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Imagine that humanity has finally made contact with extraterrestrial life. Unlike many of the aliens found in movies, these extraterrestrials want to know us and our culture better. In response to our mutual curiosity as well as the fact that their planet can support human life, an exchange program is set up. You volunteer to become one of the first humans to live on their planet. Because the program designers do not want any space explorer going in with preconceived notions, they tell you nothing about the aliens and their ways.

When you arrive on their planet, you are greeted with a pinch that sends a painful electric shock through your entire body. This is the aliens’ form of greeting. Soon the aliens begin slapping each other, before slapping you, sending more shocks through your body. The aliens claim that this is a sign of joy. When you ask them to stop slapping you, you are greeted with either confusion or hostility. More problems arise when you discover that the aliens communicate nonverbally through ultraviolet waves a human cannot see. Some aliens are accommodating and make a genuine effort to understand your human condition. Most however, are much less accepting. These less accepting aliens begin proposing that humans do not have empathy.

What happened between you and the aliens? Were you really unable to empathize with them? Edmund Husserl would say no. You clearly saw the aliens as conscious beings who were in living bodies, otherwise you would not have been able to communicate with them and would not have been interested in their way of life. Yet in spite of this the aliens believe that humans have no empathy. Husserl argues that the problem lies not in the process of being able to empathize with the aliens, but rather in the fact that the aliens set conditions for empathy that a human could not meet. They expected you to feel certain things and perform certain actions that your human body was unable to do. Because of this, the aliens believed that you had no empathy.
Although this scenario seems like something from a science fiction movie, it is closer to reality than most people believe. The space explorer I have described is myself, an Autistic individual. The aliens are non-Autistic people. In spite of my ability to compose myself enough to get to a doctoral program I still find pairing painful. I am asked to do things that do not come naturally, such as make eye contact, and told that I have no empathy by other academics.

Using Husserl’s theories of empathy as set forth in The Cartesian Meditations, I will argue that Autistic people do have empathy, although this empathy can sometimes be painful for Autistic people. I claim this because Husserl’s version of empathy is based on formal association, which does not involve content such as the ability to read nonverbal cues. In order to prove this point, I will explore Kathleen Haney’s view of empathy and why it does not work, especially in the Husserlian framework she claims to use. Then, I will use Husserl’s theories to give an account of how Autistic people pair bodies and minds, and why this pairing is sometimes painful but necessary for self-advocacy, a skill many Autistic people engage in.

Haney’s Views

Haney borrows many of the elements from her view on empathy from Husserl. To begin with, Haney agrees with Husserl’s distinction between the Körper and Leib. She states,

We note two moments here: first the constitution of the object body in a simple immanence and secondly the animate body that results from discovering the animate body in the appresentational being. The evidence that can only result from mutually shared intentions enlivens a

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1 This paper does not use person-first language such as “person with Autism.”
Körper that coalesces in a single paired meaning which can only come about through reciprocal meaning-making.²

A Körper, for Haney and Husserl, is a body that does not have life, like a corpse. A Leib on the other hand is a living body that I recognize as a human being, one that has a soul.³ She believes that the ability to see a person as a Leib and not as merely a Körper is the foundation of empathy. By acknowledging the other as a Leib, a person can begin the process of communication by acknowledging that the other can attach meanings to certain words and gestures. This would initially seem to pose no problem for Autistic people. Haney argues, however, “The symbiotic union that [Autistic] spectrum people establish with others have to do with performing functions, although the typical sharing of ego is not evident. The ‘other’ is useful to the autistic child to turn on a faucet or to reach cookies on the shelf.”⁴ To the Autistic individual, the world is built around roles and how people can best fill them. People are simply robots assigned to do tasks. People are unimportant to the Autistic person.

According to her footnotes⁵, Haney reaches this conclusion through the testimony of one Autistic person, namely Donna Williams. This is already a fallacious way to proceed because it relies on a hasty generalization. The testimony of one Autistic person cannot be used to determine the experiences of every other Autistic person any more than the testimony of a Non-Autistic person can be used to determine the experiences of all Non-Autistic people. The problem is only compounded if one can find something unusual about this particular Autistic person. I will tread as carefully as possible while explaining why Donna Williams may hold the view

2 Haney, Kathleen M. “Edith Stein and Autism” Husserl’s Ideen (Editors Lester Embree and Thomas Nenon) Springer New York, NY 2013, 39
3 Haney, 39
4 Haney 46
5 See the footnote on page 46.
of the other that she does. Williams was a victim of physical and psychological abuse from her mother. She writes of her mother, “Some battered children form attachments with such a parent. I never did.” A few lines later she reports, “She called me Dolly, the doll she never had. In her own words, I learned who I was ‘You were my doll, and I was allowed to smash it.’”

Clearly Williams had a dysfunctional relationship with her mother. This kind of dysfunction would make it difficult for anyone to form healthy attachments to other people. While it cannot be emphasized enough that Autism is not caused by abusive parents, and that victims of abuse are often able to form healthy attachments later on in life (Williams herself is now married), Williams’ history of abuse should not be so easily glossed over. Instead of acknowledging Williams’ abuse, Haney never brings it up. This raises a key question: did Williams see others in roles solely because she was Autistic, or did she see others in roles because she was an abused and Autistic? Note that Autism may still be a part of the explanation for why she saw other people as she did, but whether or not Autistic people under less dysfunctional circumstances view people this way is an issue that must now be explored.

Liane Holliday, a woman with Asperger’s, never reports viewing others in roles. She has various friends throughout her life and maintains close ties to her family members. They are not merely roles to her. Thomas McKean, another Autistic writer, also does not report viewing people as roles. In fact, he has a friend he met in his twenties write the introduction for his book, and reports throughout his biography of how he makes new friends. The ability of Autistic people to make friends, and in the case of Williams and Holliday

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6 Williams, Donna Nobody Nowhere Random House Inc. New York, NY 1992, 12
8 McKean, Thomas Soon Will Come the Light: A View From the Autistic Puzzle Future Education Inc. Arlington, TX 1994
have spouses, is a key insight that Haney overlooks. Friendship is not a certain role one can play. One has to be able to relate to others in order to make friends. If one wants a stable friendship, one must be able to show affection and return kindness. Haney leaves no room in her account for the Autistic person to perform this function. Hence her theory is weakened.

Perhaps most provocatively is Haney’s assertion that Autistic people do not have a true life world. She argues that Autistic people lack the ability to read and respond to most body language. Haney equates this with a lack of empathy. She states:

Communities of higher orders are likewise shared meanings, based on acts of empathy, so even the high functioning person on the ASD Spectrum remains the outsider, the observer who lacks social skills and cannot comprehend most non-verbal cues. When we say that the person on the ASD Spectrum lacks empathy, we mean that he lacks a solid grasp of the personalistic world even though he has language and maybe excellent skills in computers or in mathematics.

For Haney, the personalistic world consists of those who can read body language, and presumably those who can make eye contact as well. Although she does not state that the personalistic world is based in a culture, we can be charitable to her theory and extrapolate that

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9 In fairness, it should be noted that Haney does say that, “Behavioral evidence will not allow us to believe that autistic persons of self-feelings or of deep relationships to others” (46). Still, she only lists roles of family members one cannot choose, such as mother, brother, grandfather etc. This is very problematic if one wants to explain how the Autistic person forms relationships later in life. Even with her modified claim, Haney still cannot take these long termed relationships formed later in life into account.

10 Haney 49
different cultures have different ways of interacting with other nonverbally, ways the “true” Autistic person cannot understand. If an Autistic person ever wants to leave the spectrum, according to Haney she must, “develop a grasp of the personalistic world.” In other words, the Autistic must see people as people and read their social cues correctly.

She continues her argument by claiming, “It [her analysis of Autism] also makes us pause before Painter’s claim that the personalistic world provides, ‘the context and point of departure for any and all abstract, theoretically motivated reflections.’” Haney now reveals her hand. The naturalistic world of the sciences can exist without the personalistic or the life world. One does not need to know how to effectively communicate with others in order to succeed in the sciences; one need only know formulas. The only hope for the high functioning Autistic person is to find refuge in the naturalistic world. She writes, “They can continue developing in the naturalistic world, usually in arts and sciences that use what were once called, ‘the artificial languages,’ those derived from the universal science of mathematics, including music.” There is no real world for the Autistic person only artificial ones created by the arts and sciences.

Is this really what Husserl would say though? Husserl does not believe that all intersubjective interactions need to take place in person. Husserl says of writing, “The important function of written, documenting linguistic expression is that it makes communication possible without immediate or mediate personal address; it is, so to

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11 Haney 51
12 It is worth asking how realistic the goal of “leaving the spectrum” actually is. If I somehow develop Haney’s notion of empathy, does that change the fact that I learned language through echolalia? Does it mean that I will stop being an overall introvert? Will I stop thinking in pictures? It is highly unlikely that any of these things will happen. Therefore her “goal” is not only unreasonable but also impossible.
13 Ibid 51
14 Ibid 52
speak, communication become virtual. Through this, the communalization of man is lifted to a new level."\textsuperscript{15} For Husserl, written language is just as valid a form of communication as spoken language is. One does not need non-verbal cues to understand a piece of writing. As long as one can write or read, one can take part in the personalistic world because the writing more than likely originated from a person, or some other highly linguistic entity.

While Husserl saw the power of writing, even he could not have imagined the power it could have to shape the dialogue between Autistic and non-Autistic people. Carly Fleischmann, an Autistic teenager living in Canada, uses a computer to communicate. After she types in what she wants to say, the computer uses a voice to relay her thoughts. Many of her thoughts concern non-scientific things, such as asking a reporter if his son was cute.\textsuperscript{16} Dora, a woman from Oregon, also uses a computer to speak for her. She claims that thoughts get jumbled in her brain when she tries to talk, but by using her computer, she can communicate with others.\textsuperscript{17} Instead of dismissing these alternate ways of communicating as Haney does, Husserl would rejoice in them.

Even though more Autistic people can communicate— including those Haney would see as lower functioning—there is still the question of whether or not the Autistic person can participate in the personalistic/life world. Kevin Hermberg agrees with Painter that the life world is the gateway to the naturalistic world. He argues, “The answer is that the evidence of the sciences, (absolute, abstract,
deductive, etc.) is founded on or grounded in the evidence of the life-world (subjective—relative, concrete, intuitive, etc.)")¹⁸. Without the life-world, we would not be able to make sense of science. One can read as many books as one wants about marine biology, but these books only make sense as a course of study because the ecosystems in question do exist and can be visited. A pine tree looks like a triangle, hence we have access to triangles independent of abstraction. Certain tools such as spears could be made without ever referencing geometry, one need only to look at how previous ones were made and imitate the design.

We also need people to tell us about these scientific and mathematical proofs. I had to discuss my ideas for this paper with my professor. I received resources, articles, and other forms of help from peers. People I did not know, and some of whom are not even alive, provided me with the information necessary for this article. I did not write this paper alone, nor could I have. My conclusions must coincide with the experiences and thought processes of those who read this paper for my project to be intelligible. Hence even in the “naturalistic world” of philosophy, I have one foot in the personalistic world.

Haney claims that empathy relies on body language and other non-verbal cues. Because Autistic people cannot read these cues, they do not have empathy and cannot participate in the intersubjective world. Instead, they merely view others as objects. While body language may be important for empathy, it need not be the determining factor. In the next section I will argue that the key to understanding empathy in the Autistic person lies in a type negative passive synthesis where one realizes one’s body is similar to one’s own, but the person does not behave the way that the Autistic person would.

¹⁸ Hermberg, Kevin *Husserl’s Phenomenology: Knowledge, Objectivity, and Others* Continuum New York, NY 2006, 73
Section III: Autistic Empathy

The basis for Haney’s arguments is an analysis of the phenomenological world and the need for harmony. If we cannot recognize a person as like us especially in terms of behavior, then we often do not relate to her. This is not what Husserl believes. Husserl argues, “Now harmoniousness is preserved also by virtue of a recasting of apperceptions through distinguishing between normality and abnormalities (as modification thereof) or by virtue of the constitution of new unities throughout the changes involved in abnormalities.” Husserl sees the value of the disabled experience. Instead of denying them a lifeworld and an intersubjective nature, he embraces their differences. According to Husserl, we could broaden our views on perception by learning from their experiences. The stratum of perception is not a single unity, but rather a spectrum that can accommodate many perceptions and many views. Harmony can accommodate Autistic experience so long as we understand the differences and incorporate them into a new perception of possible lifeworlds. We should use harmony to explain why certain people have different perceptions. It could also be used to show why pairing is potentially painful.

Now that we understand Husserl’s actual views on disability we can examine how it should be applied in terms of the Leib. I will explore a situation which happened to me roughly ten years ago in order to analyze the painful pairing phenomena. I was in church waiting for my mom, a choir director, to finish rehearsing with a cantor. This cantor began whistling. Whistling gives me a headache. I ran to the back of the church hoping for a quiet escape. My mother noticed this and had the cantor sing another song. Later, some other choir members came up to me and asked me if I thought her whistling was beautiful. I told them I did not because whistling gave me a headache. One of the choir members responded, “Oh I wish whistling didn’t give you a headache. Her whistling is so beautiful.”

19 Husserl 126
What exactly does it take for one to say that something like whistling hurts? First, I must acknowledge the choir members as entities who can understand language. Telling my cat that biting my toe hurts in a calm voice will not stop his behavior because he is not a linguistic being. Second, I have to acknowledge them as people who understand what pain is. While they may not feel pain the way I feel pain, I must infer that they find pain unpleasant and want to avoid it. If I cannot infer this, then communication seems to be a futile way of expressing my views. Third, I must acknowledge that whistling does not hurt them. They are not masochists who enjoy pain but people who find some sort of pleasure in the whistling I do not understand. Hence, I must put myself in their place in order to express my views. I perceive their bodies as wanting to avoid pain, as mine does. Last, I must see them as subjects who can change their future behavior. I don’t need to tell my vacuum cleaner to stop making a high pitched noise: I simply find out why it is making the noise or consider getting a less noisy one. People can change their behavior, however. I know they can change their behavior because they are living bodies as I am. When I see them, pair myself to them and know that they are a living body as am I. I could not do this without acknowledging the other as a Leib.

Do not think that I am unique. Throughout this paper I have quoted and referenced numerous Autistic people. These people have entered into Husserl’s linguistic community by writing down their experiences. We Autistics recognize that non-Autistic people do not perceive things as we do. Hence we want to help create understanding and harmony so you understand us. We see and acknowledge the non-Autistic person as a human every time interact with them. The goal of sharing experiences is to create harmony between us and the non-Autistic person. In return for our empathy, we Autistics want to be perceived as Leibs.

Conclusion

Although the alien and space explorer thought experiment seemed far-fetched, the painful sensations and accusations that one
has no empathy are real for the Autistic community. Through an analysis of Kathleen Haney’s arguments, I have shown why body language is an inadequate underpinning for a phenomenological account of empathy. A more adequate foundation of empathy lies in the ability to see the other as a Leib, or living body. Through the process of seeing others as alive as I myself am alive, I understand the need for communication and develop strategies for achieving it through either speech or writing. Autistic people are reaching out to the non-Autistic community. Together, both groups are creating a new harmony, one foreseen by Husserl.

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Katie Hobbs—Sexual Liberation and Its Ramifications

Sexual liberation for a modern woman is a mixed bag of delights and difficulties, giving rise to a wide scope of sexual indulgences and liberties. Of course, with such indulgences comes a need for an ethical system to ensure safety of health as well as a moral guideline to ensure the preservation of human dignity.

First, one should define the modern woman and limit her to a female living in the United States and certain parts of Europe. Modern woman is a subculture not limited by religious beliefs, ethnicity, or sexual orientation. The majority of religions have ethical expectations and limitations on sex and sexuality. Modern woman can be any ethnicity that chooses to engage in the secular viewpoints of sex and ignore rigorous religious doctrine encouraging abstinence outside the social contract of marriage. Furthermore, the modern woman is gifted with the opportunity to activity chose her life style due to their predecessor’s determination to open the doors that were frequently closed by societal dictations.

Typically, modern woman is faced with a multitude of questions and/or opinions on how they should conduct themselves post sexual liberation. The expectations and stereotypes for women are so numerous that it is nearly improbable they will ever satisfy all of their critics. The model of the unobtainable morality seems to be the norm for the critics of the human female, rather than realizing that no two women are ever going to be created alike.

Particular feminists’ beliefs have attempted in vain to change women to be exactly like men. Such beliefs fail to take into account that humans are fallible creatures with the inability to conform to rigorous demands and impossible standards. The feminist beliefs also fail to account for the detrimental consequences on society of becoming like man rather than shaping the modern woman to be beneficial to society.
In addition to opinions and critique, the modern woman is faced with consequences that were not accounted for in the campaign for sexual liberation. This paper will analyze modern woman's sexual autonomy and the ethical dilemmas that have occurred with the newfound autonomous choices sexual liberation has achieved based on Bertrand Russell's arguments for sexual liberation of woman and the repercussions that are now being dealt with by modern woman. Secondly, a moral code will be presented depicted by Kantian ethical principles with the incorporation of the social contract theory. Lastly I will pose the possible problems that may occur within the ethical system.

Sexual liberation of woman has been a sore spot in the feminist community from the very beginning. Feminist and supporters of the sexual liberation movement all have differing opinions on the matter. Bertrand Russell took an interesting stance on the sexual liberation of women by favoring female sexual liberation. First, let us look at the reasons why Russell thought man needed to dominate the woman then we can proceed to his argument for sexual liberation.

