

## A Unified Account of the Moral Standing to Blame

Philosophical debates about the conditions of blameworthiness have a long and distinguished history. Recently, however, many philosophers have turned their attention to a related (though importantly distinct) issue – not when a given agent is blameworthy for what she does, but when a further agent is well-positioned morally to *blame* her for what she does. As nearly everyone would admit, from the mere fact that someone is blameworthy, it doesn't follow that just *anyone* is therefore well-positioned morally to blame her. As Marilyn Friedman aptly writes, “If the recipient of blame must meet certain criteria to be blameworthy, does not the blamer have to meet certain criteria to be blamer-worthy?”<sup>1</sup> And so the search is on for such criteria.

Such questions are (and have been) naturally pursued under the guise of who has or lacks the *moral standing* to blame. As we will see below, theorists working on such topics have proposed at least four conditions an agent must meet in order to have the moral standing to blame a morally responsible wrongdoer:

1. One's blame would not be (in some relevant way) “hypocritical”. (The Non-hypocrisy condition)
2. One is not oneself “involved in” the target agent's wrongdoing. (The Non-involvement condition)
3. One must be warranted in believing that the target is indeed blameworthy for the wrongdoing. (The Warrant Condition)
4. The target's wrongdoing must be some of “one's business”. (The Business Condition)<sup>2</sup>

These conditions are often proposed as both conditions on one and the same thing, and as independent and autonomous – that is, as marking fundamentally *different* ways of “losing standing.” In this paper, I call both of these claims into question. First, I argue that condition (2) reduces to condition (1): when “involvement” removes someone's standing to blame, it does so only by *indicating* something further about that agent, viz., that he or she lacks commitment to the values that condemn the wrongdoer's action. But here we are back to condition (1). Second, I claim that conditions (3) and (4) are

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<sup>1</sup> Friedman 2013: 272.

<sup>2</sup> These conditions (with the exception of condition (3)) are very close to (and partially inspired by) those listed in Bell 2013: 264.

simply conditions on *different things* than is condition (1). As I see it, someone's wrongdoing being "some of one's business" is a condition on *expressing* blame, whereas the fact that one's blame would be "hypocritical" is a condition on even (so to speak) *feeling* blame. Further, though it is indeed inappropriate to blame someone one isn't justified in believing is blameworthy, the inappropriateness at issue here is not the same inappropriateness at issue in standingless blame. The result: a unified account of (what I will call the "basic") moral standing to blame.

The plan of the paper is to take the conditions in reverse order. I begin by briefly arguing that conditions (4) and (3) do not pertain to the sort of "moral standing" I aim to investigate; this discussion will therefore help to delineate the issues at stake. I go on to consider G.A. Cohen's important discussion of these issues, in which he – with others – makes a sharp contrast between the relevant "non-involvement" and "non-hypocrisy" conditions, and provide my argument that what appear to be two independent conditions reduce to one. At this stage, I address the question whether standing might ever be regained, and consider a condition of non-"moral fragility". Finally, after criticizing R.J. Wallace's and Kyle Fritz and Daniel Miller's recent discussions of hypocrisy, I conclude by suggesting an account of the nature of this condition itself. Fundamentally, I hope to show, lacking moral standing is a matter – and only a matter – of lacking a certain kind of commitment to morality.

### *The Business Condition*

It is a familiar fact of life that not everything everyone else does is "one's business". In a word, sometimes one might know that someone else has done something criticisable, but that person's wrongdoing is "none of one's business" – and, accordingly, one lacks a certain kind of entitlement to get involved in the situation by publically blaming the wrongdoer. Such situations are perhaps most familiar in the context of intimate relationships (e.g., between parents and children, and romantic partners). Suppose, for instance, that Ian displays an objectionable tendency to interrupt his partner, Ira. (We gather that Ian is, alas, a bit of a chauvinist.) We might grant that what Ian is doing is wrong, and his actions criticisable, while still feeling that it is not our place to *say* anything to Ian – especially, perhaps, in the presence of Ira. We may feel like this isn't our place, while it *would be* someone else's place – someone in Ian's immediate family, say. If we said something critical to Ian, he may be within his rights to tell us to mind

our own business – but this is not, presumably, a reply he can just as easily make to a member of his own family.

Such situations are, of course, extremely delicate, and sensitive to a host of factors, including the severity of the wrongdoing and the nature of the relationships involved. These issues are just now beginning to get the attention they deserve.<sup>3</sup> However, I mention this kind of case as a way of setting it aside. The distinctive response to the critic we are here imagining is this: “mind your own business”. This is not, however, the reply I aim to investigate – a reply we can bring out as follows. Suppose Ian has two friends: Julius and Keegan. We stipulate that this is a case in which Ian would be within his rights to tell either of them to mind their own business. But suppose that, unlike Julius, Keegan himself displays the same objectionable tendencies in *his* intimate relationships as does Ian. Now, to Julius, Ian may say:

Mind your own business.

But to *Keegan*, Ian may say:

Mind your own business... and, who are *you* to blame me for this anyway? You are in no position to blame me.

And these are importantly different replies. One says: you lack the standing *with me* to say what you are saying. Another says: you lack the standing *with morality* to say what you are saying. In this sort of case, whereas both Julius and Keegan lack a certain kind of standing *with Ian* to intervene in his affairs, Keegan additionally lacks something further – and it is this “something further” that is at issue in this paper. As a first approximation: the question for us is not when (and in virtue of what) the “mind your own business” reply is appropriate, but when (and in virtue of what) the “who are *you* to blame me?” reply is appropriate. This is, I take it, what is distinctively at issue concerning the “moral standing” to blame.

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<sup>3</sup> See especially Radzik 2011 and 2012, Smith 2007: 478, and Bell 2013: 269 - 271. Fritz and Miller (2015: 2) set aside the “business condition”, but note that they see it as a condition on “moral standing” of the same sort as the “non-hypocrisy” condition. Coates and Tognazzini (2014) consider it under such a heading as well. For an explicit defense of the business condition as a condition on “standing”, see McKiernan 2016, as well as Dadlez 2016. By way of background: the recent focus on moral standing is, arguably, part of a broader trend in which the focus has been on the nature and norms of *holding* responsible (as opposed to the nature and norms of *being* responsible). For more on this “turn”, see Smith 2007 and McKenna 2012.

Note, however, the following feature of this case. Suppose both Julius and Keegan *do* “mind their own business” and stay silent. We might observe that it would still be appropriate, other things being equal, for Julius *internally* to blame Ian. Indeed, we might imagine that Julius would himself be blameworthy if he did *not* blame Ian in this way. Julius might rightly feel indignant with Ian that he is showing this kind of disrespect towards Ira – it is just that a justified prohibition on meddling prevents him from expressing it. However, there is something inappropriate about Keegan even so much as *feeling* this kind of blame towards Ian: imagine Keegan becoming increasingly internally indignant with Ian (“Goodness, I can’t believe this guy is this bad – can’t he see what he’s doing? He needs to show some respect...”) as he witnesses how Ian treats Ira. These are, after all, things Keegan often does himself. Here we might naturally say that, even if no one knows it, this is a “reactive attitude” to which Keegan is simply not entitled: he lacks the standing to react (and to feel) as he does. It is *this* lack of standing that we are interested in.<sup>4</sup>

Fundamentally, then, what is at issue is not precisely when and why a certain *response* to a critic (“Who are *you* to blame me?”) is appropriate, but what underlying *condition* makes that response appropriate – an underlying moral condition that might still be there, even if no blame is actually expressed, and so no response to the critic ever in fact unfolds. To sum up: because one lacks the standing (with a person) to *express* blame, it does not follow that one lacks standing (with morality) to *feel* blame. To be clear: what is at issue in “feeling blame” is not simply a judgment that the given agent is

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<sup>4</sup> On considering this initial case, an anonymous referee for this journal reports the following reaction:

I do not sense any moral inappropriateness in [Keegan’s indignation]. I see that Keegan has the same reason to feel the same ways about his own conduct, and he does not. But it is only this lack of disapproval and indignation toward himself that is inappropriate about Keegan’s attitude. Keegan still appropriately [blames] Ian’s conduct, as far as I see. I am missing the lack of moral standing for a feeling of blame that is supposed to be illustrated here.

