schema is completed by "filling in a set of conditions met by all and every art." (Lopes 2014, 21) Lopes calls these conditions, whatever they may be, ξ . Lopes is quite right to note that,

x is a work of art = x is ϕ

does not entail

K is an art = K is ξ .

Once again, it seems that there is no way to infer an account of which *Ks* are arts from an account of which works are works of art.

Perhaps, however, Lopes has misrepresented the sort of argument a buck stopping theory aims to provide. There is a way of representing how a buck stopping theory can validly infer from a general account of art an account of what it is to be any particular art. The key is to eliminate the second variable that Lopes introduces. Buck stoppers can be seen as looking for an argument for this conclusion:

K is an art = a work of K is ϕ .

If this is what they need to prove, buck stoppers have an obvious way forward. They can hold that 'a work of K ' may be substituted for ' x ' in the schema ' x is a work of art = x is ϕ .' They can then validly infer that,

A work of K is a work of art = a work of K is ϕ .

Now, whenever works of K are ϕ , then K is an art. We can then conclude that,

K is an art = a work of K is ϕ .

So the buck stopping theory is systematically informative.

This reconstruction of how a buck stopping theory is systematically informative has the advantage of modeling the sort of arguments that thinkers such as Bell and Batteux actually give. Consider, for example, Batteux. He defined art as the imitation of *belle nature* and added that, "We will define painting, sculpture, and dance as imitations of *belle nature* by means of colours, three-dimensional shapes, and bodily attitudes. Music and poetry are imitations of *belle nature* expressed in sounds or by rhythmic speech." (Batteux 1746/2015, 20) So, on Batteux's theory, ϕ = "imitates *belle nature*." The *Ks* that imitate *belle nature* are the fine arts. Buck stopping theories then need only distinguish the *Ks* by reference to their different media or to the different processes that they involve. And that is precisely what Batteux does in the passage just quoted. Lopes suggests that it will be difficult to specify, for example, the medium of music. But specifying the medium of music is hardly difficult: it is sound. In fact, Batteux specified the media of all of the arts (at least those known in the eighteenth century).

In doing so, Batteux was echoing Plato and Aristotle. Plato's clearest statement of what the arts have in common is found in *Epinomis*. There he indicates that poetry represents with speech, dance represents with bodies, painting represents with moist media, sculpture represents with dry media, while music represents with the sounds made by instruments. (Plato 1961, 975D) Aristotle also holds that the arts are imitative and that what distinguishes them is their media. This is made clear in *Poetics*: Dancers represent by means of "rhythm without melody," painters by means of "colours and shapes," musicians represent in "rhythm, language and melody" either separately or in combination, while poets represent by means of "the voice" (Aristotle 1987, 32). Theories of art have been systematically informative since antiquity.

Some buck stopping theories seem to be more systematically informative than buck passing theories. In particular, it seems that traditional buck stopping theories are more systematically informative than a buck passing theory. One might wonder, however about whether genetic theories are systematically informative. Lopes suggests that they are not. In particular, he suggests that Dickie's institutional theory is not systematically informative.

Lopes' charge stems from Dickie's admission that whether a process or an activity (say, the activity of putting pigment on a surface or the activity of creating three dimensional forms) is an art is to a certain extent arbitrary. Dickie needs to give an account of why, for example, ballet is an art while ice dance is not. Otherwise, his institutional theory is no more systematically informative than a buck passing theory. Dickie's answer is that the class of artworks "is unified by the fact that its members are members in virtue of their place within an artworld system." (Dickie 1984, 76) As a matter of contingent fact, ballet has a place in this system but ice dance does not. Ice dance could have had a place in the system. It just happens not to have one. There is, then, a certain arbitrariness about whether some activity is an art.