Russell believed men manipulated women with strict sexual ethics in order to ensure the legitimacy of children. Russell states, “A legitimate child is a continuation of a man’s ego...”20. He continues with the overall manipulation of women first physically then mentally to ensure that the virtue of woman remain intact for the continuation of lineage. Russell questions the moralist stance on sexual virtue. He also illustrates the biblical doctrine by the Catholic Church manipulated control of sexual intercourse not only for unmarried women also between husband and wife. Sex between married couples, in certain religions21, is a sin unless it is for the purposes of procreation. Russell gives an adequate description of the church outlook when he said, “The attitude of the early Church was that there was something essentially impure in the sexual act, although this act must be excused when it is performed after fulfilling

20 Russell p. 26
21 Russell discusses the Catholic doctrine and the Protestant religions.
certain preliminary conditions.”

Those excusable conditions were mostly in regards to procreation of the human race. Society over the years has turned away from such rigorous religious doctrine in order to embrace the natural inclinations towards sex. This societal shift in terms of sexual awareness has produced repercussions that, more times than not, have caused a chasm to form between the sexes. However, the relationship between the sexes has always been at best volatile. The volatile state could be attributed to the adaptation of Abrahamic religions belief of the original sin of man. Aristocrats throughout certain points in history have arranged marriages, which only added to the volatile state of the sexes.

Bearing in mind the state of affairs for women prior to sexual liberation, we come to Russell’s argument in favor of liberation. First, let us take into account the moral standard for men. Bertrand Russell states “Men have from time of immemorial been allowed in practice, if not in theory, to indulge in illicit sexual relations.”

Society did not demand the same moral standards for men as they did when in Russell’s time or prior to the writings. Russell also points out that moralist put into place a double standard that set the requirement for the woman to remain virtuous while the man was allowed and easy to “secretly sin” without fear of repercussions that a woman would face. Russell felt that society would be better off if man and woman were held to the same sexual morality. Equal sexual freedom for men and women was better than indirectly advocating prostitution for the young man to “secretly sin”.

Russell thought that with methods of contraception women would be more capable of taking on the morality of man. Overall Russell’s arguments are admirable but as with any argument lacked the foresight of societal consequences.

Currently, modern women can take on the morality of man thus proving that sexual liberation has been achieved on some level. Of

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22 Russell p. 57
23 Russell p. 86
24 Russell p. 86
course, the benefits range from the ability to choose whether or not a female has to procreate thanks to scientific advancements in medical contraceptives. There is perhaps a less than savory side to sexual liberation for modern woman. This side is a direct consequence of woman taking on the morality of man as Russell had argued in favor. We must identify the consequence and determine whether or not it was beneficial.

The less than savory side of sexual liberation has yielded a subculture of men and women that engage in sexual relations with no intentions of seeking a long-term relationship. There has been a slight turn of the tables so to speak. Women and men alike are participants in a “user friendly” society\textsuperscript{25}, both sexes willingly engage in sexual activity with no intentions of creating a meaningful relationship. The occurrence of this society brings up the questions of objectification and human dignity. The kind of behavior that is required in the “user friendly” society involves both sexes engaging in a purely physical relationship with little to no concerns of emotions. The caveats for the user friendly vary from encounter to encounter. Sometimes, these caveats are known at the beginning of the encounter but more often the caveats are not addressed at all. The concern is can human dignity being maintained in such a society? More times than not, the participants, at least from the outside looking in does not maintain any form of dignity. The loss of dignity especially occurs in the encounters that last longer than a single night. Usually, emotions become involved for one person and not reciprocated by the other person. Numerous scenarios can occur causes the possible violation of human dignity but more times than not the involvement of emotions play a key factor.

Since, the “user friendly” society is comprised of both men and women a new issue occurs that women are placing men in the position of objectification. Women objectifying men is an unintended

\textsuperscript{25} The Marilyn Manson song User Friendly inspires user Friendly Society. The song talks about not having any emotions for a person other than a sexual desire for a person.
repercussion of sexual liberation. The goal feminism was not to turn the tables and objectify men but simply to give women the ability to have autonomy. Ann Cahill presents the issue of masculine objectification as a developing social occurrence.26 The trends she discusses in her book are related to the “user friendly” society in the sense that male objectification is becoming a trend. Modern woman must be proactive in her ethical pursuits in order to prevent all humans from becoming mere objects.

Avoiding a catastrophic occurrence of a society of objects rather than humans with feelings and emotions, modern woman needs a sexual ethical structure to protect human dignity. Russell mused on why a sexual ethic is necessary.27 According to Russell, communities structure their sexual morality in layers. The layers consist of laws concerning monogamy and polygamy, “public opinions are emphatic”, and the individual discretion of practice.28 Russell observes that no society has ever used rationality to construct their sexual ethics and institutions.29 He also felt that a system for prevention of sexually transmitted diseases is required because with liberation comes a need to protect public health. Sexually transmitted diseases are an eminent threat to the Modern woman because the lack of concern by certain individuals for the wellbeing of other humans. The wellbeing of public health makes a sexual ethical system necessary to develop.

Ethical dilemmas are overflowing for modern woman and in desperate need of solving. The problem with the ethical systems is that people have a tendency to misinterpret or completely ignore any ethical structure in practice simply for the fact that, most humans lack the discipline or ability to maintain rigorous expectations of those systems. When developing a sexual ethical system or any ethical

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26 Cahill p. 56
27 Russell p. 10
28 Russell p. 5
29 Russell p. 5
system one must realize the fallibility of humans. The sexual ethical system must allow for oversights and mistakes.

Immanuel Kant has developed an ethical system that, while rigorous, seems to be the best general template for conducting oneself. On the subject of sex, for Kant, is strictly an appetite. He argues that sexual behavior endangers mankind to becoming like animals. Sex goes against the nature of humans. Kant also argues that sex can only be conducted within the marriage contract. According to James Rachel, Kant, like most philosophers, held the view that humans were beyond extraordinary.\(^30\) Kant thought it necessary to conform our appetites in order to conform to moral principles.\(^31\) Even with Kant’s distaste for the act of sex, one would deduce that using his ethical viewpoint to structure a workable sexual ethical structure would be ridiculous. On the contrary, Kant’s general ethical structure is in fact the perfect framework needed to accomplish such a task.

Kant’s ethical system has two imperatives that can assist in structuring a sexual ethical system. His entire ethical system is concerned with human dignity remaining intact. Before discussing the imperatives and their applications in a sexual ethical structure let us focus on Kant’s expectations of human dignity and why it is so important. Rachels gives the best explanation of Kant’s human dignity. He summarizes it by saying “people have desires and ‘goals, other things have value for them, in relation to their projects. Mere “things” (and this includes nonhuman animals, whom Kant considered unable to have self-conscious desires and goals) have value only as means to ends, and it is human ends that give them value… humans have “an intrinsic worth, i.e., dignity,” because they are rational agents - that is, free agents capable of making their own decisions, setting their own goals, and guiding their conduct by reason. Because moral law seems to be the law of reason, rational beings are the embodiment of the moral law itself. The only way that moral goodness can exist at all in the world is for rational creatures

\(^{30}\) James Rachels p. 1
\(^{31}\) Kant p.271
to apprehend what they should do and, acting from a sense of duty, do it.”

Rachels’s summarization of Kantian human dignity is strategic in understanding the importance of maintaining human dignity throughout sexual activity. In order to prevent the occurrence of objectification during a sexual encounter, modern woman must engrain the concept of human dignity into her natural behavior. Understanding what Kant means by human dignity is critical for the sexual ethical structure to function properly. Otherwise any moral structure is pointless because society would be chaotic and worthless. Modern woman must take on the concept Kant’s of human dignity when engaging in the particular social contract of sex.

Modern society’s viewpoints on sex have changed drastically over the years towards a natural behavior rather than appetite. The societal shift in viewpoint creates a critical need for a workable sexual ethic, which I to accomplish. The sexual ethic structure will be a manipulation of Kant’s ethical structure. Sex between two individuals (or more) should be viewed as a social contract especially if a relationship is not the end result. As stated previously, Kant has two imperatives that are a part of his ethical structure. The categorical imperative can be used within a sexual ethical structure because the way Kant structured it works in all social situations. The categorical imperative written, as “act only in accordance with that maxim through which you can at the same time will that it become a universal law.”

The imperative is simply applied to the sexual social contract in the capacity of making sure that if society as a whole were to undertake your contract would it cause chaos and destruction or would it maintain an altogether respectful sexual environment. The Kantian practical imperative can be used for the sexual ethical structure to ensure the maintenance of human dignity. The practical imperative states, “Act that you use humanity, whether in your own person or in the person of any other, always at the same time as an end, never merely as a means.” Applying the practical

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32 Rachels p. 1
33 Kant p. 296 Ethics
34 Kant p. 300 Ethics
The imperative reminds us that during the act of sex we are with other humans that have other interest outside of the social contract into.

Problems can exist within the execution of a sexual ethical structure. Because modern society has become culturally diverse, the interpretation of dignity is based on the background from which a person was raised. The problem of defining human dignity needs to be discussed with in this paper. In order to gain a full scope of awareness of society and cultures that Modern woman is influenced. The first problem we find in defining dignity is language. There are an infinite number of languages across the globe. However language is not the only barrier when it comes to communicating within different cultures. Non-verbal codes exist within the realm of communicating. Laray Barna distinguishes six different stumbling blocks of intercultural communication. The stumbling blocks will assist us in creating a more obtainable definition of human dignity. The first stumbling block is assumption of similarities. We assume that because a person shares the same skin color or gender that they are similar in all aspects of life. When in reality we have had different experiences that have created the person we’ve become. This stumbling block is important in defining dignity. We automatically assume because we are all humans that we share something in common other than our human DNA coding. Genetic material is often times the only thing we share with our fellow humans even in that case there are caveats. Language difference is another stumbling block that effects defining human dignity. Languages have multiple translations and slang terms within the language that heavily influence our interpretation of words and concepts. We like to think similar words have the same meaning in every language but in reality the words are not the same and will never be the same unless we come to a universal language. Another stumbling block that gets in the way of defining human dignity is that we have preconceptions and stereotypes. These stumbling blocks get in the way of a true definition because they add to the concept that there are groups that
are less than human.\footnote{Laray M. Barna \textit{Stumbling Blocks in Intercultural Communication} in Intercultural Communication: A Reader, 7\textsuperscript{th} edition; Belmont, CA, Wadsworth Publishing Company, p.337-346.} We may not even see it in that aspect but in reality we always buy into the preconceptions and stereotypes without even realizing.

Now, the task at hand is to better adapt our definition of Kantian human dignity. It seems as though there may not be a solution to the problem of defining human dignity. Humanity consistently displays a superiority complex for their culture, race, and gender. Humans rarely account for their lack of perfection. We do on some level have an inner good that shines through every once in a while when we see others in danger. Otherwise we wouldn’t have everyday heroes like firemen, nurses and doctors. In order to create a workable definition some sort of agreement should be made about the qualifications for a human. Secondly, culture, race and gender cannot be in the definition. These qualifications do set humanity apart but creates ambiguity in the realm of humanity. The one value most people can agree on that humans do have an “intrinsic worth” as Kant says. If we utilize Barna’s stumbling blocks of intercultural communication it will help with coming to an overall agreement of a basic human worth without the influence of cultural nuances.

Modern woman has a rather daunting task in implementing a sexual ethic to ensure that society does not continue to degrade the dignity of humanity. In regards to sexual objectification, Ann Cahill says “women are presented with two choices: either be sexual and therefore be degraded and considered a moral unequal, or refuse sexuality, thus limiting their scope of personal expression considerably.” In rebuttal to this, modern woman has a third option: modern woman must instate her own sexual ethic, like the Kantian based structure we have discussed in this paper, that celebrates the beauty and power that comes when two people engage in a sexual act as well as celebrate and preserve human dignity. In conclusion views of sex need to change along with the moral structure that influences
the way we conduct ourselves in order to preserve the value of humanity.

**Bibliography**


Timothy Kirschenheiter—A Reply to the Definitional Objection against Gay Marriage

The Definitional Objection to gay marriage says that since marriage is, by definition, a union of a man and a woman, the state is not permitted to legalize gay marriage. An implicit premise in this argument is that the state is not permitted to define words improperly. In other words, the state has general epistemic duties. Most authors attack this objection by arguing against the definition of marriage as being necessarily between a man and a woman. While I agree with these authors, I also think the implicit premise is false. In short, I argue that the state only possesses those epistemic duties that derive from moral duties that the state possesses.

The Definitional Objection to Gay Marriage

A common objection to the state legalizing gay marriage is the Definitional Objection. This objection states that marriage is, by definition, a union of a man and a woman.36 A man and a man or a woman and a woman cannot possibly be married, as marriage necessarily involves a man and a woman. Jeffery Ventrella compares gay marriage to a square circle. No matter how much you may wish to draw a square circle, it is impossible. Similarly, no matter how much two same-sex partners may love each other, their marrying each other is impossible. Furthermore, Ventrella asserts that “the public square has no room for square circles.”37 Therefore, we need

36 This condition is a necessary one, not a sufficient one. There are other conditions needed for a complete definition of what marriage is, but they are unimportant for this paper.
“to stop pretending that the law can draw them.”^38  This claim could be reasonably formalized into the following argument:

P1. Marriage is, by definition, a union of a man and a woman.

C. So, the state is not permitted to legalize gay marriage.

Of course, this argument is invalid as written. One would need to add a bridging premise connecting the first premise to the conclusion. This premise is as follows:

P2. The state is not permitted to define words improperly.

With the addition of P2, the argument above is now valid, on the assumption that the legalization of gay marriage involves defining marriage improperly.

Most who respond to this Definitional Objection tend to attack P1, while ignoring the implicit claim of P2. In this paper, I will explain how one responder, John Corvino, objects to P1. Though I agree with one of his criticisms of P1, I will spend the bulk of this paper objecting to P2. In short, I will claim that while the state has epistemic duties, it has only those epistemic duties which are grounded in moral duties that the state possesses.

Corvino’s Criticism of P1

John Corvino criticizes P1 in at least two distinct ways. I believe that the first criticism from Corvino fails. His second criticism, however, is successful. I will now consider each in turn.

^38 Ventrella, 724.
First, Corvino accuses the giver of the Definitional Objection of circularity in her/his support of P1. He claims that “[t]he problem with the Definitional Objection is that, instead of arguing [that gay couples are not eligible for marriage], it simply asserts it. Eligibility for marriage is precisely what’s at issue here. Yet the Definitional Objection says that same-sex couples can not marry because same-sex marriage is impossible. That’s a circular argument if anything is.”

I disagree with Corvino here. I do not believe that the support for P1 in the Definitional Objection is circular. If it were circular, then the exclusion of anything from a definition on the basis of that definition would be circular. This, of course, is not the case. If I say person X can not be a bachelor because X is a woman, I have not committed circularity. Rather, I have rightly concluded, on the basis of the definition of a bachelor as an unmarried male of marriageable status, that X is not a bachelor. Similarly, if it is the case that marriage is, by definition, a union of a man and a woman, one could reasonably conclude that a gay couple can not possibly marry. This assertion would not be circular. Rather, one who formed this conclusion would have rightly concluded, on the basis of the definition of marriage as a union of a man and a woman, that the gay couple is not eligible for marriage.

Instead of accusing the giver of the Definitional Objection of circularity, Corvino should object that while there is general agreement on the definition of bachelor, there is no such agreement when it comes to marriage. So, the giver of the Definitional Objection is not permitted to simply offer her/his definition as the correct one without some sort of argumentation in favor of that definition. Doing so could be considered ad hoc, or at the very least, the giver of the objection could be reasonably accused of not offering sufficient argumentation in favor of her/his position. But, instead of simply accusing the giver the Definitional Objection of not properly

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supporting her/his position, it would be better if Corvino could directly argue against the claim that marriage is, by definition, a union of a man and a woman. This is what he does in his second reply to P1.

Corvino criticizes P1 in a second way by claiming that marriage is “an evolving legal and social institution, and if the law and society recognize same-sex couples as married, then they are in fact married.”40 One can point to marriage throughout history to bolster this claim. I do not wish to undertake a survey of human history in this paper, but it is worth noting a couple ways marriage has changed over time. For example, marriage has sometimes involved monogamy, while other times it has involved polygamy. Also, marriage has at times been about love and at times been about property bequeathal and protection. Corvino agrees with gay marriage opponent, David Blankenhorn, who claims that “[t]here is no single, universally accepted definition of marriage – partly because the institution is constantly evolving, and partly because many of its features vary across groups and cultures.”41 Corvino does not want to give one set of necessary and sufficient conditions for marriage, because he does not believe that such a set of conditions exists. Rather, given marriage’s ability to be transformed over time, the attempt to give one specific definition of marriage will always fail. Corvino believes that this should not be overly surprising, given the fact that “marriage is multifaceted” and “can be variously understood as a social institution, a personal commitment, a religious sacrament, and a legal status.”42

I generally agree with this reply from Corvino. However, it may be best to treat Corvino’s argument here as a disjunct in a disjunction where the second disjunct is the claim that if there is a singular definition of marriage, it is not the definition offered by the

40 Corvino, 27.
42 Corvino, 39.
giver of the Definitional Objection. In other words, either (i) marriage lacks one, singular definition or (ii) if it has one, singular definition, that definition does not confine marriage only to one man and one woman. Either way, P1 is false.

A Criticism of P2

Even if P1 were true however, the Definitional Objection against gay marriage fails, as P2 is false. Once again, P2 asserts that the state is not permitted to define words improperly. Though there exist situations in which this claim is true, this claim is not absolutely true. This is because the state does not have general epistemic duties. Rather, any epistemic duties that the state possesses are derived from moral duties that the state possesses. For example, if the state’s moral duty is to do whatever it takes to produce overall welfare for its citizens, then the state has an epistemic duty to properly form beliefs concerning what it means to be well-off and concerning the best way to reach that end. Or, if the state’s moral duty is to promote equality in all respects, then the state has an epistemic duty to hold only justified beliefs concerning what it means for people to be equal and concerning the best way to reach that end.

But does the state have an epistemic duty to only hold true beliefs (or at least justified beliefs)? In other words, does the state have general epistemic duties unrelated to its moral duties? Consider two examples – one fantastical, one realistic – where a state is permitted to define a word improperly in order to fulfill some moral duty it possesses.