The referee here takes the position of someone we may call the *standing skeptic*. According to the standing skeptic, in purported cases of “standingless blame”, all that is objectionable is simply the *absence* of the agent’s self-blame, and not the *presence* of the agent’s blame. Arguably, however, we may counter the standing skeptic as follows. Suppose one’s colleague never replies to emails on time – and is remarkably un-self-critical about this failure: he never seems to blame himself. The absence of his self-blame annoys you. However, one day he gets on *your* case about your own failure to reply promptly to *his* email. And this, to be sure, will annoy you yet further – but you had *already* been annoyed by the absence of his self-blame. What is additionally objectionable, then, is not simply an absence, but a presence (perhaps, indeed, the presence together with the absence). (I am grateful to Philip Swenson for suggesting these points.) As I see it, then, in the cases I discuss in this paper, what is objectionable is not simply an absence, but a presence.

blameworthy, but also a negative reactive attitude such as indignation. I will call the standing to *feel* blame the “basic” moral standing to blame; thus, it doesn’t follow from one’s having the *basic* standing to blame that one has the standing *with* someone to express it, and it doesn’t follow from one’s lacking the standing to *express* blame that one lacks the (basic) standing to feel it. And what we’re interested in is this: when and why one might lack the *basic* moral standing to blame.

### *The Warrant Condition*

From the discussion so far, it is easy to see how condition (3) (what Friedman has called the “warrant condition”) is not, precisely, a condition on the kind of “moral standing” at issue in this paper – though it is an important condition on *something*. The warrant condition, in short, says that, in order appropriately to blame a given wrongdoer, one must be justified in believing that the given agent is indeed blameworthy. Now, this certainly seems sensible: it is inappropriate to blame those one isn’t really justified in believing are blameworthy. In cases of *expressed* blame, one would inappropriately risk blaming the innocent – and thereby subjecting someone to the harms of blame who does not deserve those harms. And even in a case of *internal* blame, there is, plausibly, something objectionable about believing too easily (and too willingly) that someone is blameworthy, when caution would appear to be in order; here we might think of the vice of judgmentalism.<sup>5</sup> In any case, when, for instance, all one has heard are incipient rumours to the effect that someone did something wrong, one lacks a certain kind of entitlement to be indignant with this person – and any such feelings would certainly evince a moral fault.

Again, these are delicate issues – and they are just now getting the attention they deserve.<sup>6</sup> What is important for our purposes is simply to see that the “warrant condition” does not pertain to the kind of “moral standing” at issue in this paper. There is no distinctive reply to a critic associated with this condition, but we might imagine a context in which it may be appropriate to say:

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<sup>5</sup> See especially Watson 2013.

<sup>6</sup> The best and most comprehensive defense of an “epistemic norm of blame” is Coates 2016; Coates, however, does not (rightly, in my view) defend this norm as a condition on “moral standing” per se. McKiernan 2016, however, defends the “business condition” partly on epistemic grounds: often, when you don’t really know the relevant circumstances, getting involved is none of one’s business.

Look, maybe I'm blameworthy – but, at this stage, all you've got to go on is rumors: so back off.

Perhaps. Still, as before, to such a reply we might add a *different* one:

All of you've got to go on is rumors: so back off. ... And who are *you* to blame me for this anyway?

Once more: these are fundamentally different replies. In this case, *even if* the critic could address his epistemic position, he would *still* lack the moral standing to blame. In a word: I take it the lacking the moral standing to blame is never merely a matter of not being justified in believing (or not knowing) that a person is indeed blameworthy; it is a condition such that, if one lacks it, one would still lack it even if one knew that the target agent is in fact blameworthy. In particular, if one's moral standing has been challenged ("Who are *you*...?"), one can never meet this challenge merely by citing one's evidence that the person really is blameworthy. To cite such evidence is to miss the point entirely.

So much for conditions (3) and (4). The question, then, is this: when and why might one lack the moral standing even to *feel* blame towards someone one *knows* is in fact blameworthy? Who might be disqualified, say, even from being internally indignant at Ian's bad behaviour? Here two conditions naturally suggest themselves: anyone who is himself *responsible for* Ian's engaging in this behaviour, and anyone who does such things himself. It is *here* that we enter the arena of "moral standing". To such issues I now turn.

### *Cohen on Hypocrisy and Involvement*

Cohen's paper is one of the first to explicitly focus on the issues here at stake, and is worth quoting at length. He introduces the relevant topic as follows:

We can distinguish three ways in which a person may seek to silence, or to blunt the edge of, a critic's condemnation. First, she may seek to show that she did not, in fact, perform the action under criticism. Second, and without denying that she performed that action, she may claim that the action does not warrant moral condemnation, because there was an adequate justification for it, or at least a legitimate excuse for performing it. Third, while not denying that the action was

performed, and that it is to be condemned (which is not to say: while *agreeing* that it is to be condemned), she can seek to discredit her critic's assertion of her standing as a good faith condemner of the relevant action. (2006: 119)

It is this third way of responding to a critic's blame that Cohen is interested in, and here he identifies two different versions of such a response:

The first of these techniques for compromising a critic's voice was signalled in my childhood by the retort 'Look who's talking!' Shapiro might say, 'Hey, Goldstein, how come you didn't come to the club last night? All the guys were expecting you.' And Goldstein might reply: 'Look who's talking. *Twice* last week, *you* didn't show up.' Unless Shapiro could now point to some relevant difference, his power to condemn was compromised, whether or not the criticism he originally made of Goldstein was sound. (121 – 122)

For that first type of would-be discrediting response I have three good labels: 'look who's talking', 'pot calling the kettle black', and '*tu quoque*'. For my contrasting second type I have no good vernacular or Latin tag. But I will point you in the right direction by reminding you of retorts to criticism like 'you made me do it', and 'you started it', even though those phrases don't cover all the variants of the second type. I shall name the second type 'You're involved in it yourself', but if anybody can think of a better name, then suggestions are welcome. (123)

Cohen, then, explicitly *contrasts* the "non-involvement" condition with the "non-hypocrisy" condition.<sup>7</sup> He goes on:

In this second type of silencing response you are disabled from condemning me not because you are responsible for something *similar* or worse yourself but because you bear at least some responsibility for the *very thing* that you seek to criticize. My Nazi superior cannot condemn me for doing what he orders me on

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<sup>7</sup> This contrast has been repeated, amongst other places, in an important series of recent papers (Tadros 2009, Duff 2015, and Watson 2015) regarding a "moral predicament in the criminal law" (to use the title of Watson's paper). For these authors, the question is whether the *state* is morally permitted to hold certain wrongdoers criminally responsible for their crimes, when the state is (arguably) complicit in (or otherwise partially responsible for) those very crimes. Cohen further develops his view in Cohen 2012.

pain of death to do, even if I *should* disobey, and accept death. (124)

Note: Cohen here puts his point in terms of *responsibility*. He elaborates as follows:

I said earlier that among the variants of this second way of deflecting criticism (*tu quoque* was the first) are ‘You started it’ and ‘You made me do it’: the reply has many variants, with ‘It’s your fault that I did it’ at one kind of extreme and ‘You helped me to do it’ at another. And note that if it’s your fault, in whole or in part, that I did it, then it can be your fault for structurally different reasons. Here’s part of the relevant wide array: you ordered me to do it, you asked me to do it, you forced me to do it, you left me with no reasonable alternative, you gave me the means to do it (perhaps by selling me the arms that I needed). When such responses from a criticized agent are in place, they compromise criticism that comes from the now impugned critic, while leaving third parties entirely free to criticize that agent. The functionary who obeys Nazi orders can’t be condemned for obeying those orders by the superior who issues the orders; he can nevertheless be condemned by us. (126)

I will return to this example (of the Nazi commander) shortly. Finally, Cohen writes:

Note, now, how this second type of challenge, ‘You’re involved in it yourself’, differs from ‘Look who’s talking’. ‘Look who’s talking’ says: ‘How can you condemn *me* when you are *yourself* responsible for something similar, or worse?’ In ‘You’re involved in it yourself’ the responding criticized person need make no judgment about whether her critic has *herself* done something similar or worse. Instead, ‘You’re involved in it yourself’ says: ‘How can you condemn me when you are *yourself* responsible, or at least co-responsible, for the very thing that you are condemning?’ (127)

And:

The general form of ‘You’re involved in it yourself’ is this: you are implicated in the commission of *this* very act, as its co-responsible stimulus, commander, coercer, guard, assistant, or whatever (whether or not what you did was wrong, or similar to what I did, or worse than what I did). (127)

In this final passage, Cohen seems to suggest that “involvement” can remove standing,



*even if* one's involvement is in no way criticisable. It is this that I aim to call into question.<sup>8</sup>

But let's go slowly. First, recall that it is crucial to the phenomenon under consideration that it may apply, even if we grant that the relevant target is morally responsible. That is, what we're interested in is the conditions under which one lacks standing to blame someone who is *in fact* a morally responsible wrongdoer. However, I contend that, when we investigate Cohen's imagined "wide array" of responses more carefully, they work in either one of two ways: first, by indicating that the involvement took away (or at least diminished) the target's freedom, and therefore also his moral responsibility, or second, by indicating something about the would-be blamer's commitment to the relevant values. In neither case, however, is mere "involvement" doing the work to undermine one's standing to blame someone who is in fact morally responsible.