Lopes believes that, by saying that it is arbitrary that some activities have a place in an artworld system while others do not, Dickie gives up the effort to find the common feature of the arts and thus gives up the effort to be systematically informative. That is, Dickie is charged with having no answer to the *bricoleur* problem. Contrary to what Lopes suggests, Dickie has a solution. A solution to the *bricoleur* problem indicates what the processes or activities that are arts have in common. Dickie states that ballet and painting are arts because they have a position in an artworld system. Ice dance, in contrast, has no such position. The fact that ice dance could have had a place in the system and is arbitrarily excluded is irrelevant. The *bricoleur* question asks what the arts have in common and Dickie gives an answer. Maybe it is a bad answer, but it is not, contrary to what Lopes claims, not an answer at all.

5. Conclusion: Is There any such Thing as Art?

The buck stopping theory of art is so unsystematic that it is unclear that there is any such thing as art. It is hard to see that there is a category of artworks unless there is some salient feature, call it ϕ , shared by artworks. A buck stopping theory has an account of which *Ks* are arts and which are not: the *Ks* that are arts resemble each other in respect of producing works that are ϕ . A buck passing theory cannot give an account of which *Ks* are arts without refuting itself. As soon as a theory of the arts tells us what the *Ks* that are arts have in common, the buck is stopped. The buck passing theory seems unable to specify which *Ks* are arts.

If there is no salient feature shared by all works of art, the concept of art seems to be useless. Recall Bell's famous pronouncement that,

either all works of visual art have some common quality, or when we speak of "works of art" we gibber. Everyone speaks of "art," making a mental classification

by which he distinguishes the class “works of art” from all other classes. What is the justification of this classification? What is the quality common and peculiar to all members of this class? (Bell 1914/1961, 22)

When we speak of art in general, and not just the visual arts, we would similarly gibber unless we can identify a common salient feature of all artworks. Bell, of course, held that common feature of all artworks was possession of significant form. Bell would say that *K* is an art = a work of *K* is significant form. In this way his theory is systematically informative.

A buck passer, in contrast, seems committed to saying that we cannot identify some feature shared by all works of art. Lopes writes that,

While the fact that painting and dance have been classified as arts can be explained historically and sociologically, it is unlikely that the classification can be given a principled foundation (Lopes 2014, 133).

Indeed, no classification can be given a principled foundation, lest the buck be stopped. One might wonder then how we are to come up with a list of the arts. Lopes suggests that we start with the traditional classification:

The art forms would be the arts traditionally included in the modern system of the arts – painting, sculpture, architecture, music, and poetry – plus any subsequent additions (Lopes 2014, 133).

This is fine, but there is a danger here that the buck passing theory will collapse into a historical theory of art, *à la* Levinson. On such a theory, something is art if it bears a certain relation to works historically regarded as artworks. The danger of collapsing into an historical theory is particularly acute if works in subsequent additions to the list of arts are appreciated “in any of the ways *works of art existing prior to it have been correctly regarded.*” (Levinson 1979, 234) The trouble with this is that Levinson’s is a buck stopping theory.

At one point Lopes writes that, “the buck passing theory opens the door to aesthetic theories of the individual arts” (Lopes 2014, 163). Lopes seems to favor aesthetic theories of the individual arts and develops a conception of aesthetic value. One might, then, be tempted to say that the arts are activities whose products are appreciated for their aesthetic value. But, of course, Lopes cannot say that because then the buck-stopping theory would collapse into an aesthetic theory of art, *à la* Beardsley (1983).

The question of the ‘subsequent additions’ to the arts is a difficult one for Lopes. Many appreciative kinds can be identified: ice dance, upholstery, flower arranging, wine making, perfumery, dog breeding and a host of other activities produce appreciative kinds. We might well wonder which of these count as arts. Wollheim wrote that the answer this question “receives will in very large part be determined by the analogies and disanalogies that we can construct between the existing arts and the art in question.” (Wollheim 1980, 152) The trouble is that drawing attention to these analogies and disanalogies is to draw attention to

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features of artworks, either exhibited or genetic. But this is precisely what the buck passing theory forbids. There can, on Lopes' view, be no principled reason for some activity being an art. So it seems that, if the buck passing theory is correct, we do gibber when we speak of art.