Imagine that, through some unexplained metaphysical mechanism, if the state affirmed the claim, “All cats are dogs,” Alzheimer’s would be cured nationwide. Upon discovery of this quirk in our reality, the state should not say, “Well, it is false that all cats are dogs. So, we cannot affirm that proposition, anymore then we could draw a square circle.” Rather, the state should assert the
false claim as true, because doing so would be significantly beneficial for its citizens.

For a more realistic example, consider the Supreme Court’s ruling in Nix v. Hedden,\(^4^3\) in which the Court determined that a tomato is a vegetable, even though, botanically speaking, a tomato is a fruit.\(^4^4\) Imagine that this ruling was made with full-knowledge that the tomato is not a vegetable, but is, in fact, a fruit. Would the Supreme Court have done something wrong in this scenario by falsely defining the word tomato? No, so long as this false definition provided a sufficiently great benefit to the citizens of the United States.

Similarly, if defining marriage improperly is needed in order to reach some good consequence (or to fulfill the state’s moral duties in some other way), then the state is permitted to knowingly define marriage improperly. To deny this claim is to assert that the state has epistemic duties that override its moral duties in some instances.\(^4^5\)

It is worth noting that my claims concerning the state’s moral duties determining its epistemic duties work regardless of what understanding of the role of the state you adopt, so long as your conception of the role of the state is consequentialist in some way. So long as you believe that the state’s main purpose involves some

\(^{4^4}\) One could argue that in Nix v. Hedden the definition of the tomato as a vegetable was not a botanical definition, but one based upon the common usage of tomatoes in cooking/eating. For this example, imagine that this definition based on usage is an incorrect one.
\(^{4^5}\) Furthermore, there are already examples of the state deciding that there is good reason to incorrectly define words or to incorrectly categorize certain entities as things that they are not. For example, consider the legal fiction that recognizes corporations as persons. Clearly corporations are not actually persons, meaning that the state is operating on an incorrect definition of what it means to be a person.
sort of consequentialist moral duty, as opposed to some sort of epistemic duty, then my claims should be unproblematic.

It is also worth noting that my argumentation here is not meant to definitively settle the gay marriage question. Rather, it is simply to show that P2 in the Definitional Objection is false. A gay marriage opponent may still object that defining marriage so as to include homosexual couples would not produce overall positive consequences for society, but would actually produce overall negative consequences for society. Of course, this claim would take one outside of the argument of the Definitional Objection, and into a consequentialist argument concerning the best path for the state to take. I strongly believe that an analysis of this question will lead to the conclusion that defining marriage so as to include homosexual couples will produce significantly greater positive consequences than negative consequences. However, this issue is not my concern in this paper, so I will leave the question unexamined.

A Millian Objection

Perhaps one could object to my assertion that the state lacks general epistemic duties by citing Mill’s discussion of free thought. Mill offers three arguments in support of the government allowing freedom of thought. First, he is worried that the government’s silencing of an opinion could lead to the silencing of a true opinion. Second, he is worried that the silenced opinion, even if not wholly true, could possess a partial truth that is needed to reach the whole truth. Third, Mill is worried that, without competing opinions, we could lose the justification for the true belief that we hold.\footnote{John Stuart Mill, “The Liberal Argument from On Liberty,” in Philosophy of Law, 8th ed. Eds. Joel Feinberg and Jules Coleman (Belmont, CA: Wadsworth, 2008), 253. I collapsed Mill’s similar third and fourth arguments into one single argument, here referred to as his third argument.} Each of
these arguments emphasizes the importance of finding out the truth about any given subject. Perhaps my objector could claim, “The truth is so important that the state should not purposefully obscure it.” That is, the state’s obscuring the truth involves the state performing a wrong action. So, either the state possesses general epistemic duties to assert the truth (or at least to avoid asserting that which the state knows to be false) or the truth is so important that it is morally wrong for the state to obscure it. On the first disjunct, the state obscuring the truth would be an epistemic wrong, while on the second disjunct, the state obscuring the truth would be a moral wrong.

I have three replies to this sort of objection. First, Mill’s arguments about the importance of truth are not about the state providing true claims to its citizens. Rather, Mill believed that the state should provide an open space in which its citizens can freely discuss matters. Mill believed that the truth could be reached through this discussion. The state, however, can not remain totally impartial when it comes to the definition of words or to the assertion of claims in general. The practical operation of the state involves taking a position on a great number of claims, including definitions of words. The state could not function if it did not offer (either explicitly or implicitly) specific definitions for the words it uses in its laws, rulings, etc. What Mill was worried about is not the state taking positions on definitions, but the state banning opinions that go against the official state position. So, the state’s recognition of the general importance of truth does not mean that the state must always be committed to asserting only truths. Rather, it means that the state should allow its citizens to openly disagree with the state’s assertions.

A second, related reply involves a discussion of why the truth should generally be valued. On a Millian conception of the role of the state, the truth is not valued simply for the truth’s sake, but primarily for the utility generally produced by holding true beliefs. So, the state’s interest in having its citizens hold true beliefs is not derived from an epistemic consideration, but from a moral consideration. That is, any duty the state has to promote epistemic
duties in its citizens is derived from the duty the state has – on the Millian conception – to promote general social welfare or utility. However, if social utility were best promoted by defining marriage not as a union of a man and a woman, but as something broader so as to include homosexual couples, the state is permitted to define marriage incorrectly in this way. Once again, even if we accept Mill’s arguments regarding the importance of truth-discovery in society, we can understand that the state is justified in obscuring the truth in instances where doing so promotes some social welfare or utility. Furthermore, the negative consequences of this obscuring are mitigated by the state’s allowance of disagreement.

A third reply to this objection is to note that once it is generally recognized that the state has no general epistemic duties, citizens will be less likely to look to the state as the provider and arbiter of true claims. This recognition will once again mitigate some of the negative consequences of the state obscuring the truth. Once citizens understand that the state is not asserting the claims simply on the basis of general epistemic duties to find and believe only that which is true and which the state is justified in believing, citizens will be less likely to blindly accept the state’s assertions as true. Instead, they will be motivated to investigate the truth for themselves.

**An Objection from Citizens’ Distrust of the State**

Now perhaps one could object that the state’s willingness to assert false claims will lead to its citizens generally not trusting the state. That is, there will be a great negative consequence of the state

47 Once again, it is worth noting that a similar claim would apply to different understandings of the role of the state. If the state’s moral duty was to promote equality of wealth and property, then that state would have only those epistemic duties that are derived from that moral duty.
defining words improperly (or, more generally, making false claims). There will be widespread distrust of the state.

I reply that there are at least two ways in which a state’s citizens could distrust their state. First, they could cease trusting that the claims that their state asserts are true. Second, they could cease trusting that the state is attempting to fulfill its moral duties toward them. I see the first version of distrust as generally non-problematic as explained above, as it will encourage citizens to seek out truths for themselves. The second version of distrust would be problematic, but I do not see why the first version would imply the second version. Now perhaps if the state randomly asserted false claims without explaining why it was doing so, citizens would grow to distrust every assertion the state makes, including the implicit claim that the state is attempting to fulfill its moral duties to its citizens. However, on the picture I am offering, the state would only assert a falsehood when it had good reason to think that such an assertion would fulfill the state’s moral duties in some way. So, citizens could distrust that the state is asserting only that which it believes is true. But, they should also recognize those situations where a falsehood is asserted in order to fulfill the state’s moral duties. Perhaps this consideration also gives the state good reason to be quite clear when and why it is asserting a false claim. For example, the state may have good reason to say, “Actually marriage is, by definition, a union of a man and a woman. However, for our purposes, we are going to say that the definition of marriage is [some broader definition that includes same-sex marriage as legitimate]. And we are defining marriage in this way for reasons X, Y, and Z.” Doing so would once again mitigate the negative consequences of promoting a falsehood. When presented in this way, the incorrect defining of marriage is less likely to have these negative consequences derived from the state’s assertion of a falsehood.

It is also worth noting that this objection is not positing a general epistemic duty on the state. Rather, this objection says that the state has a duty to make true claims in order to avoid some negative consequence resulting from the promotion of falsehoods. If
the state had this duty, it would once again be an epistemic duty that the state possesses because of a moral duty it possesses, rather than a general epistemic duty.

Conclusion

In summary, the Definitional Objection to gay marriage makes an untenable assumption concerning the epistemic duties of the state. This objection assumes that the state has general epistemic duties to believe and assert only true claims. This is not the case. Rather, the state possesses only those epistemic duties which derive from its moral duties. When the assertion of a false belief serves to fulfill the state’s moral duties, then the state has good reason to assert the false belief. Furthermore, any objection to this assertion that points to some negative consequence of the state asserting a false claim is no longer making the pure Definitional Objection. Rather, one who objects in this way is making a consequentialist argument quite different from the Definitional Objection considered in this paper.

Bibliography


Dustin Peone—Forgotten and Philosophy

There is no doubt that philosophy largely depends upon memory. No less, however, does it depend upon forgetting. Hesiod tells us that the Muses are the daughters of Memory, and yet even their “nature” entails “forgetfulness of evils and relief from anxieties.”

William James rightly suggests in his *Principles of Psychology* that forgetting is as useful to everyday life as recollecting. Why is forgetting such a philosophically significant faculty? In order to have any efficacy, the two powers must always coexist in a dialectical relationship, and this for several reasons. From a practical standpoint, a memory not intermingled with forgetfulness yields a state of consciousness in which pain can never dissipate; it retains at all times its full force. From a cognitive standpoint, the subject whose memory is not intermixed with forgetfulness is never very good at thinking. I will consider forgetfulness along these two lines: first in relation to happiness, and then in relation to thought.

I

The Athenian politician Themistocles was gifted with great wisdom and genius, who Plato refers to as a “good and wise man.” Cicero writes, “It is said that a certain learned and highly accomplished person went to [Themistocles] and offered to impart to him the science of mnemonics . . . and that when Themistocles asked what precise result that science was capable of achieving, the professor asserted that it would enable him to remember everything; and Themistocles replied that he would be doing him a greater kindness if he taught him to forget what he wanted than if he taught

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him to remember.”

Why did Themistocles prefer the science of forgetting to that of remembering? Presumably, it was because forgetting is the balm of all pains. The Greek strain of philosophy most concerned with pleasure and pain is that of Epicurus, who has a doctrine of memory: “Remembering previous goods is the most important factor contributing to a pleasant life.” Because pleasure is always accessible to the individual through the recollection of those pleasant experiences of the past, the absence of immediate pleasure is not an obstacle to happiness. The corollary suggested by this doctrine is that pain is always subject to annihilation through the act of forgetting. Though this corollary is not found among the writings of Epicurus that have been preserved, Cicero tells us that this was in fact a part of Epicurus’ teaching. He writes, “If you ‘recall’ me to goods like this, Epicurus, I obey, I follow, I take you as my guide, I ‘forget’ evils too, as you bid, and the more readily because I think they are not so much as to be reckoned as evils.” Epicurus bids us to forget the evils we have suffered, as a necessary condition for pleasure unsullied by pain. Epicurean pleasure depends on a perspicacious selectivity of memory.

Because of ethical differences, Cicero is never an overt supporter of Epicurus. For this reason, he does not ultimately align

53 Cicero, Tusculan Disputations, trans. J.E. King (Cambridge, MA: Harvard University Press, 1942), III: xvii. 37. C.f. ibid., III: xvi. 35: “Under the smart of circumstances which we regard as evil, concealment or forgetfulness is not within our control . . . And do you, Epicurus, bid me to ‘forget,’ though to forget is contrary to nature, while you wrest from my grasp the aid which nature has supplied for the relief of long-standing pain?”
with Themistocles either, saying through the mouth of Antonius, “I am not myself as clever as Themistocles was, so as to prefer the science of forgetting to that of remembering.” Nonetheless, Themistocles is still presented as a man of great genius. Cicero recognizes the importance of an art of forgetting, though he is more interested in pursuing its opposite. Because memory is one of the three parts of providentia, its value for Cicero is ethical. Forgetting, though, has its role in personal happiness: “Then again, emotions of the soul, anxieties and distresses are alleviated by forgetfulness when the thoughts of the soul are diverted to pleasure.” Epicurus has hit on something, however misguided the twist he gives it. In this passage, what is at issue in a doctrine of forgetting is clear: ataraxia requires the capacity to forget not the factual events of the past, but one’s own emotions and opinions concerning them. So long as the preserved image persists in its attachment to the anger or terror with which it was originally conjoined, there is always something disturbing one’s tranquility, some cathexis of energy lurking in the unconscious. Emotion is always contingent. The need to forget emotion for the sake of ataraxia is the one point on which Cicero and Epicurus agree.

Montaigne, no Epicurean or Ciceronian but always eclectic in his sources, is the inheritor of this doctrine of forgetting. In the “Apology for Raymond Sebond,” amongst quotations from both Cicero and the Epicurean Lucretius, he tells us that human knowledge is inadequate against the ills of the world. His evidence is that under their pressure even philosophy enjoins us to turn to ignorance. Montaigne writes, “When not even a philosopher, but simply a sound man, feels in reality the burning thirst of a high fever, what kind of coin to pay him in is the memory of the sweetness of Greek wine? This would be rather to make his bargain worse, ‘For to

54 Cicero, De or., II: lxxxvi, 351.
56 Cicero, Tusc. Disp., V: xxxviii. 110.
recall the joy doubles the pain.””\textsuperscript{57} Even the recollection of joy is for Montaigne a hollow ruse. The suffering individual does not attain ataraxia through a whimsical reminiscence of things past; rather, a consciousness of the distance from this past increases the anguish of the present. In Montaigne’s doctrine of forgetting, all emotive elements must be selectively forgotten. Ataraxia comes from learning to die; terror is disarmed by disimpassioned familiarity.\textsuperscript{58}

There is, however, an immediate reversal: “Of the same sort is that other advice that philosophy gives, to keep in our memory only past happiness, and to efface from it the troubles we have suffered; as if the science of forgetting [science de l’oubly] were in our power. . . For memory sets before me not what I choose, but what it pleases. Indeed there is nothing that imprints a thing so vividly on our memory as the desire to forget it: a good way to give our mind something to guard, and to impress it on her, is to solicit her to lose it.”\textsuperscript{59} To enjoinder forgetfulness is a confession on the part of philosophy, an admission of its own impotence. Stripping memory altogether of its contents is the “road to ignorance,” which (following Seneca) “is a poor remedy for ills.”\textsuperscript{60}

The question here does not concern the value of forgetfulness. Montaigne does not doubt that a partial forgetting is necessary for ataraxia. What is at issue is whether selective forgetting is in the power of the subject; if it is not, then the philosophers must be recommending a wholesale forgetfulness, which is ignorance. The radical nature of Montaigne’s critique can only be properly understood if we recognize that at the time Montaigne was writing, the classical ars memoriae, with their


\textsuperscript{58} See ibid., I: 20.

\textsuperscript{59} Ibid., II: 12, 365.

\textsuperscript{60} Ibid.
systems of places and images, were at the peak of their authority. His criticism of the “science of forgetting” is a call for a new, more useful science of forgetting. What he desires is a science of forgetting that promotes atarxia but does not result in complete ignorance. As Sarah Bakewell says, “[Forgetfulness] freed [Montaigne] to think wisely rather than glibly; [it] allowed him to avoid the fanatical notions and foolish deceptions that ensnared other people; and [it] let him follow his own thoughts wherever they led.”

Jorge Luis Borges writes, “As the years pass, every man is forced to bear the growing burden of his memory.” Recent studies by neurobiologists have described a certain type of individual possessing what has been termed “Highly Superior Autobiographical Memory” (HSAM), or hyperthymesia. Subjects with hyperthymesia “are able to recall events from their personal past, including the days and dates on which they occurred, with very high accuracy.” The subject can recollect nearly every moment of his or her personal history; there do not seem to be quantitative limits to this autobiographical memory. What influence does this condition have on behavior? These subjects tend toward obsessive compulsion, reporting “that they hoard items, need organization in their physical environment, and/or are germ-avoidant. . . . They expressed aversions to touching public doorknobs, restaurant utensils, items

61 See, amongst other literature on ars memoriae, Mary Carruthers, The Book of Memory, Paolo Rossi, Clavis Universalis, and Frances A. Yates, The Art of Memory. Much of the later interest in ars memoriae stems from Cicero’s description and advocacy in De oratore II.

62 Sarah Bakewell, How to Live, or A Life of Montaigne in One Question and Twenty Attempts at an Answer (New York: Other Press, 2010), 73.


that are near or have touched the ground, and/or a need to wash their hands excessively. . . . HSAM participants express significantly more obsessional tendencies than controls. 65 This is the ever-growing burden of memory: one cannot escape the consciousness of the potential dangers and disorders of life that beset us on all sides.

Life is dangerous and disordered, without question. Ataraxia, tranquility, requires the “forgetfulness of evils and relief from anxieties” of the Muses. The great philosophers of forgetting—Epicurus, Montaigne, and even Nietzsche66—all tie their doctrines to well-being and happiness. One must be able selectively to annihilate the past if one is to flourish in the present and build toward the future. The retention of suffering is always present suffering. The entirety of the past presses down upon one; learning to live requires that its enormity be forgotten.