To explain. Consider, first, "You forced me to do it." It is, in a sense, easy to see how "You forced me to do it" might undermine criticism: insofar as one was forced to do what one does, one isn't responsible. Similar remarks apply to "You made me do it", "You coerced me into doing it," and "You left me with no reasonable alternative." If your involvement in my coming to do something left me with no reasonable alternative to doing it, then your involvement seemingly took away my freedom with respect to doing it; instead, I was forced, and so not responsible. However, insofar as one's response to a critic serves to indicate that one is not even *responsible*, we do not here have an instance of the kind of response at issue – one that explicitly does *not* deny one's responsibility. Now, perhaps there are cases in which one might say that one was "forced" (or made, or coerced...) to do something, but not in such a way as to render one blameless for doing it. In that case, one might say something like:

Alright, I'm willing to listen to this criticism from *you* – but not from Jones; he was the one that forced me to do it (made me do it/coerced me/left me with no reasonable alternative).

Perhaps. Still, there are also cases in which one might say:

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<sup>8</sup> I make a similar point – as well as introduce the cases of Steffen and Jonas developed below – in Todd 2012: 10 – 11.

Look, you can't blame for me doing it – Jones forced me to do it (made me do it/coerced me/left me with no reasonable alternative).

And we need to be sure that the relevant response is an instance of the first kind and not of the second. However, if it is indeed a response of the first kind, I claim, then it works only by indicating something further about Jones – beyond Jones's mere *responsibility* for what one does.

To see this point, we must consider Cohen's other examples:

- You helped me to do it.
- You asked me to do it.
- You gave me the means to do it.
- You commanded me to do it.

Crucially, I contend that, in all of these cases, there are ways in which one might have done the thing in question, and thereby be *responsible* (even morally responsible) for what the given person does, and yet one's standing to blame her remains intact. Such cases all display a similar structure – a structure we can bring out by considering Cohen's case of the Nazi commander.

Now, Cohen certainly seems right that the typical Nazi commander lacks the standing to blame his soldiers for faithfully following his orders, even if such orders should be disobeyed. Importantly, however, what accounts for this fact is not *merely* that the commander is morally responsible for what his soldiers do when following his orders. Rather, this is because, for the *typical* commander, any criticism he might direct towards his soldiers for faithfully following his commands would have to be – in a sense to be explained – “hypocritical”.

Consider the case of **Steffen**:

Steffen is a typical Nazi commander working in a death camp. He hears rumors of an escape attempt. Thus, he orders Thomas to investigate the fence and sound the alarm, should he see any prisoners escaping. Thomas sees the prisoners, sounds the alarm, and the prisoners are caught and executed. Now, Thomas *should* have let the prisoners go; he should have had mercy and simply reported back to Steffen that there was nothing to the rumors. But he doesn't.

In this case, of course, Steffen lacks the standing to blame Thomas for sounding the alarm. Indeed, absent further details, the case can seem unintelligible: why would Steffen – a typical Nazi commander, and someone who presumably *endorses* actions such as Thomas’ – be *blaming* Thomas for what he does?

Consider **Jonas**, however:

Jonas is a Nazi commander working in a death camp. However, unlike Steffen, Jonas is secretly opposed to the Nazi regime. He thus does everything within his power to save the lives of as many prisoners as possible, consistent, of course, with maintaining his position as a committed Nazi; Jonas (correctly) reasons that he can do much more good secretly sabotaging the Nazi efforts as a trusted commander than he could by open defiance. Jonas hears rumors of an escape. In order to keep appearances, he must order someone to investigate the fence. Jonas thus orders Thomas to investigate the fence and sound the alarm should he see anyone attempting escape. Jonas chose Thomas for this task because he (blamelessly, though incorrectly) thought that, of all the people he might choose, Thomas would be the most likely to have mercy and not sound the alarm should he actually find prisoners escaping, and instead report back that there was nothing to the rumors. Instead, however, Thomas discovers the escaping prisoners, sounds the alarm, and the prisoners are caught and executed.

It seems clear that, in this case, Jonas retains the standing to blame Thomas for sounding the alarm. Hearing the alarm, it seems perfectly appropriate for Jonas to inwardly condemn Thomas for not showing mercy. And later Jonas might confront Thomas about his act. Thomas might say, “But you ordered me to do it!” And Jonas might reply: “Yes, I ordered you to do it, but that gives you no excuse; you should have disobeyed my orders, even at great risk to yourself.” What, then, makes the difference (in moral standing) between Jonas and Steffen? Well, it is not that whereas Steffen is *responsible* for what Thomas did, Jonas is not. Jonas *is* responsible for what Thomas did; anyway, if Steffen is, so is Jonas. That is, both are morally responsible for what Thomas did, at least to the extent that commanders are morally responsible for what their soldiers do when faithfully following their orders. Yet Jonas retains the standing to blame Thomas.

Here we have, then, a counterexample to the “non-involvement” condition on the moral standing to blame.

Similar cases might be constructed for Cohen’s other imagined responses. In each case, one might be “involved in” (and thereby morally responsible for) the relevant wrongdoing in the alleged way, yet retain the standing to blame. In these cases, we might say something like:

- Yes, I helped you to do it – but that was because I had no other choice. You should have refused my help.
- Yes, I asked you to do it – but that was because [...]. You shouldn’t have done what I asked.
- Yes, I gave you the means to do it, but that was because [...]. You still shouldn’t have done what you did.

The result: involvement, in itself, does not remove one’s standing to blame. It is, at most, only a particular *kind* of involvement that removes standing – a kind that indicates something *further*. What, then, is this something further?

A natural suggestion is that involvement removes standing only when it indicates a lack of commitment to the values that would condemn the wrongdoer’s actions. (I will not attempt fully to analyze the sort of commitment at issue; however, it consists, minimally, in *endorsement* of the value as a genuine value, together with at least some degree of *motivation* to act in accordance with the value.) Consider Steffen. What is it, exactly, that is so problematic about Steffen’s purporting now to blame Thomas for sounding the alarm, after having commanded him to do so? It is, presumably, Steffen’s own *endorsement* (or at the very least: non-condemnation) of Thomas’ actions. On being confronted by the allies after the war, for instance, Steffen cannot – on pain of the sheerest hypocrisy – now turn around and criticize Thomas for what he did, unless, at a minimum, he is prepared now also to condemn himself. Absent some strong indication of such a moral transformation, however, Thomas would be entitled to reject Steffen’s criticism as entirely hypocritical – as motivated only by an attempt to save his own skin, say, or anyway not by concern for the given victims. But note: here the worry turns out to be in the arena of “hypocrisy” – that Steffen’s purported condemnation of Thomas would have to be (in some relevant sense) hypocritical, or in bad moral faith. And now

we are back to condition (1): the non-hypocrisy condition. Steffen's "involvement" in what Thomas did has dropped out.

Or so it seems to me. Matt King, however, demurs. King contends that involvement can remove standing, even if it doesn't tell us anything objectionable about the agent who blames.<sup>9</sup> In support of this point, King gives us the case of Charlie and Linus:

Suppose Charlie knows that Linus, who has a weakness for sweets, is trying to lose weight. Nevertheless, he takes Linus to a place for dinner that (he knows) is located next to an incredible ice cream shop. Quite predictably, after dinner Linus visits the shop next door and has some ice cream. Charlie may have acted quite permissibly, if a bit unkindly. But even if Linus is to blame for renegeing on his commitment to diet (e.g., his family and friends might rightly hold him responsible on this score), Charlie may not be in a position to legitimately blame Linus for it. And this is because Charlie can be partly responsible for Linus's failing even while Linus is wholly responsible for it.