The buck passing theory of art is the first completely novel theory of art to emerge in many years. The theory is developed by Lopes in a series of complex and nuanced arguments, not all of which can be addressed in a short article. These arguments deserve careful consideration. Lopes believes that his theory has the potential to break several long-standing stalemates. If it can, the theory is to be warmly welcomed. Unfortunately, the conclusion of this essay must be that the buck passing theory of art seems to face difficulties every bit as challenging as any other theory of art. Contrary to what Lopes believes, theories of art have been around for a long time. This is an embarrassment to the theory, even if it is not a damning objection. More seriously, the buck passing theory is, unlike its competitors, completely unsystematic. It is so unsystematic, that the concept of art seems likely to disappear. Perhaps the concept of art has outlived its usefulness, but that is a conclusion that some philosophers are likely unwilling to embrace.

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Discussion Notes/Debate

Does Marilyn Strathern Argue that the Concept of Nature Is a Social Construction?

Terence Rajivan Edward

Abstract: It is tempting to interpret Marilyn Strathern as saying that the concept of nature is a social construction, because in her essay “No Nature, No Culture: the Hagen Case” she tells us that the Hagen people do not describe the world using this concept. However, I point out an obstacle to interpreting her in this way, an obstacle which leads me to reject this interpretation. Interpreting her in this way makes her inconsistent. The inconsistency is owing to a commitment that she shares with previous British anthropologists, a commitment which points to an incompatibility between two intellectual traditions.

Keywords: British social anthropology, concept of nature, innate, Marilyn Strathern, social construction.

In her essay “No Nature, No Culture: the Hagen Case,” the anthropologist Marilyn Strathern tells us that the Hagen people do not rely on the concept of nature when describing the world. More precisely, she denies that they describe the world using the concept of nature which is employed by certain previous anthropologists¹ or any rough equivalent (Strathern 1980, 176). They do use two terms which can roughly be translated as “wild” and “domestic” (Strathern 1980, 191-192), but she thinks that there are good reasons not to regard their contrasts between these two as contrasts between what is natural and what is cultural (Strathern 1980, 195-203).

It is tempting to interpret Strathern as therefore saying or implying that the concept of nature is a social construction. But there is an obstacle to this interpretation.² In the next section of this paper, I consider what it means to say that the concept of nature is a social construction. In the final section, I point out an obstacle to interpreting her as saying this. To state the obstacle briefly: there is a kind of argument which is usually involved when trying to establish that a concept is a social construction, on the basis of anthropological fieldwork, but attributing this argument to Strathern makes her inconsistent.

¹ Strathern believes that there are different concepts of nature (Strathern 1980, 187), but for convenience of expression I shall write simply of ‘the’ concept of nature.

² The obstacle I point out is also an obstacle to interpreting Strathern as asserting that not everyone has the concept of nature. This may well be what summarizers of Strathern mean by non-universality (see Tiffany 1982, 209; Gingrich 2013, 118).

What Does It Mean to Say that the Concept of Nature Is a Social Construction?

There are different ways of understanding the claim that the concept of nature is a social construction. In this section of my paper, I will present two such ways, which are the relevant ways here.³ The first way is as follows:

(Definition 1) To claim that the concept of nature is a social construction is to claim that: (i) the concept of nature is not innate to any human being; and (ii) the concept of nature was brought into existence by one human being or more.

This way of understanding the claim seems attractive at first sight. But someone could make the claim, on this understanding, and then add that the concept of nature was brought into existence by an individual human being, in a creative act which does not involve any concept from others. For someone who thinks in this way, the concept of nature can still be called a construction – something that has been brought into existence – yet why call it a social construction? Even if their additional remark could never be true, one might want the social aspect to be captured within the definition itself.