II

Borges tells the story of Ireneo Funes, a young nineteenth century Uruguayan who is left crippled when bucked from a horse. The side effect of this accident is that Funes is able to remember everything he has ever experienced, to its smallest detail: “Now his perception and his memory were perfect.”67 Funes’ memory is tied to perception; the visual is linked to muscular and thermal sensations, so that the entirety of every moment can be reconstructed in a perfectly mimetic image. Funes undertakes several memorial projects of an enormous scope: the construction of an infinite vocabulary for all natural series of numbers and an exhaustive mental catalogue of every image contained in his memory. His

65 Ibid., 84.
66 Nietzsche’s doctrine of forgetfulness, articulated in the second treatise of On the Genealogy of Morality, though bound with his doctrine of the will to power, is ultimately motivated by the desire for a noble ataraxia.
67 Borges, “Funes, His Memory,” in Collected Fictions, 135. This story, “Funes el memorioso” in Spanish, is often translated by the more provocative and literal title, “Funes the Memorious.”
accomplishments in learning are miraculous. Nonetheless, Borges’ narrator is correct in his assessment: “He had effortlessly learned English, French, Portuguese, Latin. I suspect, nevertheless, that he was not very good at thinking. To think is to ignore (or forget) differences, to generalize, to abstract. In the teeming world of Ireneo Funes there was nothing but particulars—and they were virtually immediate particulars.”

Funes, whose memory is perfect, is unable to deal with the world of general ideas and universals. His memory holds each thing as a unique particular. Every apple falls from the tree for its own reasons. This is a poor way of thinking. The move from particulars to universals is the most important practical yield of philosophical consciousness. Funes is a fictional character, but we can easily find evidence that Borges’ insights about the disconnect between memory and thinking are correct. Funes predicts the Russian mnemonist S.V. Shereshevskii, whose powerful and limitless memory was described twenty-four years after the publication of “Funes” by the neuropsychologist Alexandr Luria, in The Mind of a Mnemonist.

Shereshevskii, referred to by Luria as S., was a professional mnemonist, who gave public performances demonstrating his great memory. Audience members would recite long strings of words or numbers or nonsense syllables, which he would then repeat back, either forward or backward. He could phonetically memorize poetry in languages that he did not know. In all of the tests S. was subjected to by Luria, he never demonstrated any limits either to the quantity of material his memory could retain, or the duration for which it could be retained. Decades removed from first hearing a series of words, S. could repeat their sequence perfectly. Nothing was ever lost from his memory, nothing ever forgotten. However, this perfect retention was, as Borges predicted, deeply problematic. Luria writes, “Many of us are anxious to find ways to improve our memories; none of us have to deal with the problem of how to forget. In S.’s case, however, precisely the reverse was true. The big question for him,

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68 Ibid., 137.
and the most troublesome, was how he could learn to forget.” S. finally found that he could block off his memories through an act of will: “Aha! . . . if I don’t want the chart to show up it won’t.” This act of will was not able, however, to annihilate the particular memory-image. At best, it allowed S. some relief from the constant barrage of images, some respite from the petites madeleines in his mind.

S. accords with Borges’ characterization of Funes. Like Funes, despite his miraculous powers of memory, S. was not very good at thinking. His memory, lacking a dialectical relationship to forgetfulness, prevented his thought from grasping anything with more than a turbid depth. Luria gives us several illuminations: “As [S.] put it: ‘Other people think as they read, but I see it all.’ As soon as he began a phrase, images would appear; as he read further, still more images were evoked, and so on.” S.’s mind was unable to follow the thread of a story as a whole; it could not keep from associating each word with an image. Rather than abstracting meaning from a narrative, S. was left with a series of meaningless memory-images representing only the semantic structure of the narrative. The individual words obfuscated the meaning of the whole. “Given such a tendency, cognitive functions can hardly proceed normally. The very thought which occasions an image is soon replaced by another . . . a point is thus reached at which images begin to guide one’s thinking, rather than thought itself being the dominant element.”

S. could only think figuratively. He was unable to generalize or abstract. Luria writes, “The conventional use of language is such that abstraction and generalization are most basic. . . . [S.’s problem

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with poetry] clearly indicates that figurative thinking is not always helpful in understanding language."73 Metaphor, which Ernesto Grassi calls “the root of knowledge,”74 was altogether cut off from S.’s understanding. The very perfection of S.’s memory prevented his cognition from understanding abstract ideas. If each thing is a unique particular, a difference without identity, we can never ascend to the universal, which is an identity of difference. The psychologist I.M.L. Hunter observes, “The more efficient and logical the thinking, at least of a logical nature, the less it is accompanied for most people by imaging. It would appear images are too concrete and specific to be of great service in reaching solutions by higher-level thinking.”75 Forgetting is necessary to make this leap. One must be able to grasp qualitative identities in order to think in terms of universals or generalizations. This entails forgetting specific differences. Likewise, one must forget identity and remember only difference to think in terms of particulars.

When Hegel examines psychology in the Encyclopaedia of the Philosophical Sciences, he analyzes memory [Gedächtnis] in its Aristotelian sense. He writes that Gedächtnis is “a passage into the function of thought [das Denken], which no longer has a meaning, i.e. its objectivity is no longer severed from the subjective, and its inwardness does not need to go outside for its existence.” What is the relationship in which the two terms stand? “Memory qua memory is itself the merely external mode, a merely existential aspect of thought, and thus needs a complementary element. The passage from it to thought is to our view or implicitly the identity of reason with this existential mode: an identity from which it follows that reason only exists in a subject, and as the function of the subject. Thus active

73 Ibid., 117, 120.
reason is thinking.” Memory is the external mode, and thinking is the internal. The external and internal depend on one another: memory and thinking exist in a reciprocal unity. We see from the examples of Funes and Shereshevskii that memory is not yet thinking, and that memory and imagination can lead thought itself if there is no control. The control needed to bridge the distance between memory and thinking is forgetting.

Forgetting is just as necessary for thinking as it is for ataraxia. Happiness depends on the capacity for forgetting the emotive element of experience. Thinking depends on the capacity for forgetting identity and difference by turns. The mythical form of thinking never rises to universals or generalities; it takes each thing to be a unique particular. Even the identity of the same thing is not fixed through time, as we learn from primitive cultures: when the shaman puts on the mask and becomes the god, he literally becomes the god during the ritual. There is a peculiar logic at play, but one that is akin to the logic of dreams. Our logical thinking—that is, all thinking that depends on the Aristotelian notion of class logic—requires the ability to move back and forth between universal, particular and individual, between genus, species and singular member. Memory without a relationship to forgetting leaves one at the level of mythical consciousness. Difference always obtains between any two things; immediate, vacuous actuality is always unique. This difference must be effaced. The immediate character of the object must be forgotten in order to ascend to universals.

As with any doctrine of memory, the form in which the capacity for forgetting becomes philosophical is ingenium. There is nothing philosophical about common absent-mindedness. The leap

from the particular to the universal (and the reverse leap, back to the particular) is always an ingenious act of thinking. There is no science by which it can be learned, no foolproof technique. One simply sees identity. The great difficulty of making this leap is evidenced by those primitive cultures around the world that persist in mythical thinking. The profound philosophical act requires that one hold a collection of individual things in one’s mind and give them a new twist, recognizing an order and identity amongst the set that one did not see before. This is an act of memory, but also an act of forgetfulness. To find the common thread of inner movement, one must annul apparent differences. To return to the particulars, one must annul this identity. These moments of annulment or cancellation are ingenious lapses of memory. The dialectic between memory and forgetting is the basis of all logical or “rational” thinking. In this sense, Hegel is right when he writes that Gedächtnis is the external mode of thinking; the complete act of thinking is the truth of the tension between memory and forgetting.

Bibliography


See Giambattista Vico, New Science, trans. Thomas Goddard Bergin and Max Harold Fisch (Ithaca, NY: Cornell University Press, 1968): “Memory thus has three different aspects: memory [memoria] when it remembers things, imagination [fantasia] when it alters or imitates them, and invention [ingegno] when it gives them a new turn or puts them into proper arrangement and relationship. For these reasons the theological poets called Memory the mother of the Muses” (§819).


Razia Sahi—The MSCEIT Misses the Mark: Emotional Intelligence is a Practical Ability

In recent years, researchers have been greatly interested in how differences in abilities to perceive, understand, and regulate emotions influence personal well-being and life success. In investigating these interpersonal differences, researchers coined the term “emotional intelligence” to refer to the capacity to reason about emotions and use emotions to assist reasoning. Intelligence requires both knowledge, or information about something, and the ability to use that knowledge to problem solve. Emotional intelligence, or EI, differs from other forms of intelligence, however, in that it requires reasoning about the inner states of others as well as one’s own inner state, often under emotionally charged circumstances. Although researchers lack consensus on the concept of EI, this practical ability to regulate one’s emotions in order to produce constructive responses to one’s environment seems to be an essential feature of EI and arguably the most important feature in predicting personal well-being and life success.

Given the variety of conceptual perspectives concerning EI, there are several possible current measures for emotional intelligence.79 In order to draw attention to the practical feature of emotional intelligence, I will focus here on an ability-based measure: the Mayer-Salovey-Caruso Emotional Intelligence Test, or MSCEIT (Mayer, Salovey, Caruso, 2002). Despite widespread controversy surrounding the validity of emotional intelligence tests and the conceptions of emotional intelligence that they rely on, many organizations are currently using the MSCEIT to predict workplace performance (Zeider, Matthews, Roberts, 2004). I claim that the MSCEIT lacks validity as a measure of EI in so far as it fails to

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79 Some possible current measures for emotional intelligence include the Big Five test for temperament (Bar-On, 1997), the JACBART for information processing (Matsumoto, LeRoux, & Wilson-Cohn, 2000), and the TEIQue for emotional self-regulation (Petrides, Pérez, & Furnham, 2003).
capture its essential practical feature. First, the MSCEIT relies too heavily on participants’ knowledge of a particular set of social norms and the consensual interpretation of emotional information. Second, the MSCEIT does not account for participants’ relevant interpersonal differences. Third, the MSCEIT does not measure one’s ability to reason about emotions when one’s emotions are involved. While the MSCEIT may to some extent measure emotional knowledge, when it comes to measuring emotional intelligence the MSCEIT misses the mark.

I. Emotional Intelligence as a Practical Ability

Salovey and Mayer first coined the term emotional intelligence to describe one’s ability to “monitor one’s own and others’ feelings and emotions, to discriminate among them and to use this information to guide one’s thinking and action” (1990, p. 189). Since the construct’s popularization by David Goleman’s book Emotional Intelligence: why it can matter more than IQ (1995), researchers have struggled to determine what EI means, how to measure it, and to what extent it predicts life success. While researchers reject Goleman’s unfounded claims that EI matters more than general intelligence (Barrett, Gross, & Benvenuto, 2001), researchers generally agree that EI correlates to social-emotional success (Day, 2004) and discriminates groups that are exceptional, for example, in terms of their intellectual capabilities, in a way that is meaningful and practical (Zeidner, Roberts, & Matthews, 2008).

Since its original conception, researchers have been tirelessly reevaluating the construct to accord with the current understanding of this ability as a form of intelligence. Intelligence requires the ability to recognize, learn, memorize, and reason about a particular set of information. Knowledge of a particular set of information enhances one’s capacity to learn and reason about that type of information (Mayer, Roberts, Barsade, 2008). For example, the more words one already knows, the more likely one is to be able
to acquire more verbal knowledge and utilize this knowledge in reasoning processes. Thus, knowledge promotes intelligence. However, intelligence refers to the ability to independently acquire new information and to use acquired knowledge to promote reasoning about that information (Mayer, Roberts, Barsade, 2008). Although knowledge promotes intelligence, one can possess knowledge without possessing the ability to independently acquire and use it.

In keeping with this definition of intelligence, Mayer et al. describe EI as follows: “Emotional intelligence concerns the ability to carry out accurate reasoning about emotions and the ability to use emotions and emotional knowledge to enhance thought” (2008, p. 511). This definition differs from Salovey and Mayer’s original definition of emotional intelligence in that it specifically characterizes emotional intelligence as an ability and qualifies this ability as one that lends itself to accurate reasoning about emotions. Given the inter-connectedness of mental functions such that emotion and intelligence are active throughout most mental processes, Mayer et al. elaborate on the distinction between EI and other mental processes by focusing on its solutions-oriented function (Mayer, Roberts, Barsade, 2008). Thus, emotional intelligence extends beyond emotional knowledge, or knowledge about emotions, to involve a practical ability. This practical ability relies on one’s capacity to formulate accurate perceptions and evaluations of emotional information and use this knowledge to generate solutions to unexpected environmental challenges. Under this conception, emotional intelligence is a success term referring to a set of skills that produces adaptive behavior.

Mayer et al. elaborate on this description by describing four branches of emotional intelligence: (1) perceiving emotions; (2) using emotions to facilitate thought; (3) understanding emotions; and (4) managing emotions. Perceiving emotions refers to the ability to identify emotions in oneself and others as well as in other stimuli such as pictures. An example of this ability is to discriminate between an honest expression of joy and a dishonest expression of joy. Using
emotions refers to the ability to generate, use, and feel emotion in order to communicate or facilitate thinking. An example of this ability is to utilize one’s gloomy mood to produce expressive art. Understanding emotions refers to the ability to understand emotional information such as how emotions develop and change over time. An example of this ability is to interpret complex feelings such as a blend of anger and sadness. Finally, managing emotions refers to the ability to effectively regulate emotions in oneself and others to produce short-term solutions and foster long-term understanding and growth. An example of this ability is to detach from an uninformative or unproductive emotional state (Mayer, Salovey, Caruso, 2002).

While the abilities to perceive and understand emotions refer primarily to a subject’s emotional knowledge, and the abilities to use and manage emotions entail the ability to utilize that emotional knowledge, all four branches play an essential role in abstract reasoning about emotions and problem solving. What distinguishes emotional intelligence from other forms of intelligence is that problem solving in the emotional domain is complicated by the subjective influence of emotional phenomena. Such phenomena include a sense of urgency, shortsightedness, and arousal of the autonomic nervous system (Scarantino, 2014). These changes, though typically short-lived, interfere with one’s ability to reason accurately about emotional information and thus impede on one’s ability to produce adaptive behavior in response to emotions-related challenges. Thus, the conception of emotional intelligence as concerning the ability to reason accurately about emotional information must account for the influential power of emotional phenomena by describing how one modulates ones inner experiences.

Emotion regulation describes the ability to manage the expression and experience of one’s emotions (Gross & Thompson, 2006). This ability is necessary for counteracting the obstructive effects of emotional phenomena in order to successfully perceive, use, and understand emotions. Without this ability, emotional intelligence would be a construct that exclusively refers to theoretical
knowledge and would play little role in producing adaptive responses to life challenges. Thus, Mayer et al.’s conception of EI as a form of intelligence with a focus on problem solving requires practical ability in addition to theoretical knowledge.

II. The MSCEIT

Researchers agree that EI is a multifaceted construct and study it from a variety of conceptual perspectives including, but not limited to, temperament, information processing, emotional self-regulation, and emotional knowledge and skills (Zeidner, Roberts, & Matthews, 2008). Nonetheless, the field lacks consensus about which perspective to prioritize and to what extent each individual construct contributes to the overall construct of emotional intelligence. Despite significant controversy surrounding the conceptualization, assessment, and applications of EI, organizations have begun implementing EI tests as part of selection, training, placement, and promotion practices in the hopes of finding employees that will not only succeed in their roles, but further excel in achievement and leadership (Zeider, Matthews, Roberts, 2004). The EI test that has risen to the top in this regard is the MSCEIT.

The MSCEIT measures general emotional intelligence as well as each of the four branches of emotional intelligence outlined by Mayer et al. (2008). Furthermore, scores from the subscales measuring the first two branches contribute to the experiential area score, whereas scores from the subscales measuring the second two branches contribute to the strategic area score. Mayer et al. claim that the skills measured by each of these area scores can operate independently of each other: the abilities to perceive and respond to emotional information do not require understanding of emotions, and the abilities to understand and manage emotions do not require that one fully perceive or experience emotions (Mayer, Salovey, Caruso, 2002). They attribute this difference in skill-sets to a the distinction between more basic-levels of processing in how one responds to and
classifies feelings and higher-level conscious processing of emotions in how one reasons about such feelings (Mayer, Salovey, & Caruso, 2002). However, it is unclear why they believe that higher-level conscious processing of emotions does not require accuracy in basic levels of processing.

The test consists of 141 questions addressing the different components of EI. These questions provide participants with a picture or situation and ask them to rate items on a scale of 1-5. Tasks designed to measure the perception of emotions ask participants to identify emotions expressed in pictures of faces or other objects, such as a work of art. Tasks designed to measure the use of emotions ask participants to rate the helpfulness of moods to activities and generate emotions in response to sensation words. Tasks designed to measure the understanding of emotions ask participants to identify changes and blends of emotions. Tasks designed to measure the management of emotions ask participants to rate the effectiveness of various emotional responses to situations involving one’s own emotions as well those of others (Mayer, Salovey, Caruso, 2002). Individual task items will be discussed in greater detail in the subsequent section.

In scoring participants’ ratings, researchers utilize consensus-based scoring in which scores are compared to the general consensus, or the rest of the participants’ scores, as well as the expert consensus, or the scores of a select group of 21 volunteers from the International Society for Research on Emotion (Maul, 2012). General consensus scores highly correlate to expert consensus scores (Maul, 2012). Those who score the highest on the MSCEIT and thereby demonstrate high levels of EI then, are those whose responses to the test most highly correlate to everyone else’s responses. By this scoring method, outliers, or those who respond in radically different ways from the general population, score low on the test. This scoring method is reflective of Mayer et al.’s claim that attunement to social norms is a crucial aspect of emotional intelligence (Salovey, Detweiler-Bedell, & Mayer, 2008).
III. Emotional Knowledge versus Emotional Intelligence  

In evaluating the validity of a psychological measure, researchers ask to what extent a measure reflects “integrated and evaluative judgments of the adequacy and appropriateness of inferences and actions based on test scores” (Messick, 1989, p.13). In order to assess the adequacy and appropriateness of a measure, one must first establish what a test is aiming at. The MSCEIT originated as a research tool aimed at providing information about the Mayer-Salovey conception of EI (Maul, 2012). However, in its current use by organizations for career selection and placement purposes (Zeider, Matthews, Roberts, 2004), the MSCEIT seems to presuppose its success as a measure of EI as well as the accuracy of the Mayer-Salovey conception of EI as a set of abilities that positively correlate to adaptive behavior, particularly in the workplace. Thus, one can infer that the current aim of the MSCEIT is to reflect true variation in emotional intelligence in order to predict variation in workplace performance.