For those who may be apt to think Charlie is in a perfectly good position to blame Linus, consider what such an exchange would look like. Imagine Charlie scolding Linus for sheepishly ordering a scoop of mint chocolate chip. Linus's indignation might rightly flare at this point. He might insist, "But you brought me here knowing just how difficult it would be for me not to get ice cream. You know I am trying to avoid sweets; you know how important losing weight is to me. And not only do you throw a huge temptation at me, you have the gall to blame me for succumbing to it!"

It seems to me that something is problematic about Charlie's blame here, and it plausibly has something to do with the fact that he knowingly placed Linus in a position to fail. Still, it need not be the case that Charlie has done anything wrong. He need not be ill-intentioned in proposing the dinner spot. He might reasonably believe that Linus will resist the temptation, or that it is important for Linus to meet these challenges head-on. Even so, it seems as though Charlie's involvement reduces his ability to fairly blame his friend. (5 – 6)

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<sup>9</sup> Lippert-Rasmussen (2013: 299) seems to agree.

My contention here is the following. Insofar as we are inclined to think that Charlie lacks the standing to blame Linus (and, note: whatever “blame” is at issue would have to be extremely mild, given the nature of the case), this is because we are thinking that Charlie’s decision about where to go to dinner betrays an insufficient degree of care for Linus, and, in particular, for the value of his goal to refrain from sweets. In a word: given his choice of dinner location, Charlie cannot *now* act as if he cares about Linus’ refraining from sweets; accordingly, any criticism he might direct towards Linus would have to be in bad faith. Consider, after all, Linus’ imagined speech: “But you brought me here knowing just how difficult it would be for me not to get ice cream ... you know how important losing weight is to me.” It is, I think, difficult not to hear such a speech as alleging that, evidently, though this is important to him (Linus), it *isn’t* important – or important enough – to Charlie. In short, Linus is here charging Charlie with not being genuinely committed to the relevant values. In this case, of course, Charlie’s involvement is excellent *evidence* of this fact – but it is this fact to which Linus rightly points. But once more: the involvement is simply evidence of something further, and, in itself, drops out.

At this stage, we may begin to see the fundamental similarity of the two sorts of “replies” Cohen identifies – a similarity Cohen’s discussion seems to obscure. In essence, we have two versions of what is fundamentally the same response:

Who are you to blame me? Your *past behaviour* reveals your own non-commitment to the values that would condemn what I did.

Who are you to blame me? Your *involvement* in my action reveals your own non-commitment to the values that would condemn what I did.

What we have here, then, are simply two different sources of *evidence* of one and the same thing.

#### *Interlude: Standing Regained?*

On my account, then, one has standing if and only if one is morally committed to the values that condemn the wrongdoer’s actions. At this stage, however, we might consider

the following sort of challenge for this account. Suppose we have someone who is *now* committed to the relevant values, but was not so-committed in the past:

Suppose that Paul, when he is 25, abandons his wife and newborn infant to go live an unencumbered life touring around the world and “finding himself”, and that his wife and child suffer terribly as a result. Suppose further that later in life, at the age of 45, he comes to realize the virtues and obligations of fidelity and becomes a committed husband and father to his wife and child, with whom he is somehow reconciled. He now holds values, very deeply, which condemn his past actions. Now suppose finally that upon hearing of another 25-year-old who has abandoned his wife and child to explore the world just as he once did he becomes indignant with this other person. It seems that the response, “Who are *you* to blame him!” seems perfectly in order in this circumstance. And yet he is, *now*, very deeply committed to the values which condemn this other young man’s actions. Consequently, actually being committed to the values which condemn someone’s action is not enough to have standing; rather, it must also never have been the case that one lacked such commitment.<sup>10</sup>

My contention is that, in a case such as this, Paul indeed does have the (basic) moral standing to blame. It remains to explain away the intuition that he might not.

First, however, we might simply note the seeming unattractiveness of a conception on which standing, once lost, can never be regained. Isn’t a moral regime on which moral standing can never be regained unduly punitive? Plausibly, it should be possible to regain standing. But if standing can be regained, why shouldn’t we say that, in the above case, Paul has indeed regained it – precisely because he is now genuinely committed to the given values?

Second, we might ask ourselves: what is it that we want in this case? My own thought is this: what we want is for Paul indeed to blame the 25-year-old for what he has done. However, what we *don’t* want is for this blame to be insensitive to his own past history. We want his blame somehow to be colored or conditioned by his past. In this way, what is ruled out by his past history is not blame, per se, but instead a particular *form* of blame. For instance, one form of blame that is ruled out is the kind of indignation whose content is, “I can’t understand how someone could do something like that!” – but

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<sup>10</sup> I owe this objection, and this case, to an anonymous referee for this journal; the case presented here is slightly modified from the referee’s own.

Paul can indeed understand this, having done it himself. In this way, when one has performed the relevant actions oneself, even if one has now reformed, certain forms of shock or surprise are ruled out, given one's own understanding of precisely the kinds of considerations that could lead someone to perform the morally wrong action at issue. Further, having done the thing oneself, one should be aware of the kinds of pressures (if any) that lead people to do these things; any blame you direct towards the given agent thus ought to be sensitive to your knowledge of such pressures. However, these facts arguably leave intact one's moral standing to blame in a way that is sensitive to one's past history.

Consider, for instance, this sort of exchange between the parties in the above case:

25 year-old: Well, rumor has it that you did this when you were my age. You're being a bit hypocritical now aren't you?

Paul: Yes, I did, and I was being just as much of a selfish jerk as you're being now. I know how you're justifying all this to yourself (you never got the chance to let loose, life has been so unfair to you...), and let me tell you: it is self-serving nonsense.

To my ears, this exchange seems perfectly appropriate – and it seems to be Paul blaming the 25-year-old.

However, I wish to concede to the critic that *some things* very close to the standing at issue in this paper are not regained immediately upon the achievement of moral commitment. Consider, for instance, a (non-moral) case in which a budding film critic, in a daring mood, publishes a glowing review of a film that is later widely acknowledged to be a disaster. Such a critic will have done lasting harm to her social standing in the relevant aesthetic community; her positive review calls into question the reliability of her aesthetic sense – and that standing can hardly be regained simply by admitting (and rectifying) her mistake (however exactly that may be done). In a similar way, someone who was only recently able to justify to himself a decision to abandon his family in favor of “touring the world” likewise calls into question the reliability of his moral sense; if then, that person, even if now reformed, purports to tell us that something is wrong, we may doubt that the fact that *he* is saying it gives us any (or much) reason to think that it



is. Of course, the worry here decreases over time, as one builds more of a “moral record” (by the time he is 45, for instance, Paul may very well have proven the reliability of his moral sense). Needless to say, I cannot purport to give a full account of this phenomena here; I simply note the following. One’s *social standing as reliable moral judge* is not regained simply by becoming (once more) committed to the given values. However, we should clearly distinguish between such social standing and the basic moral standing to blame.

My contention is that Paul indeed has the basic moral standing to feel blame, and – as the above dialogue brings out – I see no reason why this blame might not be appropriately expressed. But we should also concede the following. In certain social contexts, it can be wrong to insist on exercising a right one actually has. Sometimes, that is, it may be that I have the moral standing to express blame, but that, in the interests of others, and in the interests of avoiding even the appearance of impropriety, I should not exercise this right. For instance, even if one knows that one has reformed, others may not; accordingly, if one publically blames the wrongdoer, due to our epistemic positions, we may be offended – and it may be better for you simply to forego exercising the right to blame you actually have than to cause this sort of offense. Again, a full discussion of this issue is beyond the scope of this paper. Once more, however, we should distinguish between this kind of *social* standing (which is not immediately regained with internal moral commitment) with the kind of moral standing to blame at issue in this paper (which more plausibly is).