In order to capture the social aspect, it makes sense to propose another definition:

(Definition 2) To claim that the concept of nature is a social construction is to claim that: (i) the concept of nature is not innate to any human being; (ii) the concept of nature was brought into existence by one human being or more; (iii) the concept of nature was brought into existence in a social way.

This other way of understanding the constructivist claim is different because of component (iii), but unfortunately component (iii) is vague. Presumably, it is meant to exclude that the concept of nature was brought into existence by an individual human being through a creative act which does not involve any concept from others. But we need to further clarify what it is to bring this concept into existence in a social way, in order to have more confidence in what this includes and what it excludes.

I am going to pass over this clarificatory task here. The reason why it is excusable to pass over the task is because the problem I present is a problem whichever definition one works with. It concerns a component which is common to both definitions, namely that the concept of nature is not innate to any human being. Whichever definition one works with, I do not think Strathern should be interpreted as saying that the concept of nature is a social construction, because she does not deny its innateness.

³ There is a possible case which is awkward for both definitions, namely if the concept was brought into existence by non-human creatures and acquired by humans from them.

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Strathern's Commitment to Avoiding Psychology

In the preface to her book *After Nature: English kinship in the late twentieth century*, Strathern instructs readers not to think of her as making psychological claims:

...the apparent ascription of attitudes and beliefs to this or that set of persons should not be mistaken for a study of what people think or feel. (Strathern 1992, xvii)

Strathern implies the same instruction in the preface to another book:

As on other occasions, the present work remains agnostic as to the state of mind or mental processes of the people mentioned. (Strathern 1999, xii)

When Strathern tells us that a particular person believes something, or a particular group believes something, she is not to be understood as telling us about what they believe within their minds. And likewise for other claims that, on the surface, appear to be psychological attributions.

At first sight, Strathern's guidance to her readers is puzzling. How else are we to understand statements which attribute beliefs to a person or a group if not as statements about psychology? I think the answer to this question is that when Strathern tells us that a person believes something, she is saying that the person has spoken or written as if they believe this thing, whatever their private psychological attitudes are. What about if she tells us that a group believes something? If she says that the people of England believe that England has a Queen, she would want to be understood as saying that, in speech or writing, this group represent England as having a Queen, while remaining neutral on what their psychological attitudes are.

Strathern is not the first anthropologist to instruct that she not be read as attributing psychological states. Another such anthropologist, one who may well have influenced her approach, is Edmund Leach. Leach says that his group belief attributions are to be understood in precisely the way presented above. Furthermore, he thinks that this is the way to read any ethnographer's attribution of a group belief. He writes:

When an ethnographer reports that "members of the X tribe believe that..." he is giving a description of an orthodoxy, a dogma, something which is true of the culture as a whole. But Professor Spiro (and all the neo-Tylorians who think like him) desperately believe that the evidence can tell us much more than that - that dogma and ritual must somehow correspond to the inner psychological attitudes of the actors concerned. (Leach 1966, 40)

Note that in this quotation, Leach goes beyond explaining how to understand any ethnographer's attribution of a group belief. He also denies that anthropologists can infer from knowledge of public representations⁴, such as

⁴ I am using 'public representations' here not to mean representations made outside the privacy of the home as opposed to those made within it. Public representations include all spoken and written assertions.

spoken or written assertions, that there are corresponding psychological attitudes. He has the familiar worry about doing so, that others may be merely acting as if they believe. Immediately after the quotation, he gives an example to illustrate it (Leach 1966, 40). Consider an English girl getting married and participating in a Church of England marriage ritual. She may say words as if she believes in God, as part of the ritual performance, but she could be an atheist.

The article from which the Leach quotation above comes is entitled “Virgin Birth.” It responds to the question of whether some groups are ignorant of the causal role of sexual intercourse in childbirth, since members of these groups publicly endorse theories of childbirth which do not acknowledge its causal role. For various reasons, Leach is sceptical that they are ignorant, reasons that we need not go into here (Leach 1966, 41).