Setting aside the MSCEIT’s success in predicting variation in workplace performance independently of measuring emotional intelligence, this paper focuses on the MSCEIT’s failure to reflect true variation in emotional intelligence. In using consensus-based scoring and context-based questions, the MSCEIT is only able to measure participants’ knowledge of emotional information of a particular environment and thus yields a biased measure of emotional knowledge. Furthermore, knowledge of norms is not reflective of the abilities to perceive, use, understand, and manage emotions in accordance with those norms. While emotional knowledge can facilitate accurate reasoning about emotional information, it is not necessarily predictive of this ability. In so far as the connection between formal knowledge and emotional intelligence remains unclear (Maul, 2012), one cannot assume that a measure of emotional knowledge is reflective of variation in emotional intelligence.

Under my view, practical ability is essential to Mayer et al.’s conception of emotional intelligence. However, this is a point that
many researchers may deny. In defense of the MSCEIT, one might claim that the possession of emotional knowledge is reflective of the ability to reason abstractly about emotions and that a measure of intelligence is not responsible for measuring practical ability. This is an objection I will return to in detail in Section IV. First, I will supply my arguments against the MSCEIT entailing the view that emotional intelligence is in fact a practical ability.

The MSCEIT relies too heavily on participants' knowledge of a particular set of social norms and the consensual interpretation of emotional information.

Mayer et al. claim that the notion that emotional intelligence requires attunement to social norms is central to their model of EI (Salovey, Detweiler-Bedell, & Mayer, 2008). In keeping with this notion, items on the MSCEIT are scored using consensus-based scoring: participants receive a score for each item depending on the proportion of the rest of the sample that selected the same answer. Thus, one’s score corresponds to how much one agrees with the general population about how to interpret emotional information. The consensual interpretation of emotional information differs, however, according to one’s environment. For example, individuals from different cultures vary in the emotional intensity that they attribute to facial expressions of emotion (Matsumoto & Ekman, 1989) and in the general inferences they draw from facial expressions of emotions (Matsumoto & Kudoh, 1993). Some studies even suggest that strikingly different events elicit similar facial expressions in different cultures (Matsumoto, 1990; Haidt & Kelter, 1999). Thus, the consensual interpretation of emotional information derives largely from knowledge of the conventions of one’s environment.

Researchers use both a general consensus and an expert consensus to assign participants scores on the MSCEIT. The alleged experts were a small group of emotion researchers that volunteered at a conference to take the test. Individuals that research emotions
may possess a great deal of emotional knowledge. However, there is no reason to believe that these individuals consequently have high emotional intelligence. Furthermore, the expert consensus scores correlate very highly with the general consensus scores, indicating that this group of “experts” is not more knowledgeable about emotions than the general population. Thus, the MSCEIT’s scoring method relies entirely on the consensual interpretation of emotional information deriving from a particular social context.

Consensus-based scoring is considered a valid form of measurement when a construct lacks certified experts and objective knowledge. For example, in surveying a sample of people about acceptable definitions for a list of words, consensus-based scoring makes sense given that the meaning of words depends on how people use them (Maul, 2012). Mayer et al. attempt to make a similar case for emotional intelligence, claiming that consensual knowledge of emotions helps define their general meaning (Mayer, Salovey, & Caruso, 2001).

Intelligence, however, involves more than knowledge of social norms and thus is not a matter of consensus. The majority of people fail to perceive much of the emotional information available to them (Ekman, O’Sullivan, & Frank, 1999). For example, most people cannot distinguish between a genuine smile and a non-Duchenne smile, or a “camera smile” (Ekman, Davidson, & Friesen, 1990). The consensus perception, in such cases, is incorrect. The astute few that are able to accurately perceive emotions despite deceptive appearances are the outliers of consensus-based scoring and thus score lower on the MSCEIT than those who share in the misconceptions of the general population. Although it may not be the case that the consensus response is incorrect for all 141 questions of the MSCEIT, the consensus will most often be wrong on the questions that matter most. I will elaborate on this claim in the following paragraphs in relation to individual task items.

The MSCEIT’s individual task items are heavily reliant on factual knowledge of social norms and fail to take into account the
ability to independently acquire and manipulate emotional information. In tasks related to perceiving emotions, participants identify the standard emotion associated with a facial expression or picture (Mayer, Salovey, Caruso, 2002). While some facial expressions seem biological in origin and culturally universal (Ekman & Friesen, 1978), the MSCEIT’s questions do not evaluate whether or not one would be able to distinguish between a genuine and deceptive facial expression and thus fail to capture the ability to perceive emotions in cases where faces and pictures are not entirely clear in the emotions they express. It seems like animals and children are perfectly capable of perceiving happiness in a smiling face, indicating that this ability is more basic than the abilities captured by emotional intelligence. Although such basic abilities may be necessary for higher-level conscious processing of emotions, they are not indicative of the ability to abstractly reason about emotional information. The real challenge and utility of perceiving emotions lies in one’s ability to identify and express emotions under less-straightforward circumstances. The MSCEIT, however, does not measure this robust ability.

In tasks related to using emotions, participants identify the usefulness of moods to various activities. For example, one question asks what mood might be useful in meeting in-laws for the first time (Mayer, Salovey, Caruso, 2002). The answer to such questions varies greatly by context. It may be the norm in some families to exhibit some nervousness in the presence of in-laws as this mood would convey the feelings of caution and respect, whereas it may be the norm in other families to exhibit exuberance in order to convey the feelings of joy and excitement. Depending on the family, different moods would be useful. The consensus, in this case, is reflective of the personal experiences of individuals living in a particular society, and thus relies on knowledge of a particular set of social norms. If researchers evaluate participants from several culturally different societies, they would be less likely to be able to determine a consensus-based answer to such questions, indicating that there is not a single correct answer to many of the MSCEIT’s questions. Knowledge of what moods people generally find helpful in a
particular social context is not reflective of emotional intelligence since the relevant knowledge will vary greatly according to one’s environment. Furthermore, it is one’s ability to generate a useful mood in any circumstance, especially an unfamiliar circumstance, that is indicative of the ability to utilize emotional information in a meaningful and productive way.

In tasks related to understanding emotions, participants identify changes and blends in emotions through relationship and circumstantial transitions. The implications of such transitions, however, vary by context. For example, moving in with one’s significant other may ease anxiety, cause elation, induce shame, or produce a sense of comfort. While one of these responses may be the most customary response to the situation in a particular environment, one can experience any, all, or none of these emotions. One’s ability to understand how emotions combine and progress, especially when they are not typical, is indicative of emotional intelligence. However, the consensus-based scoring of such questions does not capture this ability.

In tasks related to managing emotions, participants rate the effectiveness of various actions to situations. What may be effective in managing one’s emotions in one context may not be effective in another context. For example, the way one manages anger in one environment may be to manifest that anger in vengeful action in order to demonstrate courage and power, whereas in another environment it may be to curb that anger in order to demonstrate patience and moral superiority. Neither action is inherently favorable: the most adaptive behavior in response to various emotions depends on the environment. The MSCEIT evaluates participants’ knowledge of how one ought to act in a particular situation, and not the ability to successfully manage one’s emotions in a variety of situations. While additional context may develop the accuracy of the MSCEIT’s questions in measuring this ability, context-based questions would still only be able to measure this ability in relation to a particular circumstance, and not the general ability that is integral to emotional intelligence.
The MSCEIT does not account for participants’ relevant interpersonal differences.

Temperament, or one’s nature as shaped by the innate biological attributes that influence one’s behavior, plays a role in emotional intelligence (Zeider, Matthews, Roberts, & MacCann, 2003). Mayer et al. acknowledge this notion in the claim that extraverts are likely better than introverts at employing emotional information (Mayer, Roberts, & Barsade, 2007). The MSCEIT, however, does not account for interpersonal differences in the way that people effectively respond to and manipulate emotional information.

Emotional intelligence is a success term by Mayer et al.’s conception and requires accurate reasoning about emotions. However, there is often more than a single way to reason accurately about information and solve a particular problem. While introverts and extroverts may vary in their attunement to different emotional information, it does not seem to be the case that one group is inherently more emotionally intelligent than the other. Interpersonal differences in traits impact the way in which one perceives, uses, understands, and manages emotions. Nevertheless, these differences in approach to information do not indicate a difference in degree in the ability to successfully interpret and make use of this information.

In identifying expressed emotions, an introvert may be more attuned to perceive embarrassment in a particular smile, whereas an extrovert may be more attuned to perceive joy. That smile may contain expressions of both embarrassment and joy in fairly equal parts, indicating that these differences in sensitivity do not reflect differences in accuracy of perception. Furthermore, individuals may differ in which emotions they distinguish more readily in identification tasks, but ultimately arrive at the same accurate overall perception and understanding of emotional information. For example, in looking at a particular smile, an introvert may perceive
embarrassment more readily, and an extrovert may perceive joy more readily, but ultimately both perceive the emotional blend of joy and embarrassment. Thus, variation in participants’ answers on these tasks is not reflective of their abilities to holistically perceive and understand emotions.

Using and managing emotions are highly dependent on interpersonal differences. For example, introspective moods might be most effective for an introvert working on a creative project, whereas an elated mood might be most effective for an extrovert in the same activity. A sample MSCEIT question for managing moods asks participants to rate the effectiveness of three different actions in preserving a person’s peaceful and content mood after a vacation. Action 1 involves making a to-do list of house chores, action 2 involves planning the next vacation, and action 3 involves ignoring the fleeting feeling of peace and contentedness (Mayer, Salovey, Caruso, 2002). Depending on the person’s personality, any of these three actions can be rated as the most effective action. In order to modulate feelings in oneself and others, one must be capable of selecting the right action for the right type of person. The MSCEIT measures participants’ ability to identify generic regulative techniques instead of the ability that allows them to flexibly generate helpful moods or productive behaviors.

The MSCEIT does not measure one’s ability to reason about emotions when one’s emotions are involved.

Given Mayer et al.’s belief that high emotional intelligence is predictive of better social relations and psychological well being (Mayer, Roberts, & Barsade, 2007), emotional intelligence must involve the ability to implement emotional knowledge in emotionally-charged situations. Consider, for example, the difference between how one responds to and manipulates emotional information regarding one’s committed relationship and how a bystander might respond to and manipulate the same emotional
information. Or how one might respond to and manipulate emotional information regarding the behavior of one’s annoying roommate as compared to how a bystander might interpret the same information. While some might be able to reason accurately about emotions under emotionally charged circumstances, others may not. This difference in ability highlights the distinction between theoretical knowledge and practical knowledge that Mayer et al. do not account for in the MSCEIT’s design.

Theoretical knowledge about emotions concerns how one could perceive, use, understand, and manage emotions. Given that “weakness of will” can interfere with one’s ability to do what one believes one ought to do (Sripada, 2012), theoretical knowledge is not necessarily demonstrative of how one would actually perceive, use, understand, and manage emotional information in real-life situations. Furthermore, emotions can obscure one’s ability to reason clearly about one’s own emotions and those of others. An emotionally intelligent person would, according to Mayer et al.’s definition of EI, be capable of reasoning about one’s own emotions and those of others despite this effect of emotions. Many other forms of intelligence do not face this problem. In the case of verbal intelligence, for example, words do not complicate one’s ability to reason about words. Thus, a measure of emotional intelligence should emotionally engage participants in order to evaluate practical knowledge as well as theoretical knowledge.

IV. Objection: Emotional Intelligence does not require practical ability

The criticism of the MSCEIT that I provide in this paper relies on the conception of emotional intelligence as a practical ability. In defense of the MSCEIT, one could claim that emotional intelligence, as the expression of one’s ability to reason abstractly about emotions, does not require practical ability. As is the case with other forms of intelligence, knowledge of a subject area is necessary.
in order to reason accurately about that subject area. Typically, the more knowledge one has at one’s disposal, the higher one’s intelligence is in that domain. For example, the more words one knows, the higher one’s verbal intelligence tends to be. Given that there tends to be a positive correlation between knowledge and intelligence, one might conclude that a measure of emotional knowledge is reflective of true variation in emotional intelligence. Furthermore, one might claim that while the concept of emotional intelligence does not require practical ability, it is predictive of practical success.

This primary objection can be used to respond to each of my individual claims against the MSCEIT. First, one might claim that participants’ knowledge of social norms is indicative of emotional intelligence. Second, one might claim that interpersonal differences are not relevant to the measure of emotional intelligence. Third, one might claim that theoretical knowledge is reflective of one’s own experiences. Following, I will demonstrate how this objection fails to defend the MSCEIT against my claims. Emotional intelligence is distinct from other forms of intelligence in the degree to which it necessarily relies on practical ability. Given that one must be able to regulate one’s emotions in order to acquire and reason about emotional information in a productive manner, one cannot disregard this feature of emotional intelligence.

Participants’ knowledge of social norms is indicative of emotional intelligence.

In response to my claim that the MSCEIT relies too heavily on participants’ knowledge of social norms and the consensual interpretation of emotional information, one might claim that knowledge of social norms in relation to emotions and appropriate emotional behavior is indicative of emotional intelligence. According to this objection, without such knowledge one would not be capable of using one’s reasoning to problem solve because the
solutions to emotional problems are reliant on the particular norms and conventions of one’s society. For example, if one does not know who to recognize as a superior and how to interact with this person, one would be less likely to modulate one’s emotional behavior in adaptively beneficial ways.

In response to this objection, I claim that what matters for emotional intelligence is not what knowledge one has at one’s disposal, but that one is able to acquire new knowledge and manipulate that knowledge in an informative and creative manner. Anyone can be taught who superiors are and what the rules of interaction with this person are. The possession of such factual knowledge is not indicative of the ability, however, to recognize through environmental cues different individuals’ roles in an organization and how to behave with them in a way that is both appropriate and productive. Participants’ knowledge of social norms is therefore uninformative with regards to participants’ ability to effectively apply that knowledge to emotions. Knowledge of social norms may be useful, and to some extent necessary, in developing the ability to interact successfully with one’s environment. However, it is not sufficient for emotional intelligence.

**Interpersonal differences are not relevant to the measure of emotional intelligence.**

In response to my claim that the MSCEIT does not account for relevant interpersonal differences, one might claim that these interpersonal differences are not actually relevant to the measure of emotional intelligence. Regardless of one’s individual response to emotional information and personal regulative strategies, ultimately one’s ability to reason accurately about information can be measured objectively. For example, individuals may utilize different strategies for remembering verbal information. Regardless of what process of reasoning one uses, however, the test of one’s verbal intelligences relies on what answer one selects.
This objection draws an analogy with the wrong type of test. Many intelligence tests, including IQ tests, can rely on objective answers in their evaluation of a particular ability. However, measures of emotional intelligence as a solutions-oriented ability should not preclude the possibility of more than one solution to the same problem. In this sense, emotional intelligence is more like combative intelligence rather than verbal intelligence. For example, one can win a game or conquer an obstacle course in more than one way. What matters most is that one can figure out how to do it, even in the face of unfamiliar obstacles, with one’s own resources. These resources include one’s inherent attributes, the knowledge one already possesses, and one’s ability to think critically. A measure of consensual knowledge does not account for the variance of such resources and the ability of one to implement these resources in a variety of creative and productive ways.

Theoretical knowledge is reflective of one’s own experiences.

In response to my final claim that the MSCEIT does not measure one’s ability to reason about emotions when one’s emotions are involved, one might claim that theoretical knowledge is reflective of one’s own experiences. In responding to questions about how one ought to perceive, use, understand, and manage emotions, one is drawing on one’s own experiences. Although tasks on the MSCEIT do not directly engage participants’ emotions, they engage participants’ imagination. Thus, the theoretical knowledge that a participant draws on is somewhat reflective of his practical knowledge.

While some tasks on the MSCEIT directly ask participants to imagine themselves in a particular situation, this condition is not enough to demonstrate how one would actually feel or behave in that situation. It is often the case that one knows how one ought to behave or think but fails to act in accordance with this knowledge because of one’s desires and emotions (Sripada, 2012). For example, a
participant might imagine maintaining a level-head in a philosophical dispute about a topic that is of emotional significance to him, knowing that this is the “right” way to behave, when in actuality he would experience offense and his anger would cause him to be spiteful in his discourse.

Even if a participant could predict his negative emotional response to this situation, it is uncertain whether or not he would honestly report this prediction. He may recognize that a negative emotional response would be maladaptive in the situation and furthermore normatively frowned upon. This recognition could motivate the participant to falsely report maintaining a level-head in the situation. In this sense, the MSCEIT does not account for participants’ ability to anticipate the “correct” answer and the consequent motivation to misreport their responses in an effort to raise their overall score. The ability to anticipate the correct answer is not indicative of emotional intelligence, but perhaps of general intelligence instead. In order to maintain that emotional intelligence is a useful construct, the MSCEIT should avoid questions that can be answered independently of the abilities that Mayer et al. attribute specifically to emotional intelligence.

V. Concluding Comments

One must be able to regulate one’s emotions to some extent in order to successfully perceive, use, understand, and manage emotions. Ultimately, the ability to reason abstractly about emotions and use this reasoning to solve problems relies on this practical feature of EI, distinguishing it from other forms of intelligence. In so far as the MSCEIT fails to measure this practical ability, it does not succeed in reflecting true variation in emotional intelligence in accordance with its own conception of EI.

Although the MSCEIT does not succeed in reflecting true variation in emotional intelligence, it may succeed to some degree in
predicting variation in workplace performance. The possession of knowledge of a particular set of social norms, for example, may be desirable in a job candidate and reflect one’s fitness for a corporate environment. Additionally, the MSCEIT may measure one’s ability to anticipate the “correct” answer on such tests, a skill that is potentially reflective of social intelligence (McClelland, 1973). Further research is necessary in order to determine how the MSCEIT functions in predicting workplace performance independently of measuring emotional intelligence.