I wish to make one final (and more general) point about cases in which the old blame the young for things they once did themselves. I grant that, in common moral practice, the young often say things like, “Well, you did this when you were our age!” – and it can be felt that this compromises the criticism of the old. However, it is not clear that this is always an attempt to undermine the relevant critic’s *standing*. Sometimes, pointing out that one’s elders did something when they were young is an attempt to show that what one is doing really isn’t that bad, or to be condemned in the first place. (This phenomenon doesn’t only arise between the young and the old, but this is the paradigm case, I believe.) When young adults complain, “Look, you went to parties where there was alcohol when you were young!” part of what they may be doing is to say that this isn’t really something that is morally bad – it is just thought to be bad by people who are spoilsports or overly puritanical (or whatever). They may or may not be right about that – but that is often the idea. They’re saying, “Look, you did this and survived

and are fine! So let us do it now! Don't condemn this." Arguably, they aren't saying, "Yes, well, even if this is really bad and morally wrong, you can't blame us – you did it yourselves." At that point, they've given too much to their critics. If they say this, their critics (especially if in positions of authority) will just say, "You're right, we did – and we were wrong to have done so, just like you are now. Privileges revoked." In short, sometimes, when we're speaking to people who are opposed to what we're doing, but who once did what we have just done, we may point to their past behavior not as a way to undermine their *standing*, but instead as a way of trying to undermine their confidence that what we've done is to be condemned.

### *Moral Fragility and Hypocrisy*

I have argued that the non-involvement condition reduces to a non-hypocrisy condition – and that this condition is best stated in terms of a commitment to the values that condemn the wrongdoer's actions. It turns out, however, that we can plausibly reduce yet another proposed condition on moral standing to the non-hypocrisy condition – and help us further to clarify the nature of that condition itself. In addition to conditions (1) – (3), Neal Tognazzini and Justin Coates have offered another: a condition of non-“moral fragility”. As a first approximation, the condition is this:

5. One is not such that one would have done the same thing as the wrongdoer.

Of course, (5) is in need of clarification, but the rough idea is this: the ordinary non-hypocrisy condition (on some accounts) says simply that one lacks standing to blame, if one has *actually* done the same or similar things as the given wrongdoer. (5), however, says that, even if you haven't *actually* done such things, you lack the standing to blame if you *would have*. To employ Tognazzini and Coates' term: these would be cases of *subjunctive* hypocrisy.<sup>11</sup>

I am inclined to agree that (5) is a genuine condition on the moral standing to blame.<sup>12</sup> However, I contend that, in ordinary moral practice, condition (5) reduces to a condition on non-*actual* hypocrisy. Suppose Smith blames Jones. Someone says: “Smith, don't get on your high horse: you would've done the same thing.” Now, plausibly, Smith cannot simply *grant* the truth of this conditional, but deny its relevance to the

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<sup>11</sup> Tognazzini and Coates 2014.

<sup>12</sup> Cf. Lippert-Rasmussen 2013: 305.

appropriateness of his blame. In particular, he can't say, "Sure I would have – but so what?" Minimally, he has to deny the truth of the conditional (e.g., by maintaining, at the least, that he *might not* have done what Jones did), or he must maintain, at the least, that the conditional is not known to be true (even if isn't known to be false). But there are, in ordinary practice, two different things we might have in mind when saying that Smith "would have done the same thing" as Jones, corresponding to two different sources of *evidence* we might be pointing to which would bear on the truth of the conditional. First, we may be pointing to known facts *about Smith* – facts about his *actual* values and his *actual* dispositions. Second, we might be pointing to facts about *Jones' formative circumstances*. In a word, if we are appealing to the former, then the worry once more is about *actual* hypocrisy, and if we are appealing to the latter, we are appealing to facts that call into question Jones' culpability, and therefore we are not appealing to Smith's lack of *standing* to blame Jones.

To explain. Suppose, again, Smith blames Jones, and someone says to Smith: "Don't get on your high horse; you would've done the same thing." Now suppose Smith replies, "Well, how do you know?" One thing we might say is this:

Oh, come on. I know you. You don't care about those people, the same as Jones. I've heard you talk about it. The only reason you haven't stolen from them yet is that you haven't had the chance.

Note: here we are appealing to what we *actually* know about Smith and the moral values to which he is *actually* committed. His actual values and dispositions make it such that, in Jones' situation, he would have done the same thing – or so we claim. It is not, then, anything fundamentally "subjunctive" that removes Smith's standing. More particularly, it is not the *mere* truth of the relevant conditional that removes Smith's standing, but what (at least allegedly) grounds it, *viz.*, his *actual* bad character (constituted by his *actual* non-commitment to the given values). But now suppose that, when challenged, we instead say:

Oh, come on. Sure, *you* care about those people, unlike Jones, but if you had been raised in the circumstances that Jones was, you would've turned out the same way. You can't go too hard on him.

Here what allegedly grounds the truth of the conditional is not facts in particular about *Smith's current character*, but about *Jones's formative circumstances*. And the claim is that, even if you don't actually have the same values as Jones, you would have, had you been subject to his formative circumstances. More particularly, the claim would seem to be this: given Jones' formative circumstances, it is not clearly fair (which is not to say: it is clearly unfair) to expect him to have turned out differently. After all, insofar as we are appealing *simply* to Jones's situation, and *not* to particular knowledge about Smith, the claim seems to be that *anyone* who had been subjected to such circumstances would have turned out the same way. (What we are saying to Smith we could say to anyone.) And if *everyone* would have turned out that way in those circumstances, it isn't clearly fair to expect *Jones* not to turn out that way. Arguably, then, the second way of attempting to ground the relevant conditional is simply a way of calling into question (or decreasing our confidence in) the relevant agent's culpability. It is not a way of calling into question someone's standing to blame – and it is this phenomenon we are trying to capture.

So far, I have considered two readings of a condition such as (5), and contended that whereas the first reading is standing-based, the second is not. And it is these two readings of (5) that, I contend, we find in ordinary moral practice. Of course, if we stray from ordinary practice, we may consider any number of readings of (5), corresponding to what we do (or do not) “hold fixed” in the evaluation of the relevant conditional – readings whose factual and normative status appear fundamentally uncertain. Consider, for instance, the following:

Well, you can't blame him. If you were as morally corrupt as he is, you would have done the same thing.

But whereas we may grant the truth of the conditional, we may simply deny its relevance. Granted: if I was as morally corrupt, I too would have done that – but I am *not* that morally corrupt, so what, precisely, is the point here? Or consider:

Well, you can't blame him. If you had been raised in precisely the circumstances he was, and, not only that, but had the very same genes as he did, then you too would have done that.

Libertarians, perhaps, may find cause to dispute the truth of the conditional on grounds of the indeterminism implied by free will (at most, all one can say is that I *may* have done that) – but short of the appeal to indeterminism, we may also simply ask what it means to say that had I had *his* genes instead of my own, then I would have done that. Whether such a supposition even makes sense is metaphysically controversial. (What am I, after all, on this picture?) Further, once more, insofar as we may grant the truth of the conditional, we must grant that it holds for *anyone*; in this light, the more accurate way of putting the point is this:

Well, we can't blame him. After all, had we been raised precisely in his circumstances, and had his genes instead of our own, then we too would have done what we he did.

However, at this stage, it is difficult not to hear this claim as one that is calling into question the given agent's free will, and therefore also his moral responsibility. (Someone making such a claim sounds like a hard determinist.) And in this case, once more, the claim is not standing-based, but culpability-based.<sup>13</sup> Plausibly, then, the only *standing-based* reading of (5) is the one I have identified: the one that targets the critic's *actual* moral commitments.

### *Back to Hypocrisy*

As we saw in Cohen's discussion above, it is routine for theorists proposing a non-hypocrisy condition on the moral standing to blame to state it in terms of the would-be blamer having done "the same or similar" things as the target. I believe, however, that a certain picture is emerging from the discussion so far – a picture that allows us to see

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<sup>13</sup> An anonymous referee, however, raises the possibility of a generalized scepticism about moral standing (no one has the moral standing to blame anyone else), though *not* together with such a scepticism about blameworthiness (no one is blameworthy). My own feeling, however, is that such a position is faced with a fundamental tension: the very considerations that would seem to suggest that *no one* has standing (anyone would have done that) seem ineluctably also to be considerations that call into question culpability (*viz.*, anyone would have done that!). More particularly, any such position must affirm an instance of the following:

No one can blame him, because anyone would have done that, although he is still blameworthy, although anyone would have done that.

And the plausibility of this claim seems difficult to make out. (I am grateful to Brian Rabern for helpful discussion of these issues.)

that the emphasis on whether the would-be blamer has actually performed relevantly similar actions is misplaced.<sup>14</sup> It is not, fundamentally, “having done similar things” that removes standing, but that to which having done similar things typically *points*: non-commitment to the relevant values. I think we’ll be able to see this point by comparing three similar cases:

**Simon** is a shop owner who himself has a penchant for shoplifting from others. One day, Simon gets a call: someone has been shoplifting from his own store. On hearing this, Simon burns with rage and incredulity and a desire to confront the criminal.