Leach and Strathern are part of a British tradition of aiming to do anthropology without psychology (Kuper 1999, 79). From this point until the final paragraph of my paper, I set aside other members of this tradition and focus only on Strathern.

Consider the following argument:

1. The Hagen people do not use the concept of nature in their public representations. (Anthropological evidence establishes this as a fact.)
2. If the Hagen people do not use the concept of nature in their public representations, then members of this group of human beings do not have the concept of nature.
3. If members of a certain group of human beings do not have the concept of nature, then the concept of nature is not innate to any human being.

Therefore:

4. The Hagen people do not have the concept of nature and this concept is not innate to any human being.

To be consistent, Strathern cannot make this argument, because premise (2) carries an implication about psychological states and she is committed to not taking a stand on psychological states. Premise (2) implies that members of the Hagen people never have thoughts which rely on the concept of nature. Strathern is prepared to say that the Hagen people do not use the concept of nature in their public representations, or at least did not use this concept when she studied them, but she is not prepared to make or imply any such claim about their thoughts. Her work is meant to be neutral on the speculation that Hageners have the concept of nature but they just do not display it in speech and writing, however improbable this speculation may seem to readers.

I think the argument above is an instance of the normal way of moving from anthropological fieldwork to the conclusion that some concept is not innate. This kind of argument says that we have evidence that a group do not use a certain concept in their public representations, then infers that group members do not have this concept, and then infers that the concept is not innate to any human

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being.⁵ The inconsistency that results from attributing this kind of argument to Strathern gives rise to the question, “In her essay on the Hagen case, is she best interpreted as saying or implying that the concept of nature is a social construction?” To avoid making her inconsistent for no reason, our default interpretation should be “No, she only says that Hageners did not use the concept of nature in their public representations when her fieldwork was carried out.” Of course, we may abandon this interpretation if there is sufficient evidence, but I cannot see that there is.

Although I have focused on Strathern’s research regarding the concept of nature, it seems to me that beyond her work, there is an incompatibility between much traditional British social anthropology⁶ and the normal way of arguing that some concept is not innate to human beings, on the basis of anthropological fieldwork. Traditional British social anthropologists cannot make these arguments without abandoning a commitment of theirs: to remain neutral on what is thought and felt.

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⁵ The inference that if some group of human beings does not have a certain concept, then it is not innate, seems to be based on the genetic commonality of human beings. Such commonality makes it unlikely that a concept is innate to one group but not to another.

⁶ I would not describe Strathern herself as a traditional British social anthropologist. Her best-known anthropological work seems to be a kind of worldview description, saying that Melanesians represent themselves as ‘dividuals,’ composed of obligation-generating gifts from others, rather than individual self-owners (Strathern 1988, 34; Mosko 2010, 218). But she does accept some commitments of the British tradition.

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H.O.T. Theory, Concepts, and Synesthesia: A Reply to Adams and Shreve

Rocco J. Gennaro

Abstract: In response to Fred Adams and Charlotte Shreve's (2016) paper entitled "What Can Synesthesia Teach Us about Higher Order Theories of Consciousness?", previously published in *Symposion*, I argue that H.O.T. theory does have the resources to account for synesthesia and the specific worries that they advance in their paper, such as the relationship between concepts and experience and the ability to handle instances of 'pop-out' experiences.

Keywords: concepts, conceptualism, consciousness, higher-order thoughts, synesthesia.

In response to Fred Adams and Charlotte Shreve's (2016) paper entitled "What Can Synesthesia Teach Us about Higher Order Theories of Consciousness?" (*Symposion* 3: 251-257), I argue that H.O.T. theory does indeed have the resources to account for synesthesia and the specific worries that they advance in their paper, such as the relationship between concepts and experience and the ability to handle instances of 'pop-out' experiences.