The issues with the validity of the MSCEIT discussed here rely on the lack of coherence between the Mayer-Salovey model of EI and what the test actually measures. However, the problems the MSCEIT faces in measuring emotional intelligence are not exclusive to this test. Emotional intelligence is a highly complex concept with several points of consensus as well as controversy. Before a test can be applied to discriminate between individuals and predict general effects of emotional intelligence, researchers must first clarify the concept itself to determine if and how emotional intelligence can be measured. Until further work is done on the conceptualization of EI, the sole function of tests such as the MSCEIT should be to serve as a research tool for the development of the construct.
Bibliography


Aaron Schultz—Mahāyāna Ethics: Intentions Matter

I. Introduction

In Charles Goodman’s article “Consequentialism, Agent-Neutrality, and Mahāyāna Ethics,” he offers an argument for why he thinks that Mahāyāna Buddhist ethics is more than anything a consequentialist ethical theory and that to understand it as such will lead us to a more fruitful dialogue between Buddhist ethics and Western ethics. He offers this theory of interpretation against one levied by Damien Keown who views Mahāyāna Buddhist ethics as a kind of Aristotelian virtue ethics. Both Keown and Goodman claim that in order for non-native Buddhist scholars to comprehend Buddhist ethics more fully, a comparison between Eastern and Western philosophy is useful as it can provide valuable insight into what kinds of problems Buddhist ethics may face as well as offering potential methods which can be used to respond to those problems.

If one is to find a common ground between two culturally diverse ethical theories, such as Buddhism and consequentialism, then one must be comprehensive and avoid unnecessary confinements on the interpretation for the sake of convenience; to fall short in either way would yield unreliable conclusions. When searching for similarities between Buddhist ethics and Western ethics, it is easy to jump to conclusions which may lead one to mischaracterize and misinterpret one of the two theories used for comparison. Goodman’s interpretation, while it points out important commonalities between Mahāyāna Buddhist ethics and consequentialism, ultimately falls short in representing the Buddhist ethical system fully as it yields too narrow of an interpretation.

In what follows I will argue that the crucial element of Buddhist ethics that is left out in his comparison that what gives actions their value are one’s intentions. Goodman’s interpretation attempts to view Buddhist ethics as consequentialism and, because of this we are left with an inaccurate, incomplete version of the Mahāyāna system. I will first explain Goodman’s view in order to
show where he missteps and then argue that another view, viz. Damien Keown’s, gives us an account which helps to illuminate some of the problems with his interpretation.

II. Goodman’s Perfectionist-Universalist-Objective List-Act-Consequentialist View

Goodman wants to show that Mahāyāna Buddhist ethics bears a closer resemblance to a universalist consequentialist view rather than to something like virtue ethics. He thinks that the most promising comparison to be made is with consequentialism because, as he will later point out, consequentialism allows for agent-neutrality whereas virtue ethics does not. Of the different forms of consequentialism, Goodman delineates between the following: act-consequentialism which says that “actions should be evaluated with reference only to their consequences”; rule-consequentialism which requires that one follows a set of rules whose adherence would bring about the best set of circumstances; and universalist consequentialism which take into account the consequences for all sentient beings. Goodman notes that the most important consequentialist theory for Western ethics is classic utilitarianism which he states is “the conjunction of universalist act-consequentialism with hedonism.” This means that one should act in such a way that brings about the most amount of good, viz. the most amount of happiness or pleasure and least amount of pain, for the most amount of people. This hedonistic spin of consequentialism, however, does not meet the conditions required by Mahāyāna Buddhist ethics and thus does not serve as a good theory for comparison. David Brink explains the hedonistic view of value in a chapter he writes on consequentialism, by explaining that for a hedonist “pleasure is the one and only intrinsic good and that pain is

the one and only intrinsic evil.” Mahāyāna Buddhist ethics does not resemble this view as it holds that happiness is not simply pleasure, but more importantly that happiness is characterized by the cessation of suffering. On a hedonistic view, pleasure can be broadly construed and extend to things such as physical pleasure. All forms of Buddhism seem to suggest that an agent must strive to overcome one’s attachments to incomplete pleasures; pleasures are incomplete when they are impermanent and cause suffering as a result of attachment. A hedonistic interpretation would have trouble accommodating such requirements. Ultimately, Goodman thinks that the best option for interpreting Buddhist ethics is through the lens of an objective-list theory of consequentialism. Through out his article he will refer to this view as both a universalist view and a perfectionist view. The interpretation of Mahāyāna Buddhist ethics as an objective list consequentialist theory is universalist because it is concerned with the well-being of all sentient beings and is viewed as a perfectionist theory because one is required to perfect a set character traits from a given list.

Goodman recognizes that if this version of consequentialism sounds a lot like virtue ethics, that is because, according to him, it is difficult to distinguish between the two. When referring to an objective list theory, Goodman explains that he means “there is a list of features of your life that are intrinsically good or intrinsically bad.” Although he does not explicitly say why the objective list theory is consequentialist, the idea seems to be this: any list of character traits are only good insofar as they contribute to the overall well-being of others. In other words, the consequences from pursuing and acting in accordance with these character traits must be beneficial for all others and importantly the agents own flourishing or happiness is not considered above any other. For instance, an

objective-list consequentialist might hold that developing a particular virtue such as generosity is good. If one is so generous with one’s money that one becomes destitute and poor, but as a result more people benefit from this act of generosity, the agent to be acting morally.  

One important difference between this view and Aristotelian virtue ethics is that in virtue ethics, one should be primarily concerned with one’s own flourishing, i.e. eudaemonism. On this view “an action or trait is morally praiseworthy if it constitutes or contributes to the agent’s flourishing (eudaemonia).” Goodman notes that one can only flourish if one understands oneself as fundamentally related to others. The ancient notion of the self that Aristotle used requires that one view themselves in terms of one’s relationship towards others, e.g. I am a brother, a friend, a Graduate Assistant, and neighbor, etc. This relational quality of the self is important because one cannot develop virtues properly without interacting with others. Goodman thinks that universalist consequentialists theories differ from virtue ethics because a consequentialist is not concerned with the agent, rather she is concerned only with consequences of her actions and how they affect others; a consequentialist views acts as good so long as they benefit the most amount of people. Conversely, the virtue ethicist is worried about both the agent’s own flourishing and actions that promote the agent’s flourishing. The virtue ethicist is concerned with her own virtuous development as primary whereas the consequentialist holds that all sentient beings welfare is most important, to the point of sacrificing one’s own welfare.

Goodman looks at two Buddhist works from the Indian tradition by Santideva, viz. A Guide to the Bodhisattva’s Way of Life

86 Of course this is a dubious example as meditation would likely bring the agent peace and happiness. The point is simply that the agents wellbeing does not determine the goodness of the action.  
and the *A Compendium of Buddhist Doctrine*. Goodman quotes the following passage from the *A Compendium of Buddhist Doctrine*:

> Through actions of body, speech, and mind, the Bodhisattva sincerely makes a continuous effort to stop all present and future suffering and depression, and to produce present and future happiness and gladness, for all beings. But if he does not seek the collation of the conditions for this, and does not strive for what will proven the obstacles to this, or he does not cause small suffering and depression to arise as a way of preventing great suffering and depression, or does not abandon a small benefit in order to achieve a greater benefit, if he neglects to do these things even for a moment, he is at fault.88

According to Goodman, this passage has every component of act-utilitarianism. He goes on to say the mission of the Bodhisattva is similar to that of an act-consequentialist in that “the Bodhisattva is not allowed to make distinctions between her own welfare and the welfare of others, except when these distinctions oppose the natural human tendency and favor others over self.”89 The Bodhisattva then, like the act-consequentialist, is required to act in such a way that ignores one’s own wellbeing if that means one can benefit others. Brink talks of this sort of impartiality in his work and says that “the utilitarian conception of impartiality assigned no moral importance, as such, to whom a benefit or burden befalls; it is the magnitude of the benefit or harm that matters morally.”90 Goodman’s view seems to align with Brink’s description of utilitarian impartiality in that he interprets Mahāyāna Buddhist ethics as requiring that one be actively impartial. So much so that one should actually benefit one’s foes

90 Brink, “Some Forms and Limits,” 394.
before one’s friends in order to combat selfish tendencies. Using Santideva as good evidence that Mahāyāna Buddhist ethics is in fact a consequentialist theory, it seems as that there would be little room left for comparing Buddhist ethics to virtue ethics. However, I will now turn to some of the problems that Goodman’s view gives rise to which in turn will demonstrate the usefulness of the virtue ethics interpretation.

III. Why the Consequentialist Interpretation is Incomplete

Goodman takes the ethical discourse regarding Mahāyāna Buddhist ethics to be centered on promoting happiness and a mitigating suffering. He holds that “an interpretation of Mahāyāna ethics as a form of classical utilitarianism would have something to be said for it, and would be much closer to the truth than any interpretation in terms of Aristotelian virtue ethics.” However, what concerns me about this analysis is that Goodman is looking for some kind of true or best interpretation of Buddhist ethics. In his analysis of Mahāyāna Buddhist ethics, little attention is given to the path to becoming a Bodhisattva, which is a much more complex and difficult goal than he gives credit to. It is necessary to have self interest in one’s own enlightenment before one can become a Bodhisattva and self-interested intentions such as these do not necessarily violate any of the conditions for a Bodhisattva. A wholly agent-neutral interpretation of Mahāyāna Buddhist ethics is misleading because it does not account for this agent-relativity, something that seems required in order to become a fully enlightened Bodhisattva.

Although Goodman holds that Buddhism is akin to an objective list type of act-consequentialism, he never satisfactorily addresses why it is not like virtue ethics. On his view a problem arises with interpreting Mahāyāna Buddhist ethics as purely consequential and agent-neutral. The objective list of character traits one is supposed to perfect relate to both the agent and to those the agent

affects. For instance, a Bodhisattva, a being who vows to hold off on pursuing one’s own enlightenment in favor of helping others, must actually generate a genuine, internal desire to develop the virtue, e.g. the desire to develop patience, if the character trait is to be considered perfected. In the consequentialism interpretation, no regard for the agent is necessary or required. One could simply appear to be patient and act in that way, thus fulfilling the requirements of consequentialism. However, this is not enough to become a Bodhisattva. If the agent has developed these qualities properly then her internal states will match her actions and this actually matters. This is an important quality, one which is necessary for being a Bodhisattva and one which is not taken into consideration by a consequentialist theory.

Furthermore, what is missing from Goodman’s analysis is an interpretation of the value on one’s actions in Mahāyāna Buddhist ethics before one is becomes a Bodhisattva. This is no small point of contention as fully achieving this state is difficult, something that most will not accomplish in this lifetime. For a perfected Bodhisattva, one’s motives will directed in such a way that are purely for the good of all others, but what does this mean for one who has not yet become a Bodhisattva? If someone is on the path to becoming a Bodhisattva, but not quite there, will the Buddhist have to say that one is acting immorally when pursuing goals unrelated to the benefit of others? If one seeks to become a Bodhisattva to achieve the ultimate goal of nirvana, and for no other reason, then it seems under Goodman’s view the Buddhist would condemn that person for being agent-relative and thus immoral. To be sure, Goodman addresses this issue tangentially by mentioning that Mahāyāna Buddhist ethics is predicated on the recognition of the not-self and as he notes “Once we recognize the nonexistence of the self, however, egoism, along with all forms of practical reasoning that depend on a distinction between self and other, are exposed as irrational.”93 This realization, which would accompany one’s achievement of becoming a Bodhisattva, would fulfill the agent-neutral requirement of

consequentialism. However, again what worries me is that Goodman spends little time on how difficult it is to accomplish this goal and more specifically about what that means for the actions of those who have not yet perfected the agent-neutral stance required. The best interpretation of Mahāyāna Buddhist ethics should lead us to conclude that beings who strive towards becoming a Bodhisattva and have good intentions are at least to some degree morally praiseworthy. A consequentialist interpretation is problematic because it does not allow for these kinds of agents to be praiseworthy. As I will show in the next section, a potential hybrid view can accommodate for this short coming of Goodman’s interpretation.

IV. The Incomplete Case for Virtue Ethics

In Damien Keown’s work *The Nature of Buddhist ethics*, he shows that Buddhist soteriology is closely related with a version of consequentialism called negative utilitarianism. Negative utilitarianism is, according to Karl Popper, the view that replaces the common utilitarian formula “‘Aim at the greatest amount of happiness for the greatest number’,” with the view that says aim at “‘the least amount of avoidable suffering for all’, or briefly, ‘minimize suffering’.”°° This view, Keown thinks, could be at least a somewhat accurate portrayal of Buddhism precisely because the basis of the practice starts from the realization that all life is suffering.°° Keown states that “A Bodhisattva does not regard his task as complete until all beings have passed beyond the reach of suffering.”°° The conclusion that negative utilitarianism is more akin to Buddhism in general than Goodman’s assessment is founded on the idea that the ending of suffering is not necessarily the promotion of happiness. Goodman states that in his view “it makes sense to attribute to Mahāyāna thinkers a view according to which happiness and the absence of suffering, as well as virtues and the absences of

°° Keown, *The Nature of Buddhist ethics*, 175.
vices, are elements on an Objective List that defines well-being.\textsuperscript{97} However, the promotion of happiness or pleasure as the primary goal may miss the mark for a Buddhist due to the nature of the cause of suffering, viz. attachment. The goal for the Bodhisattva is to liberate all other beings from suffering and not necessarily to promote pleasure and happiness. That said, by focusing equally on promoting pleasure and mitigating suffering, Goodman mistakenly associates Mahāyāna Buddhist ethics with consequentialism and ends up ruling out other interpretations such as the negative utilitarian view.

I would like to address two final differences between Buddhist ethics and consequentialism that is highlighted by Keown. The first is that, as Keown states, “Unlike utilitarian theories Buddhism does not define the right independently from the good.”\textsuperscript{98} What he means here is that for one who seeks nirvana, an act’s rightness or wrongness depends solely on that act’s conformity to the goal. For an act to be right in Buddhism is for it to be intrinsically tied to nirvana, or the cessation of suffering. The second point is that ethical motivation is important for Buddhist ethics. The motivation for an act has moral weight in the Buddhist ethical system, unlike the intentions in a consequentialist system. Keown states that “for utilitarians motive is irrelevant whereas for Buddhists it is crucial.”\textsuperscript{99} For Goodman’s view to succeed, it would need to account for these motives and internal states and give them moral importance, which as formulated it cannot do.

In Mahāyāna Buddhist ethics, one sets out to achieve a set of perfections, including the following: generosity, morality, patience, courage, meditation, insight, skillful means, vow, strength, and knowledge.\textsuperscript{100} With this in mind, Keown is right to urge his readers to see the similarities between Mahāyāna Buddhist ethics and virtue ethics. He first notes that both virtue ethics and Buddhist ethics

\textsuperscript{97} Goodman, “Consequentialism,” 29.
\textsuperscript{98} Keown, The Nature of Buddhist ethics, 177.
\textsuperscript{99} Keown, The Nature of Buddhist ethics, 178.
\textsuperscript{100} Keown, The Nature of Buddhist ethics, 130.
are geared towards an end: *eudaemonia* and nirvana respectively. These ends are something which Keown refers to as second-order ends. They are second-order insofar as they dictate first-order ends, i.e. “first order ends will be selected on the basis of their conformity with the second-order end and will be pursued to the extent that they form a harmonious combination with other first-order ends.”

*Eudaemonia*, Keown says, is sought for its own sake, chosen for its own sake, and everything else is chosen for the sake of it. Similarly, nirvana shares these same qualities. Ultimately, Keown concludes that both Buddhism and virtue ethics are teleological and that neither separates the right from the good, something which consequentialist theories clearly do.

Furthermore, Keown notes that it is over simplistic to think that the Buddhist position is to simply eradicate all personal desire completely (and thus being “agent-neutral” in this sense). What is actually going on is the elimination of harmful desires, desires which are “for what is not good, namely things which cripple rather than promote spiritual growth.” In Mahāyāna Buddhist ethics, one is promoting one’s own spiritual growth by taking the vows of the Bodhisattva. When one has come to the deep realization that all life contains suffering and that every sentient being must live through the suffering entailed by samsara, the natural outcome is compassion. Committing to benefiting all other beings is actually a result of already having taken a major step in freeing oneself from the cycle of existence, i.e. the path in Buddhism must start through taking self-interest and not being agent neutral. The end that one seeks will transform itself from achieving nirvana for oneself to helping all others find their own way to this same end.

V. Conclusion

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102 Keown, *The Nature of Buddhist ethics*, 197.
104 Keown, *The Nature of Buddhist ethics*, 222.
Although I do not yet have a solution that will fix Goodman’s interpretation entirely, my inclination is that the best way to understand Mahāyāna Buddhist ethics is to see it as a theory that is not only a universalist, perfectionist act-consequentialism based on an objective list view but also a theory which shares traits of Aristotelian virtue ethics. That said, this may seem difficult as the two theories are largely incompatible. Furthermore, there are problems with the Aristotelian virtue ethics interpretation. One such problem is that there seems to be a major difference between the goal of a eudaimonist virtue ethics and Buddhist ethics. Virtue ethics requires that one take on a certain view of the goal or purpose of a human being, viz. that the function of a human soul is to live. This is a major departure from Buddhist ethics. There is no function of the soul in Buddhism (nor is there anything resembling a soul, for that matter). The purpose of a human being is not to live or even live well; achieving of nirvana is simply desirable because it lacks conditioned existence which ultimately leads to suffering. However, it is difficult to accurately comment on the relationship between the means and an end such as nirvana. It is a state of neither being nor non-being; what could possibly be said about this? Moreover, Buddhism defines a human’s state of existence as suffering. All of Buddhist thought seems to start with this basic premise embodied by the first noble truth. Suffering is a problem, by definition, and the rest of the four noble truths and the Noble Eightfold Path are a cure to this problem. Reaching nirvana, furthermore, is something one can do in a lifetime, but is in part characterized by the cessation of all new karma as well as cutting off the cycle of birth and rebirth. So Buddhism, while giving one a way to live a life that is happier, does not subscribe to the same goal that the virtue ethicist does and this is no small departure.