**Sebastian** is a shop owner who has never himself shoplifted – but not for want of trying. Each time he was on his way to robbing a store, his car broke down – or, as it happened, the store was closed. One day, Sebastian gets a call: someone has been shoplifting from his own store. On hearing this, Sebastian burns with rage and incredulity and a desire to confront the criminal.

**Samuel** is a shop owner who has himself never tried to shoplift – but not for want of wishing to do so. Samuel simply lacks the means to try – a fact he regrets. He simply has no vehicle to travel to other stores, and there are no suitable targets within walking distance. (If there were, Samuel explains, he would try to shoplift from those stores.) One day, Samuel gets a call: someone has been shoplifting from his own store. On hearing this, Samuel burns with rage and incredulity and a desire to confront the criminal.

The point here is simple. There is something objectionable about Simon’s blame: given how willing he is to subject *others* to the harms of theft, he is hardly entitled to be outraged when he himself is subject to such harms.<sup>15</sup> But there is something *equally* objectionable about Sebastian’s blame – the only difference between Sebastian and Simon is, for Sebastian, mere luck. Though he hasn’t actually shoplifted, he is, we might say, equally willing to do so – and it was this that we said undermines Simon’s standing to blame. Imagine, for instance, Sebastian trying to defend the appropriateness of *his*

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<sup>14</sup> This objection also applies to Fritz and Miller’s (2015: 5) favoured account of hypocrisy, on which one is hypocritical only if one has *actually violated* the relevant norm.

<sup>15</sup> For more on this theme, see Smilansky 2006.

blame as compared to Simon's: "Well, *I've* never shoplifted from anyone." The appropriate response to Sebastian is to say: Perhaps not – but that's no thanks to *you*. Precisely the same reasoning seems to indicate that Samuel – who has never even *tried* to shoplift – lacks the standing to blame just as much as does Sebastian, and, in turn, Simon.

The claim that Simon, Sebastian, and Samuel *equally* lack the basic standing to blame is motivated by a plausible thought: a difference in moral standing can never be a mere difference in luck. After all, having the *basic* moral standing to blame is a matter – and solely a matter – of how one stands *with morality* – a standing with morality that may or may not be acknowledged or recognized, but a standing one has or lacks nevertheless. And it is a plausible – though, of course, controversial – view that *morality* does not discriminate between agents based on luck, but only due to factors within those agent's control. Morality, in short, does not make arbitrary distinctions – and the fact (for instance) that Sebastian's car broke down, whereas Simon's did not, is, in itself, arbitrary. Here it is worth remarking on how this constraint does not apply to having the standing *with a person* to *express* blame. It may be a sheer matter of luck that I became Jack's friend, and you did not; and yet, because I *am* his friend, I am entitled to get involved in his affairs in ways that you are not. Here we have, then, another way in which standing *with morality* differs from standing *with persons*.

What we need, then, is an explanation of *Samuel's* lack of standing, and this explanation will seemingly have to appeal, fundamentally, not to his actual overt behaviour, but to his actual lack of commitment to the relevant values. And what we need is explanation of what is problematic about Samuel's *feeling* as he does – why it is wrong for him (or why he is not entitled) to *feel* such resentment towards the wrongdoer. Of course, it may be an *additional* wrong if Samuel succeeded actually in *confronting* the wrongdoer – but we may suppose he never gets the chance to do so. Indeed, we may suppose that, shortly after the given episode, the shoplifter simply passes away from natural causes. To point the point more starkly: we may simply suppose that the entire episode was fabricated, and never in fact took place. None of this will change our conviction that Samuel lacked the standing to *feel* as he did. It is this that we must explain.

*Fictions and the Standing to Blame*

This final possibility – that the entire episode may have been fabricated – points to an issue that, to my knowledge, has not yet been discussed in the literature on moral standing: do we ever lack the standing to blame fictional agents, under the guise of their being fictions? Of course, in the case imagined above, Samuel *thinks* that there were genuine shoplifters, though there weren't. Suppose, however, that Samuel were simply watching a film – *Trainspotting*, say – in which one of the characters shoplifts, and imagine Samuel becoming morally agitated with that character on account of his behaviour. Isn't this a case in which Samuel reacts in a way he lacks the moral standing to react?

That we are often morally exercised by the actions of characters in fictions is obvious. (If you haven't felt these emotions in some time, I invite you to become acquainted with the deplorable cast of characters in the fantasy series, *Game of Thrones*.) Further, these reactions are not immune from moral evaluation and criticism merely on grounds that the relevant targets are fictional entities. If one is watching a film with a partner, for instance, one may very well be annoyed if one's partner becomes exercised about the wrongdoing of a given character, if one's partner often engages in that very same kind of wrongdoing. Of course, no fictional character will object that he or she is being blamed hypocritically, but certainly we might say that the character is being blamed hypocritically nevertheless. We might say, for instance, "Oh, come on – you can't blame her; you do such things all the time!" In this case, it is precisely one's *moral standing* to blame that is being challenged. Hence, I take it as clear that one may lack the (basic) moral standing to blame even creatures of fiction. If so, however, then, as we will see shortly, this will have important implications for how we explain what is wrong (or otherwise objectionable) about standingless blame.<sup>16</sup>

### *Wallace on Hypocrisy*

I have contended that (a) the conditions on the basic moral standing to blame reduce to a non-hypocrisy condition, and that this condition (b) must account for why *Samuel* lacks standing to blame (in the above case), despite not having *actually* performed the relevant

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<sup>16</sup> As an anonymous referee notes, however, one may be suspicious about blaming fictional characters; perhaps this is not genuinely blame, but only proto-blame (or some such). If one is suspicious about blaming fictional characters, I wish to note that one might make the same points I make below by appeal to cases like those imagined above, in which Samuel thinks that there were shoplifters, even though there weren't. In this case, it cannot plausibly be objected that the attitude Samuel feels is not "real" blame. The case of blaming fictional characters is thus illustrative, I believe – but ultimately dispensable.



actions, and (c) why we might lack the standing even to blame fictional characters. In my opinion, the initially most promising account of the way in which hypocrites lack standing has been offered by R. Jay Wallace. As we'll see, however, his account is not always sensitive to the issues discussed above – and seemingly faces a serious dilemma.

First, Wallace rightly contends that hypocritical blame can be objectionable even if kept private:

It is ... possible to blame people for something they have done, resenting them or feeling indignant on account of it, without expressing one's resentment or indignation to anyone in particular. ... [H]ypocritical blame remains objectionable under these circumstances.<sup>17</sup> (324)

Presumably, then, we'll have to explain why hypocritical *private* blamers lack standing. Wallace now asks:

Our question now is, why does one undermine one's standing to be [even privately] exercised in this way if one has oneself engaged in the very same behavior that one would now condemn? (324)

As we saw, however, though this is indeed *a* question, it is not *our* question: only Simon has engaged in the “very same behavior” that he would now condemn, but, plausibly, Sebastian and Samuel (who haven't) lack standing, just as much as he does. Our question is instead closer to: why does one undermine one's standing to be exercised in this way if one is not oneself committed to the norms whose violation one would now condemn? Is *this* a question Wallace can answer?