1. Some Initial Points

First, Adams and Shreve (hereafter, A&S) define synesthesia as follows: "Synesthesia is a condition in which stimulation of one sensory modality causes unusual experiences in a second unstimulated modality." (Adams and Shreve 2016, 252) They mention the example of someone "seeing red when hearing C-flat." However, as A&S know, synesthesia doesn't always involve the blending of two or more *senses*, such as in the more common color-numerals case whereby synesthetes see numbers as colored.

Second, I have a slight quibble with their initial introduction of H.O.T. theory in so far as it ignores a central motivation for the theory. A&S explain that "H.O.T. theories of consciousness maintain that what makes an experience conscious is a higher order thought that takes that experience as its content... what turns a non-conscious experience into a conscious one is the higher order thought that takes the non-conscious experience as its content." (Adams and Shreve 2016, 251)

Fair enough, but I think it is important to keep in mind that H.O.T. theorists often start with the highly intuitive claim that has come to be known as the Transitivity Principle (TP):

(TP) A conscious state is a state whose subject is, in some way, aware of being in it (Rosenthal 2005).

One motivation for H.O.T. theory is the desire to use this principle to explain what differentiates conscious and unconscious mental states. Thus, when one has a conscious state, one is aware of being in that state. For example, if I am having a conscious desire or pain, I am aware of having that desire or pain. Conversely, the idea that I could have a conscious state while totally *unaware* of being in that state seems very odd (if not an outright contradiction). A mental state of which the subject is completely unaware is clearly an *unconscious* state. For example, I would not be aware of having a subliminal perception, and thus it is an unconscious perception. Of course, how best to understand the 'aware of' expression in TP is what accounts for different versions of higher-order theories (Gennaro 2004, 2006).

Third, although A&S do rightly point out that H.O.T.s need not themselves be conscious (Adams and Shreve 2016, 254, fn. 5), I worry that they still sometimes mistakenly conflate (unconscious) H.O.T.s with conscious H.O.T.s (= introspection) in a couple of key places. It is only when a H.O.T. is conscious that one's attention is focused inward at a mental state. This is definitive of *introspection* as opposed to (first-order) outer-directed consciousness. But, for example, A&S say the following: "...one may be exerting pressure on the seat of the chair upon which one is sitting, but not be consciously experiencing that pressure. However, *as soon as one's attention turns to that pressure, it will be consciously experienced.*" (Adams and Shreve 2016, 251, my emphasis) This reference to turning one's attention to the feeling of pressure sounds like introspection to me in the sense that A&S seem to have in mind *consciously* turning one's attention to the pressure sensation in question. The same seems to be the case when they then speak of it taking an "act of conscious will or attention" to make the experience of pressure conscious. But, once again, H.O.T. theory does *not* require introspection for merely having a first-order conscious state, that is, the H.O.T. is *unconscious* in these cases. It is of course still true that "...when one directs attention to a state, attention is a conscious state" (Adams and Shreve 2016, 254, fn 5) if this is taken to mean that when one introspects a mental state, then that mental state becomes the object of one's *conscious* higher-order thought.

2. H.O.T.s and Sub-personal States

A&S seem to infer from a mental state's being 'sub-personal' to it being 'not higher-order.' For example, in the context of discussing my view of the binding problem involving feedback loops and top-down integrations of brain activity (Gennaro 2012a), A&S say that "Gennaro believes this is compatible with higher-order accounts. However, we think this explanation would make higher-order theories rely crucially on sub-personal states. If they do, this removes the 'higher' from the higher-order theories and resorts to replacing higher-order thoughts with the lower level information processing in the brain that is well below what can be accessed even in principle by the person." (Adams and Shreve 2016, 256)