I think it is also important to consider what the Buddha has said about his teachings. He states that:

Having crossed over to the further shore, [one] might think, ‘How useful this raft has been to me! For it was in dependence on this raft that, making an effort with my hands
& feet, I have crossed over to safety on the further shore. Why don’t I, having hoisted it on my head or carrying it on my back, go wherever I like? What do you think, monks: Would the man, in doing that, be doing what should be done with the raft?105

Although Goodman’s comparison sought to show that more similarities obtained between Mahāyāna Buddhist ethics and consequentialism than it does with virtue ethics, he ultimately fails to give a fully developed, comparative account. When dealing with a theory as rich and complex as Mahāyāna Buddhist ethics, the chances of it reducing entirely into a similar Western theory of ethics is highly dubious. I propose that in order to grasp theories of ethics that are as culturally diverse as Buddhism, we should not expect to find a one to one exchange between this theory and some non-Buddhist counterparts. By trying to make such reductions, I fear that what makes Buddhism significant and unique is lost. Taking a multifaceted comparative approach is useful because it helps us account for the theory in full. Mahāyāna Buddhist ethics clearly resembles virtue ethics as demonstrated by Keown, but has equal interpretive value when compared to consequentialism as shown by Goodman. The problem with trying to fully reduce Mahāyāna Buddhist ethics to consequentialism is that this reduction unloads unnecessary baggage onto Mahāyāna Buddhist ethics. Some of these interpretive problems that arise can be solved with the addition of comparing it to virtue ethics. However, given that these two theories are mutually exclusive, more work and explanation will need to be done in order to give a full interpretive account.106

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106 This work is currently in the process of being expanded on in my current MA thesis. I utilize Keown and Goodman, as well as engage with suttas from the Tipitaka. I also offer an exegesis of the Eightfold Path in order to show why I think both interpretations are fundamentally lacking.
Bibliography


Adam Shatsky—The Time Traveler’s Alternative Possibility

I. Introduction

Must an agent be able to do otherwise than what she in fact does if she is to be morally responsible for her action? This is the general question motivating this essay and I am inclined to say that the answer is yes. This question can be formulated as a principle: an agent is morally responsible for what she does only if she could have done otherwise. This is known as the Principle of Alternative Possibilities (PAP). Harry Frankfurt (1969) offered a putative counterexample to PAP—that is, he attempted to demonstrate that an agent can be held morally responsible, even though she could not have done otherwise. And, since Frankfurt’s seminal article, “Alternate Possibilities and Moral Responsibility,” there has been much debate, exploring the conditions under which an agent can be held morally responsible. Proponents of PAP have argued that there are certain features that remain in Frankfurt’s case, which preclude it from being a successful counterexample to PAP. In response, proponents of Frankfurt’s (actual) case alter the kinds of cases such that they avoid the objections to those who still endorse PAP—these are known as Frankfurt-style cases. In his recent paper, “What time travelers cannot not do (but are responsible for anyway),” Joshua Spencer (2013) argues for what he takes to be a new kind of putative counterexample to PAP. His counterexample, however, has analogous features to Frankfurt’s case that, as I will argue, prevent it from being a successful counterexample to PAP.

The focus of this paper is relatively limited. I will not discuss the broader implications for the truth (or falsity) of PAP that affect either compatibilists or incompatibilists’ understanding of the sort of freedom pertinent to moral responsibility. And I will not argue

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107 I would like to thank Deb Smith, Michael Robinson and Andrew Spear for their helpful conversations and revisions of previous drafts of this paper.
for PAP in favor of either compatibilism or incompatibilism. I will explore the relationship between moral responsibility and PAP. I will argue that, despite Frankfurt-style cases, moral responsibility does entail PAP. I will defend PAP against one particular kind of case from Joshua Spencer (2013). Inspired by Lewis’s grandfather paradox, Spencer offers a case where a time traveler saves his grandfather’s life well before the time traveler’s father is born. He argues that what his case shows is twofold: (i) the agent could not have acted otherwise; and (ii) there is a relevant sense in which we intuitively hold the agent morally responsible. I will argue that Spencer’s putative counterexample fails because there is a relevant sense in which (i) is false.

II. PAP, Frankfurt’s case, and the flicker defense

The intuitive idea behind PAP is initially plausible. Suppose, for example, that Brenda is supposed to pick up her daughter, Kelsey, from school. However, on the way to Kelsey’s school Brenda’s car breaks down and requires a tow. The time of the breakdown is such that she cannot (say) rent or borrow another car to pick up Kelsey. As a result, Kelsey’s father, Rob, has to pick Kelsey up from school. Similarly, suppose Kelsey routinely walks the family dog, Sophie, after dinner. Not only does Kelsey make it part of her routine, but it is expected of her from her parents that she do so. One day, however, Kelsey sprains both of her ankles at school and she is unable to walk Sophie that night. We would not hold Brenda (in the former case) or Kelsey (in the latter case) blameworthy in either situation. It was out of Brenda’s control to pick up Kelsey from school on the particular day that her car required a tow. And, it was not within Kelsey’s control to walk Sophie, since her injury precluded her from doing so. Consequently, there is at least one proprietary condition that suggests itself in these cases that tells us something morally significant insofar as our moral judgements go.

This proprietary condition is commonly known as the freedom condition.108 Put in the most neutral way possible, the freedom

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108 Widerker and McKenna, Moral Responsibility, pp. 2.
condition states that an agent must have the right sort of control over his or her action in order to be held morally responsible for that action.

A *prima facie*, intuitive way to unpack the freedom condition is in terms of PAP. The aforementioned examples do not satisfy the freedom condition and thus we do not hold either Brenda or Kelsey morally responsible. In his seminal 1969 article, “Alternate Possibilities and Moral Responsibility”, Harry Frankfurt challenged the freedom condition “for moral responsibility as expressed in PAP.” He offered a case where an agent is morally responsible for some action, even though she could not have done otherwise (than what she did). Frankfurt’s original thought-experiment is as follows. Suppose Jones is fed up with Smith. Unbeknownst to Jones, Black, a skilled but immoral neurosurgeon, has also had enough of Smith. Both Black and Jones want Smith dead. Black prefers, however, to leave any action that will harm Smith to Jones’s doing. But, Black will go to incredible lengths to ensure that Jones does in fact kill Smith. Black installs a device in Jones’s brain. This device works on the relevant neural pathways in such a way that, if Jones were to decide at the last minute not to shoot Smith, then Black can press a button that will activate the relevant neural pathways in Jones so that he does in fact kill Smith. Importantly, Black has every intention of ensuring that Jones kills Smith, and there is nothing precluding Black’s intention. As such, if Jones were to decide not to shoot Smith, Black would press the button causing Jones to shoot Smith. However, as it turns out, Jones (who has no knowledge of Black) freely chooses to kill Smith and Black’s intervening is not necessary. Call this “Frankfurt’s case.”

What this thought-experiment putatively shows is that Jones is morally responsible for killing Smith, and yet he could not have done otherwise than kill Smith. For, if Jones would have decided not

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109 Ibid, pp. 3.
110 Harry Frankfurt’s famous counterexample was first introduced in his (1969) article.
to kill Smith, Black would have intervened. However, since Jones decided to kill Smith, Black did not have to intervene. Consequently, Frankfurt’s case is apparently successful in two respects. First, Jones chose to kill Smith, nothing coerced him into that choice, he was able to act on that choice, and succeeded at being the proximate cause of Smith’s death—Jones satisfied the freedom condition. Second, the setup of Frankfurt’s case supports the following two subjunctive conditionals: ‘If Jones were to decide to shoot Smith, he would shoot Smith’ and ‘If Jones were to decide not to shoot Smith, he would shoot Smith’. That is, no matter what Jones decides, he will shoot Smith. Thus, Frankfurt offered a putative counterexample to PAP, which essentially challenged the freedom condition for moral responsibility (as expressed in PAP).

It is worth noting that Frankfurt’s case requires that there are certain alternative possibilities available to Jones. Jones could have decided to do otherwise than kill Smith—the alternative possibility is built right into the example as it is the only thing that would prompt Black to intervene. Thus, there still remains a limited sense in which Jones could have done otherwise. John Martin Fischer calls these flickers of freedom.\textsuperscript{111} What Fischer means by this is that there are alternative possibilities in Frankfurt’s case just as there are in ordinary situations (where there is no counterfactual intervenor). In an ordinary situation, one that does not include the counterfactual intervenor, Jones could have decided not to kill Smith and not done so. But, with Black in the picture, Jones can still decide not to kill Smith. It is just that, if he decides not to kill Smith, Black will intervene. What Fischer highlights is that, in Frankfurt’s case, there is still an alternative possibility available to Jones—namely, deciding not to kill Smith—and this alternative shows a very small way—merely a flicker—in which Jones is free to have done otherwise.

In identifying a flicker of freedom, Fischer has undermined Frankfurt’s putative counterexample to PAP. Following David

Widerker and Michael McKenna, I will call this the *flicker defense*. Widerker and McKenna write:

The flicker defense grants that, in [Frankfurt’s case], the agent does not have the typical alternatives open to her (due to the presence of an intervener). It seeks instead some narrower flicker of remaining alternative possibilities, possibilities which may aid in justifying the judgment that the agent is morally responsible for what she does.\(^{112}\)

Proponents of the flicker defense will state that, in Frankfurt’s case, even if Black is waiting in the background, the mere possibility that Jones has in not killing Smith—that is, the *decision* available to Jones not to kill Smith—is integral to our judgment that Jones is then morally responsible for killing Smith. While in Frankfurt’s case, this remaining flicker is quite small, a defender of PAP can contend that it is adequate.\(^ {113}\) In sum, if Jones decides on his own to kill Smith, we hold him morally responsible for doing so. If Jones had not decided on his own to kill Smith, Black would have intervened, and Jones still would have killed Smith. But, in that case, we wouldn’t hold Jones morally responsible for killing Smith, since Jones would not have acted on his own. What the flicker defense points out is that, in the counterfactual situation Jones’s decision is a flicker that allows us to hold him morally praiseworthy for his decision not to kill Smith.

### III. Spencer’s counterexample

The flicker defense is one of several that have been offered in the hope of defending PAP against Frankfurt-style counterexamples. Since Frankfurt’s case essentially involves a

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\(^ {113}\) Ibid.
counterfactual intervener, many new *kinds* of counterexamples, which attempt to avoid some of the issues with Frankfurt’s original case, have been proposed. One idea is to avoid a counterfactual intervener. Initially, one might think that a Frankfurt-style case that makes the same point against PAP but lacks a counterfactual intervener would not be susceptible to the flicker defense.

Joshua Spencer (2013) has proposed a counterexample to PAP\(^{114}\) that avoids any appeal to a counterfactual intervener. He argues for what he takes to be a new *kind* of counterexample to PAP. His counterexample rests on the possibility of time travel. Assume that time travel is possible and consider the following example.\(^ {115}\) Martin is a time traveler. During one of his time traveling adventures, he finds himself in some past time, viewing a high-wire walker who is falling to his death. The high-wire walker is working in a desolate area with no one else nearby. However, conveniently enough, Martin

\(^{114}\) It should be noted that Spencer proposes two different versions of PAP that invoke a course-grained notion of actions. His first formulation:

**Necessarily:** for any person S and any action A, S is morally responsible for performing A only if there is some action A\(^*\) such that S could have done A\(^*\) while failing to do A.

**Second formulation:**

**Necessarily:** for any person S and any fully determinate action A, S is morally responsible for performing A only if there is some fully determinate action A\(^*\) such that S could have done A\(^*\) while failing to do A.

Both of these formulation capture the idea of PAP with more or less strength. In his paper, Spencer argues that neither formulation is successful against his counterexample. I will only use PAP as it is traditionally understood, since if PAP is true, then both of Spencer’s formulations of PAP would be *prima facie* true.

\(^{115}\) Joshua Spencer, What time travelers cannot *not* do (but are responsible for anyway), (Phil. Studies, 2012), pp. 153.
finds a button that reads “Emergency Safety Net Release”. Martin presses the button, the emergency safety net releases, and Martin saves the high-wire walker from what would have been his imminent death. As it turns out, the high-wire walker is Martin’s grandfather in his high-wire walking days. This event is prior to the time at which Martin’s grandfather met his grandmother and “[Martin’s grandfather] had not done anything that would have preserved his gametes for prosperity.”\textsuperscript{116} Thus, since Martin’s grandfather would have died without any progeny (had Martin not intervened), Spencer’s argument is as follows:\textsuperscript{117} (1) if Martin had not released the emergency safety net, then Martin would have never existed. (2) However, it’s not possible for Martin to do anything if he never exists. Thus, it follows that, (3) if Martin had not released the emergency safety net, then he would not have done otherwise than release the emergency safety net (from 1 and 2). (4) It is possible that Martin does not release the safety net. But, it’s false that (5), if Martin had not released the safety net, then he would have done otherwise (from 3 and 4). However, (6) if Martin could have done otherwise than release the safety net, then if he had not released the safety net, he would not have done other than release the safety net. Therefore, (7) Martin could not have done otherwise than release the safety net (from 5 and 6).

There are at least two aspects of Spencer’s argument that are not as clear as he might hope. First, premise (2), ‘It’s not possible for Martin to do anything if he never exists’, is logically equivalent to: (2*) If Martin never exists, then necessarily Martin cannot do anything. However, if ‘Martin’ in the antecedent refers to Martin—as does ‘Martin’ in the consequent—then the antecedent is false. Martin exists as the referent of the name. But then, not only is (2*) true (as a material conditional with a false antecedent), but so is “if Martin never exists, then Martin can do anything”—another material conditional with a false antecedent. However, if ‘Martin’ in the antecedent is not referential—interpreted substitutionally or

\textsuperscript{116} Spencer, What time travelers cannot \textit{not} do, pp. 153.

\textsuperscript{117} Ibid.
however—then the antecedent and consequent have different truth conditions. In short, premise (2) must be reformulated; for, Martin’s existence is a precondition for doing anything, and “Martin never exists” is a bizarre locution for a state of affairs potentially brought about by Martin.

Second, from Spencer’s argument, it seems there are three conclusions one can grant from the given premises. The first conclusion is the one that is already stated (7): Martin could not have done otherwise than release the safety net. This conclusion I do not accept, and will argue against shortly. The second conclusion is a subjunctive conditional: If Martin had not saved his grandfather, Martin would not have existed. This subjunctive conditional expresses a truth under the rare condition that the salient features determining what Martin can do are the origins of Martin’s existence. Lastly, the third conclusion one may grant is that Martin is morally responsible for saving his grandfather. I can accept both the second and third conclusions, but not the conclusion as Spencer has it.

IV. Flickering Spencer’s counterexample

Spencer’s counterexample intuitively falsifies PAP. It is important to note, however, what exactly “could have done otherwise” amounts to. PAP is properly understood as a thesis about basic (or direct) moral responsibility. An action such as raising

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118 I am indebted to Dr. Thomas Norton-Smith for this point.
119 My own defense, appealing to the flicker defense, suggests that Martin did, at one time, have it in his power to bring about his never having existed. But, Martin ceasing to exist doesn’t seem to follow if Martin fails to save his grandfather, since Martin in fact does exist and letting his grandfather fall to his death would result in nothing more than Martin’s grandfather’s death.
120 By “properly understood” I mean that those who endorse PAP understand it this way. For moves similar to this see Michael Robinson, “Modified Frankfurt-type counterexamples and flickers of freedom,” Phil Studies (2010) and Robinson, M. “The limits of
one’s arm is constituted by two factors. There is (i) my decision to raise my arm and the complex action that follows that decision, (ii) raising my arm. Similarly, in Frankfurt’s original thought-experiment, Jones did A on his own; he decided to shoot Smith on his own without Black’s intervening. It can be said, then, both that Jones-did-A-on-his-own and Jones is morally responsible for his action. Thus, our moral evaluation for Jones is constituted not only by his action, but, crucially, also by his decision to shoot Smith. However, counterfactually, had Jones decided, at the last minute, to not shoot Smith, Black would have intervened and the same outcome would have happened (viz., Jones’s shooting Smith). Though in the counterfactual situation the same outcome obtains, our moral judgment of Jones would not be that Jones-did-A-on-his-own and that he is blameworthy. For in the counterfactual situation Jones did not do A-on-his-own, since he decided not to shoot Smith and Black intervened, causing Jones to shoot Smith. Thus, we would not hold Jones blameworthy in the counterfactual situation. This distinction between doing-A-on-one’s-own and doing A simpliciter is echoed in the flicker defense. For, in the flicker defense there is some alternative possibility that remains for an agent, a possibility that aids in our moral judgment of a particular agent, and doing-A-on-one’s-own entails that one decides to do some action. Proponents of PAP, understand a person to be morally responsible for some action A only if he or she does A-on-his/her-own. My decision to do some action A, as well as A actually obtaining as a result of my decision, aids us in our judgment of morally responsible attributions. This is what basic moral responsibility amounts to and how PAP is properly understood.