Perhaps. Wallace's account has several aspects, the first of which involves a certain kind of “commitment to self-scrutiny”. He explains:

Blame carries with it a kind of practical commitment to critical self-scrutiny. It is not necessarily objectionable to be subject to resentment or indignation about offenses committed by others when you have yourself committed similar offenses in the past. What is objectionable is to experience these forms of blame without subjecting your own attitudes and behavior to critical assessment, and bringing them into harmony with your current reactions to the attitudes and

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<sup>17</sup> Fritz and Miller (2015: 3) agree.

behavior of others. Blame—at least blame that is not repudiated by the person subject to it—thus tacitly generates a commitment; the moral objection to hypocritical blame can accordingly be understood to be that hypocrites have failed to live up to the commitment that they have undertaken through the attitudes that constitute their blame. (326)

To be sure, Wallace contends, we all have a general, standing obligation to self-scrutinize. However, Wallace says, this is an obligation that is “strengthened” when one undertakes the attitudes constituting blame – an obligation hypocrites fail to fulfill.<sup>18</sup> Wallace continues:

Suppose I blame you for your dishonesty when I have regularly been dishonest in my interactions with you, and suppose I also fail to reflect on and come to terms with my dishonest behavior in the past. This combination of attitudes is not merely internally unstable; it also says something about how I regard you. In particular, it shows that I take your interests to be less important than my own, and that I ascribe to myself a moral standing that I am not willing to grant to you. We all have an interest in being protected from the kind of social disapproval and opprobrium that are involved in blame. Morality shields us from these effects, providing a justification that can disarm opprobrium when we comply with its requirements, but we lose this protection when we treat people with a lack of consideration and respect. In the hypocritical case just mentioned, I treat your dishonesty as a license to disregard your interest in avoiding social disapprobation. (328)

Note: only if I blame you publically (which I may not); there is no social disapprobation if there is nothing social. Wallace continues:

But I also act as if I continue to deserve protection from the same effect myself, despite the fact that I have been dishonest toward you in just the same way. As long as it goes uncorrected, this complex stance attaches to my interests greater importance than it ascribes to yours, affording my interests a higher standard of protection and consideration than it affords to yours. This offends against a presumption in favor of the equal standing of persons that I take to be fundamental to moral thought. (328)

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<sup>18</sup> 2010: 327.

Wallace has here – or so I grant – explained how hypocritical *public blaming* may violate the equal standing of persons. But how could this explanation be applied to cases in which the hypocritical blame is private<sup>19</sup>, or directed only towards a fictional character? Consider Wallace’s elaboration of his account:

My suggestion is that this principle of equality is the ultimate ground of the commitment that we undertake when we blame another person. In acceding to such reactive sentiments as resentment and indignation, we take it that the targets of these attitudes have waived their right to protection from moral opprobrium, insofar as they have flouted the moral standards that make possible relations of mutual regard. But we owe it to those we blame to waive our own claim to protection from such negative social effects for infractions of the very same kind. (329)

Do I owe it to King Joffrey (a chief villain in *Game of Thrones*) to waive my claim of protection from the negative social effects of the kind blame I now direct towards him, if I have committed infractions of just the same kind? Of course not; no one could possibly owe it to a fictional character to do anything at all.<sup>20</sup> Wallace continues:

This is the commitment to critical self-scrutiny that we impose on ourselves when we are subject to attitudes of resentment or indignation that we do not repudiate. The commitment in question is social in nature; it is grounded in claims that others have against us, and it therefore supports a distinctively moral objection to hypocritical moral address. (329)

Again, however, in becoming morally exercised with King Joffrey, I plausibly *do* trigger the commitment to self-scrutiny – anyway, certainly Wallace should say so. This commitment simply follows upon the attitude of blaming – whether that attitude is undertaken privately or publically, or towards a fictional character or a real-life individual. But then this commitment cannot be “social in nature” in Wallace’s sense; in particular, it cannot be grounded in claims that those we blame have against us – for those we blame may be fictions, and the commitment is generated all the same. Finally, consider Wallace’s contention that

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<sup>19</sup> This is a question also asked by Fritz and Miller (2015: 7).

<sup>20</sup> As noted above, we might raise the same point in a case in which the blamed party turns out not to exist (e.g., there was no shoplifter).

By blaming others in ways that mobilize the reactive sentiments, hypocrites are participating in a system of social sanction and constraint that essentially involves the distribution of esteem and disregard. It is the way they do this— and in particular their failure to subject their own behavior to the critical attention they train on others—that effectively attaches differential significance to the interests of the persons whom they blame and to themselves. (333)

Again, not if those we blame are fictional characters; where such blame is at issue, the concern cannot be that the fictional character is receiving an unfair distribution of disregard in an economy of social sanctions. Wallace’s account is simply not sensitive to this kind of case.

What, then, may survive of Wallace’s account? Arguably, Wallace can simply jettison the claim about the *grounding* of the commitment to self-scrutiny; he could simply claim that, whatever its grounding, it is, indeed, a commitment. Whenever you experience a blaming emotion, you have a “strengthened” commitment to self-scrutiny – a commitment hypocrites fail to meet. And this is a “failure that undermines one’s standing to persist in the blaming attitudes that bring those commitments in their train.” Hence: the hypocrite does something wrong, which wrongdoing is of the sort to undermine her standing to persist in doing what she does.<sup>21</sup> Is this account satisfactory? Plausibly it isn’t. Wallace’s account, I argue, faces a serious dilemma – a dilemma we can bring out as follows.

Consider Wallace’s claim that the commitment to self-scrutiny – though being a *standing* commitment – is “strengthened” when one takes up the attitude of blame. What, precisely, is the nature of this “strengthening”? A little reflection will show us that Wallace will need this “strengthening” to be rather strong indeed – strong enough to rule out the possibility that, in a given case of hypocritical blame, the commitment simply doesn’t apply. That is, suppose we have a paradigmatic case of hypocritical blaming. We want to be able to explain the wrongness of this blame, and accordingly why the blamer lacks the standing to engage in it. Wallace assures us: in blaming, his commitment to self-scrutiny was “strengthened” – and he didn’t self-scrutinize. But we wonder: was it strengthened enough? That is, did his standing, general obligation to self-scrutiny become so strong, in this instance, that he violated an *actual* duty – just now – to self-scrutinize, a violation to which we can now hold him to account? We worry – but, as

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<sup>21</sup> With Fritz and Miller (2015: 8), I have doubts about this latter claim – but I hereby set them aside.

concerns whether we can object to the hypocritical blame, we shouldn't have to. Now, here Wallace may tell us not to worry: there is no possibility that, whereas the given person has blamed, he has not incurred, in this instance, a commitment to self-scrutiny. On his account, Wallace may say, blame generates an obligation to self-scrutinize just as promising generates an obligation to do what one promises. In Kantian terms: blame does not merely "strengthen" a standing, imperfect duty to self-scrutinize. Like a promise, it *generates a perfect* duty to self-scrutinize. Talk of strengthened "standing commitments" was simply the wrong model.

This admission, however, is fatal to Wallace's account. For while such an account would allow us to criticize the hypocrite, it would allow us also to criticize nearly everyone else. That is, in attempting to condemn the "bad" case, one also would condemn the "good" case. I take it as obvious that, in many cases in which one is in perfectly good moral standing, one blames without doing any self-scrutinizing at all. You promise to pick me up from the airport. You don't. It emerges that you have no excuse. I become agitated; I blame you. Of course, in all of this, I never self-scrutinized. But then: I didn't have to; I'm perfectly conscientious in this department. The point, then, is that a given episode of blaming – an *entire* episode – may be perfectly unobjectionable, even if the person who blames never looks inward (at her own attitudes and behavior) at all. Or look at it this way: if every time we blamed, we incurred an obligation to self-scrutinize (just as, every time we promise, we incur an obligation to do what we promise), then there ought to be an awful lot more self-scrutinizing than there is currently – indeed, just as much as there is blaming. But this doesn't seem plausible. Accordingly, neither does Wallace's account of the way in which hypocrites lack standing to blame.

In sum, Wallace needs the "commitment to self-scrutiny" that one incurs *via* blame to be *strong* enough so that we can be sure that this is a commitment the hypocrite violates on any given occasion of hypocritical blaming. However, it needs to be *weak* enough so that this is a commitment most blamers in perfectly good moral standing actually meet. But these requirements fundamentally cut against one another: if one makes the duty imperfect, then a given hypocritical blamer may satisfy that (general) requirement in such a way that we cannot object to her blame (in this instance) on grounds that she violates such a duty (in this instance). But if the duty is a perfect duty, incurred solely and directly as a result of acceding to blame, then this is a duty those in perfectly good standing themselves routinely violate. But blamers in good moral standing who do not self-scrutinize violate no such duty. Either way: Wallace's account

cannot give us what we require.

*Fritz and Miller and Inconsistent Blame*

Even if Wallace's precise account cannot give us what we require, perhaps one similar in spirit nevertheless does. Kyle Fritz and Daniel Miller have recently proposed an account of the nature and justification of the non-hypocrisy condition inspired, like Wallace's account, by considerations regarding the equality of persons. The account is both elegant and simple; I summarize as follows. What it is to be a hypocrite is to have an unfair *differential blaming disposition*. However, insofar as one has such a differential blaming disposition, one (at least implicitly) rejects the equality of persons. But it is precisely the equality of persons that gives one the right to blame. The hypocrite therefore *forfeits* the right to blame by (implicitly) rejecting the very thing that would give her such a right.