Now, first of all, if 'sub-personal' mainly just initially means 'unconscious,' then a H.O.T. can surely still be sub-personal, unconscious, and higher-order. Indeed, as we have seen, most H.O.T.s are unconscious. Further, as I have argued at length elsewhere (Gennaro 2012b), I think of unconscious H.O.T.s as 'presupposed' in conscious states, somewhat along Kantian lines whereby the 'understanding' conceptually operates on and synthesizes incoming sensory information. So, yes, H.O.T.s (normally at least) do rely crucially on sub-personal states but it is unclear to me why sub-personal states cannot also be higher-order. There are, to be sure, also some feedback loops and neural integration at lower neurophysiological levels but we also find significant neuronal feedback between lower- and higher-level brain regions. So 'feedback processes' can be both unconscious and higher-order.

I do not dispute the abundance of evidence, cited by A&S, for the immediate 'pop out' experience of synesthetes or in normal experience. However, I think that H.O.T. theory can account for this. A&S claim that

the reason this is interesting in regard to H.O.T. theories, is that the 'popout' phenomena is a bottom-up visual experience. The subjects did not first see the shape (triangle or circle) and then have the higher-order thought ('triangle' or 'circle') causing the experience of the shape to become conscious. Rather, the perceptual pop-out produced the conscious visual experience of the shape prior to the having of the thought about the shape experienced. According to H.O.T. theory, the experience should be non-conscious before a higher-order thought about it raises it to consciousness. So, an H.O.T. theorist would need to say that when the circular or triangular shape pops out, first the subject is having a non-conscious experience until the H.O.T. is applied. But this seems to have it backwards. The subject has no idea of which shape to look for or whether there will actually be one. The visual pop-out is immediate and vivid in its color presentation. It first looks red and circular or red and triangular and only then has the subject the time to apply the relevant concept ('circle' or 'triangle'). (Adams and Shreve 2016, 254)

A&S are supposing that, according to H.O.T. theory, applying a concept to something is always conscious, but this is not the case on H.O.T. theory and in everyday life. When we walk down the street and consciously see a tree, do we see the tree *and then* consciously apply the concept TREE? I don't think so. We immediately apply the concept TREE to the perception (if we recognize it as such) but the H.O.T. is unconscious in this world-directed case. Concepts, among other things, enable us to *recognize* objects and to distinguish objects and properties in the world. This is commonly referred to 'seeing-as,' 'hearing-as,' and so on. So when A&S say "The subjects did not first see the shape (triangle or circle) and then have the higher-order thought ('triangle' or 'circle') causing the experience of the shape to become conscious," I think that this is true but only if "not first see" means "not first consciously see." Again, the application of the concept can happen unconsciously and prior to the conscious experience. So when A&S say that "the perceptual pop-out produced the conscious visual experience of the shape prior

to the having of the thought about the shape experienced,” I once again disagree since I hold that both the unconscious perception *and* the unconscious H.O.T. occur prior to (or right about the same time as) the conscious visual experience. H.O.T. theory doesn’t have it ‘backwards;’ rather, as Kant argued contra the empiricists, conscious experiences are the *products* of both sensory input and cognitive thought.

A&S do mention that “Andre Galois and Rocco Gennaro suggested to us that unconscious [H.O.T.s] may be able to explain both pop-out phenomena and the example of becoming conscious of the pressure you exert on the chair.” Part of the purpose of this section is to elaborate more on exactly why. Still, A&S then ask: “But if so, why are you not conscious of the pressure on the chair even prior to one’s calling your attention to it?” (Adams and Shreve 2016, 254, fn 6). Well, when there is a genuine *first-order* conscious feeling of pressure on the chair, the feeling is still clearly conscious. The same goes for any first-order conscious mental state. But of course when one focuses *attention* on the pressure, then the feeling will in this case become the *object of a conscious H.O.T.* That is, one is consciously noticing the feeling. As we saw above, this seems to be much closer to introspection. Perhaps feeling pressure on a chair is not the best example here as opposed to, say, an instance of conscious visual experience.