Although Spencer’s counterexample does not make use of a counterfactual intervener, recall what exactly is vital to the flicker defense. In order for a flicker defense to be successful there must be,

though small, an alternative possibility available to an agent. Indeed, there remains an alternative possibility for Martin in Spencer’s counterexample. The alternative possibility Martin has available to him is of the same sort that Jones has. Martin still in fact has the alternative available to him to not release the safety net—namely, his decision to not release the safety net. Even though Spencer concludes that, as it turns out, Martin could not have done (in the sense of ‘acted’) otherwise than release the safety net, this says nothing about the alternative available to Martin at the moment he must decide whether or not to release the safety net. What’s more, Martin seems to have a more robust alternative available to him that Jones does not, precisely because of the absence of a counterfactual intervener. Using the flicker defense, it would seem, that I can grant two of Spencer’s three conclusions. I can grant that, if Martin had not released the safety net, then Martin would not have existed.121 I can also grant that Martin is morally responsible for saving his grandfather. I cannot, however, grant that there is no sense in which Martin could not have done otherwise, since Spencer’s case has analogous features to Frankfurt’s case. And, since there is a sense in which Martin could have done otherwise, then PAP is not falsified, as a successful counterexample must show that an agent is morally responsible for some action, even though he could not have done otherwise.

V. Conclusion

While Spencer offered a new kind of putative counterexample that initially appeared successful, it ultimately fails for reasons analogous to the failure of Frankfurt’s case. Spencer argued that his case putatively shows that an agent cannot do otherwise and that agent is still morally responsible for his action. However, Spencer has failed to show exactly how Martin could not have done otherwise, since there is the same alternative available to Martin as there is to Jones in Frankfurt’s case; there is a flicker of

121 It should be noted that granting this conclusion allows a logical curiosity that is very similar to premise (2^*) mentioned in section III.
freedom available to both Jones and Martin. Even in Spencer’s time travel case, an agent could have done otherwise. As a result, his case is no threat to PAP.

References


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Andrew Vierra—Was Empedocles a Normative Ethicist?

1. Introduction

Scholars traditionally find two themes around which they organize the textual evidence of Empedocles’ thought: first, natural philosophy or physics, and second, the nature of the soul and his alleged doctrine of transmigration. Scholars are divided on whether to divorce the two or reconcile them. Advocates for separation argue that the myth of transmigration cannot be unified with the physical system and that determinism removes the possibility of moral responsibility, essentially rendering our actions meaningless. Primavesi attempts to reconcile the two positions, arguing that the myth of transmigration mirrors the cosmic cycle. I build off Primavesi but go further and argue that Empedocles is an important figure in the history of the development of ethical thought. I begin this paper by giving a summary of Empedocles’ philosophy and sketching out how scholars relate the two themes. I then lay the groundwork for a different approach, arguing that Empedocles can be read as a normative ethicist because he creates an ethical system, justifies the system, and claims its prescriptions are universally binding on all human beings.

2. Empedocles’ Physics

Empedocles’ physics includes four elements, earth, air, water, and fire. These elements makeup the kosmos,\textsuperscript{122} have always existed (14.47),\textsuperscript{123} and will always exist (14.48). Consequently, there will never be more or less of the elements (14.28 lines 30-31,

\textsuperscript{122} Greek for cosmos 
\textsuperscript{123} All fragments are quoted from McKirahan
14.49, 14.52). Compare this to the law of conservation of mass. In a closed system (the kosmos), mass (the elements) cannot be created or destroyed. This claim is essential to Empedocles’ physics because it avoids two problems proposed by the Eleatic philosophers (McKirahan 264). Because the elements have always existed, Empedocles does not have to explain how something comes from nothing, and because the elements will always exist, he does not have to explain how something can cease to be.

The elements cannot transform into each other, e.g. water cannot become earth, but the elements can combine to form compounds. Both of these characteristics branch off the first claim that the elements will always exist. If any amount of earth were to become water, then that earth would become nothing, and there would be more water. As the Eleatics argued, something cannot become nothing.

To allow for change, Empedocles states that the elements combine to form compounds. Unfortunately, Empedocles provides little information on how the combining occurs. He brushes the problem off by comparing the elements to different colors of paint which create a variety of pictures when mixed together. The core idea is that painters can use a small number of primary colors to create a wide array of different pictures. Likewise, the elements, though small in number, can combine to form “all the endless numbers of things that have come to be manifest” (14.62). A more modern analogy compares Empedocles’ elements to the elements on the periodic table. Individual elements on the periodic table can combine to form a large number of compounds. For example, carbon, hydrogen, and sodium can combine to make methylamine, ethylamine, dimethylamine, aniline, and so on.

The elements on the period table can combine because of electrostatic forces of attraction. Likewise, for Empedocles’ elements to combine something has to bring them together. Love and Strife
perform this function for Empedocles. Love brings elements together, and Strife pulls them apart.\footnote{This is not strictly true, but for the purposes of the paper that detail is not important.}

Many fragments point to Love and Strife being psychological forces. Psychological forces function like mechanical forces but have the characteristics, generally emotional, of psychological traits. For instance, Strife is also called anger (14.60 line 7). Strife gives birth to mournful enemies (14.67 lines 6-10) and tears limbs apart through quarrels (14.59) and hatred (14.58 line 8).

On a larger scale, Love and Strife act on the \textit{kosmos} as a whole causing two alternating movements (see figure 1). First, Love brings the elements together until the elements form one living being, the \textit{sphairos} (Primavesi 253). The \textit{sphairos} is round, joyous, motionless, equal to itself on all sides and extends into space indefinitely (14.76, 14.79). After 6000 years, Strife destroys the \textit{sphairos} by gradually separating the elements that compose it until they are in a state of complete separation. Next, Love brings the elements back together, and the cycle repeats (Primavesi 255). In the next section, I will summarize Empedocles’ doctrine of the transmigration of the soul and explain how it relates to Empedocles’ physics.

\textbf{Empedocles’ Doctrine of the Transmigration of the Soul}

Empedocles’ doctrine of the transmigration of the soul follows the myth of Apollo in the Hesiodic \textit{Catalogue of Women} (Primavesi 262; West 69-72). In the myth, Apollo avenge the death of his son by killing a Cyclopes. Apollo is punished by Zeus who forces Apollo to serve time as a serf before allowing Apollo to return to the Gods.
Empedocles’ doctrine follows a similar progression as the cycle of the *kosmos* and the story of Apollo (see figure 2). The cycle begins with the *daimone*, the divine soul composed of the four elements. The *daimone* lives among the gods in a state of bliss until it commits an act of bloodshed. To atone for the transgression the *daimone* transmigrates through plants and animals for 30,000 seasons after which it is allowed to return to the gods, and the cycle begins again.

The *daimone* is a micro-*kosmos*. It is held together by Love and Strife, and its actions increase or decrease the strength of the two. As McKirahan says, “some mortal compounds have some power to affect the relative prevalence of love within themselves by doing or refraining from certain activities…” (288). When the *daimone* kills it loses its unity with the Gods, and Strife becomes more dominant. The power of Strife separates the elements that compose the *daimone* beginning the transmigration process.

The physics and the doctrine of transmigration seem to be incompatible. Because of this, scholars have attributed the doctrine of transmigration to Empedocles’ religious/mythological bent. In the next section, I survey two possible views on how to reconcile the two. I then proceed to my argument that Empedocles should be read as a normative ethicist. In making this argument, I show some ways in which the physics and the doctrine of transmigration elucidate one another.

3. Dividing and Reconciling Empedocles’ Physics and Doctrine of Transmigration

Translations of Empedocles’ fragments are divided into two sections, the physics and the doctrine of transmigration (McKirahan, Diels Kranz). There are several reasons for keeping the two entirely separate. First, it is not clear how the *daimone* maintains its identity while transmigrating (14.15, 14.34, 14.35). For example, in order for the *daimone* to transmigrate from a fox into a sheep, first the fox has
to die. Then the elements have to separate, travel to a sheep’s womb, and recombine into a baby sheep. Empedocles’ system does not provide the mechanisms needed to explain this complicated process. Second, the physics appear to render the daimone’s actions meaningless. If the kosmos is going to be fully separated by the time the daimone has paid its dues, there is no motivation for the daimone to refrain from killing again, or to perform morally good actions.

In order to avoid separating the two, Primavesi offers a second interpretation of the relationship between the physics and the doctrine of transmigration. Primavesi argues that for every phase of the kosmic cycle (see figure 1) there is a temporally corresponding phase of the daimone’s transmigration. These phases occur at the same time and mirror each other. In the first stage, the sphairos is held together by Love, and the daimone lives with the gods (262). This similarity is suggested by Empedocles calling the sphairos Apollo. Apollo was the inspiration for the daimone, so it is conceivable that the sphairos and the daimone are intimately related. In addition, both the sphairos and the daimone are punished by Strife. Primavesi claims “this implies that it is the lifetime of the Sphairos that corresponds to the god’s happy state as a member of the community of the blessed ones” (262). In the second stage, the elements are separated under strife, and the daimone commits bloodshed. As the daimone is punished, the elements gradually separate. Then, when Strife has domination, the daimone is completely rejected by the gods. Once the sphairos is reformed, the daimone is forgiven, goes back to the gods, and the cycle restarts.

Primavesi improves the argument that the doctrines should be divided by putting the ethics and the physics on equal footing. However, he does not explain how the daimones’ actions can be meaningful in a determined kosmos. I go further than Primavesi by arguing that Empedocles can be read as a normative ethicist. This reading explains how the daimones’ actions can be meaningful and

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125 By completely rejected, I assume Primavesi means something closer to the daimone’s elements are completely separated. The daimone is rejected as soon as it commits bloodshed.
offers an alternative means of reconciling Empedocles’ physics with his doctrine of transmigration.

**Defining Normative Ethics**

I will briefly go over the three criteria I will be using to determine what counts as normative ethics.

First, the ethical account must be systematic. This entails explaining which actions are morally good/bad and giving the means to differentiate between good/bad actions in particular circumstances. Differentiation means that Empedocles cannot just give a list of what actions are bad. His system has to provide the tools for us to determine this for ourselves. Second, he has to justify his ethical system. Justification separates his ethics from Homer who provides us with a system based off of virtues but does not argue for it. Justifying requires giving arguments for why actions are good and why actions are bad. Third, his ethical system must be universally binding. The ethical prescriptions must apply to all people, and Empedocles must argue that all persons ought to act in accordance with them. In the next sections, I will demonstrate that Empedocles meets all of these criteria.

**Systematicity**

*Which Actions Are Morally Good/Bad And How Do We Know?*

Empedocles suggests that the exiled *daimone* should not perform certain actions if it wants to return to the company of the gods. In his words: “distraught with harsh evils, you will never relieve your spirit from wretched distress” (14.28). Naturally, this includes bloodshed, the reason the *daimone* was punished. It also includes quarreling, fighting, being hateful, and being angry (14.9, 14.20, 14.21, 14.22, 14.24). These actions and emotions share several characteristics. They all cause harm, push people away, and are associated with Strife. For example, anger and evil quarrels are
alternate names for Strife, and bloodshed and battle follow the destruction of the sphairos. Thus, if the daimone knows what actions are related to Strife, it knows how not to act. According to Hippolytus, Empedocles makes this clear stating:

He teaches his listeners to be continent regarding sexual intercourse with a woman lest they collaborate and cooperate in the works which Strife produces, always dissolving and destroying the works of Love.

(Hippolytus, *Refutation of All Heresies*, 7.2.9, printed as a context of DK 31B115)

The daimone ought to avoid sex because it is related to Strife and destroys Love. The daimone’s actions ought to cooperate with the works of Love and destroy the works of Strife. The daimone can learn which actions increase Strife by noting which actions cause its own and other daimones’ punishments to last longer. Further, because all the actions that increase Strife share similar characteristics, the daimone can make educated guesses on what actions are morally wrong. This is shown by Empedocles who claims he has been transmigrating for some time and has gathered many of the rules.

These epistemic limitations are not problematic for the ethic’s systematicity. It is similar to being unsure which actions increase happiness in utilitarianism and which actions are appropriately courageous in virtue ethics. What is important is that there is a fact of the matter.

**Justification**

In this section, I argue that Empedocles justifies why we ought to act in accord with Love and not Strife by arguing that (1) the daimone’s actions have a causal role in the kosmic cycle, and (2)
the daimon’s actions harm people and gods when in accord with Strife. I begin by arguing for the daimon’s causal role in the kosmos.

Empedocles writes: “The Grace (that is, Love) loathes Necessity, hard to endure” (14.18). This fragment can be taken three ways. First, it could mean that Love despises the kosmic cycle because it necessarily destroys the sphairos and pulls everything apart. Second, it could be referring to another fragment which reads: “There is an oracle of necessity, an ancient decree of the gods eternal and sealed with broad oaths” that when a daimone commits bloodshed it must leave the gods (14.9). Third, these two readings can be combined. The passages could mean that Love loathes the fact that a daimone commits bloodshed because this leads to or hastens the kosmic cycle. This interpretation is not ungrounded. First, the broad oath of the gods is brought up again in a later fragment where Empedocles states that a broad oath establishes when Strife takes over Love and the elements are gradually separated (14.81). The broad oath determines both when the daimone is punished and when the sphairos is destroyed. If we take this connection seriously, it appears Strife will not take control from Love until a daimone commits bloodshed. This restraint on Strife suggests that the occurrence of the kosmic cycle is contingent upon the moral actions of the daimone.

It may be objected that Empedocles is not referring to the same broad oath in both passages. For the oaths to be the same, the gods that punish the daimone would have to increase Strife deliberately. There does not seem to be a plausible reason why the gods would increase Strife if doing so was harmful. This objection can be avoided if the gods referred to are Love and Strife. Empedocles calls love Aphrodite multiple times (14.4, 14.67 line 5, 14.105, 14.108). The broad oath is also eternal. Love and Strife have both existed eternally, but the other gods were made later out of the four elements. “Nor was there any god Ares among them nor Kudoimos nor King Zeus nor Poseidon, but there was Queen
Cypris\textsuperscript{126} (14.4). The oath could not have been eternal unless Love and Strife had made it.

It may also be objected that there are a number of fragments that suggest the \textit{kosmic} cycle will never end. For example, Empedocles says that Love and Strife “never cease interchanging continually…” and “…they are always unchanging in a cycle.” (14.63). Further, “they decrease into one another and grow in their turn, as destined” (14.63). This is problematic because it removes the possibility of moral responsibility and decreases moral motivation. The \textit{kosmos} would be determinist, and the \textit{daimone} would be a slave to destiny. There are three ways to avoid this objection. First, Empedocles could just be saying it is incredibly unlikely, in fact, nearly impossible, that no \textit{daimone}, out of the thousands\textsuperscript{127} of \textit{daimones}, will commit bloodshed. Second, his \textit{kosmos} may not be deterministic. As Empedocles says, Love and Strife alternate because of a broad oath. This is a mutual agreement and not law of nature. Third, as Osborne suggests, destiny may not have meant necessity for the ancient Greeks (285). She gives an example worth quoting at length:

“…Oedipus lives in a world where a certain destiny is \textit{predicted} for him. But he does not treat that destiny as necessitated. Rather he and the others who share in his destiny work on the assumption that at every moment at which he might fulfill that destiny, he equally might not, and that has clearly been the motivation behind every decision that he and his parent have taken…There is no special act of god that takes away his judgment or holds his hand. Terrible deeds are predicted for him. They are not done for him” (285).

This adds credence to the view that the \textit{kosmic} cycle, though destined and highly likely, is not necessitated. The \textit{daimone} acts out of its

\textsuperscript{126}Aphrodite
\textsuperscript{127}Empedocles does not give a number, but because all living things have \textit{daimones}, I imagine it is quite high.
own free will. The *kosmic* cycle does not take away the *daimone*’s judgments or force it to kill. This also makes sense out of why Empedocles makes ethical prescriptions in the first place. He may not have thought that destiny conflicts with moral responsibility. It may be objected that because it is destiny that the *kosmic* cycle will continue the *daimone* must eventually commit bloodshed. After all, Oedipus did eventually fulfill the prophecy. I think we can avoid this objection if we take a closer look at Oedipus’s actions. Oedipus acted to avoid the prophecy and may have prevented the predictions from occurring multiple times. The oracle does not predict when Oedipus will kill his father; she only predicts that he will at some point. Because Oedipus has a mortal lifespan, his transgression must occur within a finite set of time. This problem does not apply to the *daimones* because they are immortal. They can postpone the inevitable transgression for an infinite amount of time.

Another reason *daimones* ought to act in accord with Love is that *daimones*’ actions affect others. When *daimones* commit an offense “the force of *aither* pursues them to the sea and the sea spits them out onto the surface of the earth, and the earth into the rays of the shining sun, and he (the sun) casts them into the vortices of *aither*. One receives them after another, but all hate them.” Why would the elements hate the *daimones*? Empedocles states that the elements hate Strife, which separates them, so it is not unlikely that they hate the *daimones* because their actions empower Strife. Further, empowering Strife causes the *kosmic* cycle, war, quarrels, and hate. Thus, there are morally good other-oriented reasons to act in accord with Love.

**Universalizability**

Empedocles says “…what is lawful for all extends far through the wide-ruling *aither* and through the immense glare” (14.29). He clearly intends for his ethics to apply to all *daimones*. The question is, “are his prescriptions binding?” I think his ethics gives reasons to believe they are. What is morally good and bad is
based on the *kosmic* cycle and physically affects the *daimones*. This leaves little room for any kind of moral relativism. Another question is, “are the ethical prescriptions motivating?” As I discussed earlier, one objection to reconciling Empedocles’ physics with his doctrine of transmigration is that the physics seem to render the *daimone’s* actions meaningless. This objection does not hold in my reading of Empedocles. Because the *daimone* has a role in the *kosmic* cycle, its actions not only have importance for its return to the gods but for the rest of the *kosmos* as well.

**Conclusion**

This paper argued that Empedocles can be read as a normative ethicist by showing that his ethics meets three criteria. I took these criteria to be sufficient, but I offered no argument for why they are. These criteria are plausible, but nothing forces the reader to agree. I believe they are rigorous enough to show my interpretation of Empedocles ought to be taken seriously.

My reading of Empedocles has many advantages. First, it makes his work a cohesive philosophical system with the physics and transmigration complementing each other. Second, it explains why the *daimone* should act at all. Finally, it places Empedocles in a prominent position in the development of ethics.

**Work Cited**

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