A&S entertain the reply of “How long does a thought take?” (Adams and Shreve 2016, 255) so they concede that many may not find their example persuasive. But my point here is simply that *both* the initial unconscious first-order state *and* the relevant unconscious H.O.T. (with its concept application) occur *prior to* the resulting conscious experience. It can still be the case that the H.O.T. occurs just milliseconds after the initial unconscious perception. A&S say that the seeing of color when observing a numeral is not under conscious control. I agree but this is consistent with the notion that concept application often occurs unconsciously.¹

3. H.O.T.s and Conceptualism

To follow up further on the above theme of how concepts relate to conscious experience, I’d point out that I have defended conceptualism at length in other work (Gennaro 2012b, especially chapter six). It can be defined as follows: Whenever a subject S has a perceptual experience *e*, the content *c* (of *e*) is fully specifiable in terms of the concepts possessed by S. Although conceptualism does not automatically follow from H.O.T. theory, it seems to me that H.O.T. theory and conceptualism fit together hand in glove. One motivation for conceptualism stems from the widely held observation that concept acquisition colors and shapes the

¹ For more on the issue of the temporal order of perceptual experience and conceptual application, see Gennaro 2012b (especially section 6.4.3). There I respond to a similar objection against conceptualism called the ‘priority argument.’ It is, to be sure, an important problem which also has deep and interesting implications for how we *acquire* concepts.

very conscious experiences that we have. This also a primary rationale for H.O.T. theory, for example, via Rosenthal's wine-tasting example of the way that one's taste experience can literally differ after one acquires concepts about wine in, say, a wine-tasting class.

We are all familiar with the phenomenon of 'seeing-as' whereby one subject, perhaps with more knowledge, might see an object as a tree, whereas another person might only see it as a shrub. One person might see an animal as a lizard while another might see it more specifically as an iguana. The same is true for 'hearing-as,' 'tasting-as,' and so on. This phenomenon is also particularly noticeable in cases of perceiving ambiguous figures, such as the well-known vase–two faces picture. We might say that when one sees the vase–two faces *as a vase*, one is applying the concept VASE to one's visual experience. When one switches and sees the figure *as two faces*, it would seem that FACES is applied in that experience. One is clearly categorizing and experiencing different objects in each case, which involves concept application. Normally, the categorization occurs unconsciously prior to the visual experience. However, it can also occur consciously by focusing one's attention in certain ways to one's experience of the picture.

All of the above, then, runs counter to one central theme that runs through A&S's paper, namely, that experiences, unlike thoughts, are not conceptual: "While experiences themselves may be concept-free, H.O.T.s of their nature involve concepts because thoughts, unlike experiences, involve concepts.... The non-conscious experience of the pressure you are exerting upon your chair does not involve a concept. Not being conscious, there is no concept applied to it, nor is your experience applying a concept to the chair or to pressure. Your non-conscious experience may be responding to pressure or sensory input, but unlike a thought, it is not categorizing or conceptualizing that input. A thought however, by its nature categorizes and conceptualizes." (Adams and Shreve 2016, 251) The underlying difference between our views cannot be clearer. As should be obvious at this point, I do not think that "thoughts, *unlike experiences*, involve concepts" and I disagree that experiences themselves are concept-free. With regard to synesthesia, then, I therefore think that A&S's either/or question presents a false dichotomy: is "synesthesia a conceptual or perceptual phenomenon?" (Adams and Shreve 2016, 253). My view is that such experiences are both conceptual and perceptual, as is the case with all conscious experience. Further, when one has a synesthetic experience involving more than one sensory modality, it is plausible to suppose that a single H.O.T. might include concepts referencing multiple modalities. This is one reason that I think that the "cross-activation hypothesis" actually bolsters the case for my view because there will be greater neural connectivity between sensory areas in the brain in these multimodal cases.

Overall, then, I think that H.O.T. theory can effectively handle the objections raised in Adams and Shreve's paper.

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