Fritz and Miller develop their account with considerably more care and detail than I have provided above. As they recognize, however, it faces a problem – or, more particularly, what I contend is a problem, but which they are content to see as an illuminating consequence of their analysis. The issue is this. It is not simply the *hypocritical* blamer that has an unfair “differential blaming disposition”; as they say, one might also have such a disposition in cases where one's own attitudes and behavior aren't at issue. For instance, one might be unfairly differentially disposed to blame colleagues A and B for the very same infraction, even if this is an infraction one would never commit oneself. Perhaps one regularly criticizes A for not responding to emails on time, but similar behavior from B goes uncriticized – and perhaps there is no adequate moral justification for this difference. Call this sort of person the inconsistent blamer. More particularly, whereas the hypocrite is unfairly inconsistent in his dispositions to blame as regards *himself*, the (merely) inconsistent blamer is inconsistent only as regards others. The result: because such blamers also implicitly reject the equality of persons, they too lack the standing to blame, for the very same reason as do hypocrites.

But this is a problem. Fritz and Miller are telling us that if we are unfairly differentially disposed to blame A and B, then we lack to standing to blame both A and B. As I see it, however, this is implausible. To see this result, consider the recent terrorist attacks on people enjoying nights out in Orlando and Paris. And now imagine those terrorists making the following speech.

You westerners – you have no right to blame us. You have no right to blame us,

first, because we did nothing wrong, and our actions were justified. But, second, *even if* we are mistaken about this, and our actions were wrong, you *still* have no right to blame us, and that is for the following reason. Ten months ago fighters for our cause attacked a target in Turkey in a similar way as we have attacked Paris today. These events were reported in all of your major news outlets – many similar events are not – and yet you hardly seemed to notice. There was no general outpouring of grief for those who lost their lives, and no corresponding public anger with those who saw fit to take them. The facts, then, are obvious, and they are the following. You are differentially disposed to blame attackers of citizens in the west and attackers of citizens of the middle east, and there is no adequate moral justification for this difference. Indeed, this disposition is grounded in the sheerest moral prejudice, and betrays an implicit attitude that lives of middle easterners are not of equal moral worth and concern. Accordingly, you lack the right – and the standing – to blame us attackers of western citizens, *even if* you are right that our actions were morally wrong.

This is a difficult speech. After all, such a terrorist has a point. Arguably, we – or many of us – *are* differentially disposed to blame in the indicated way. Our question, however, is this. Unless we can answer the charge of being improperly differential in our dispositions to blame, must we simply walk away in silence after such a speech? Are we, effectively, silenced *by the terrorists* on grounds that we do not react so negatively to *other's* terrorism? And here is my answer: I do not see why. Frankly, it seems bizarre to suppose that a terrorist may silence our criticism on grounds that we are – even wrongfully – not as disposed to blame *others* for *their* terrorism as we are now disposed to blame *him* for *his*. If Fritz and Miller's account has this result – and it does – then this account is therefore to be rejected.

To see more clearly why we should reject such an account, consider the following. If the terrorists can make the above speech, we could make the following one:

You point out that we are not as disposed to blame attackers in the middle east as we are to blame attackers in the west. We do not here wish to dispute that this is so. Perhaps our differential attitudes here are objectionable, and objectionable in just the way (and for just the reasons) you have indicated. But it is *your* actions

that are at issue today – and it is *you* who have senselessly and unjustly murdered hundreds of innocents. It is frankly irrelevant that we have not – and perhaps we have not – similarly and equally blamed others for such crimes in the past, even if this differential concern was and is wrongful. Your speech is frankly a pathetic attempt to evade the blame you so richly deserve, and to deflect the moral attention on to us when it so clearly belongs on you. We will address our own attitudes another time (though, to be sure, not on account of *your* moral authority to demand that we do so<sup>22</sup>). Today, however, we condemn what you did in the strongest possible terms.

I think many will agree that this is a reasonable speech; it certainly seems reasonable to me. We might reinforce this judgment by comparing the above speech with a different one – a speech that seemingly calls for a *different* response:

You have no right to blame us, first, because we did nothing wrong, and our actions were justified. But, second, *even if* we are mistaken about this, and our actions were wrong, you *still* have no right to blame us, and that is for the following reason. If we are terrorists, so are you. You know that your governments regularly bomb civilian targets in the middle east, and you knowingly support those governments with your taxes. This is tantamount to knowingly killing those civilians yourselves. You do just the same as we do – only with different means. Accordingly, you lack the right – and the standing – to blame us attackers of western citizens, *even if* you are right that our actions are morally wrong.

Now, to *this* speech, it does not seem that we can reply:

Perhaps we do just the same as you do – perhaps we *are*, as you say, terrorists who kill innocent civilians ourselves. Even still, that does not affect our right to blame *you* for your terrorist activities here today.

This is a concession we cannot make, if we wish to retain the standing to blame the terrorists for their crimes. However, we *can* concede that we have a (wrongful) differential blaming disposition, and yet plausibly deny that this affects our standing to blame. In sum, whereas the charge of hypocrisy does (or would) undermine standing,

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<sup>22</sup> For more on this important theme, see Tognazzini ms. and Herstein 2016.



the charge of inconsistency does not. What is pathetic about the first speech is the terrorist's conviction that, if we are guilty of the charge, we will not be able to condemn him; what is pathetic about the second speech, we must say, is his conviction that we are guilty of the charge in the first place.<sup>23</sup>

At this stage, we can, arguably, diagnose precisely where Fritz and Miller's account goes wrong. We must distinguish between *lacking* a right (or an entitlement) and being disposed to *exercise* that right (or entitlement) unfairly. Suppose I am myself a perfectly conscientious responder to my colleague's emails. And suppose I have two colleagues, Ellie and Suilin. And suppose that, once again, Ellie hasn't responded to one of my emails in a reasonable amount of time – and suppose I confront her about this failure. There is all the difference between the following two possible responses:

You don't seem so disposed to blame *Suilin* for this. So you have no right to blame me.

And

You don't seem so disposed to blame *Suilin* for this. You are exercising your rights unfairly.

And it is the second of these responses that is the stronger. If we grant the claim about the differential dispositions, Ellie's best response to me is not to claim that I have no standing (or right, or entitlement) to blame her. Rather, it is to admit that I *have* that standing (or right, or entitlement), but to point out that I am exercising it unfairly, and therefore objectionably. In other words, precisely her complaint is that, though I am exercising my right to blame in *her* case, I am *not* exercising it in Suilin's. Indeed, Fritz and Miller's account would imply that, in this case, I lack even the standing to blame *Suilin*, but precisely Ellie's complaint is that whereas I *have* this entitlement, I am not

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<sup>23</sup> An anonymous referee has raised the following concern: though, admittedly, the initial speech by the terrorists falls flat, such a speech in the mouth of a (genuinely concerned) *third party* more plausibly does not. But consider such a speech:

You people – you have no right to blame these terrorists for what they have done here today; after all, you weren't so disposed to blame the *Turkish* terrorists for what they did 10 months ago...

But my response is the same: perhaps we were not – and perhaps that is objectionable – but this does not undermine my right to blame the terrorists for what they have done here today.

exercising it. Accordingly, once we distinguish between *having* standing and *using* or *exercising* standing unfairly, we can see that Fritz and Miller's account shows too much.

### *Conclusion*

In light of the above, we can see that it is no part of having the *standing* to blame that one is perfectly disposed to *exercise* that standing fairly. To be sure, being disposed to exercise one's standing to blame fairly is a moral desideratum, and lacking it is certainly a moral fault – but it is not a fault that immediately, and in itself, removes that very standing. More particularly, it is enough to have the standing to blame that one is oneself committed to the values whose violation one would now condemn, in the sense that one *endorses* that value as a value, and is at least to some degree *motivated* to uphold it. In other words, it is precisely because I am myself a perfectly conscientious responder to emails that Ellie's charge that I lack the standing to blame *her* for her non-replies falls flat. If she asks who *I* am to blame her, my answer is simple: someone who endorses the value of timely response and who is motivated to (and, indeed, does in fact) comply with it. Being disposed fairly to blame others for violating this norm is certainly necessary for *something*, but it is not necessary to have *standing*.

But now we come to a rather disappointing conclusion. Fritz and Miller's account promised to derive the non-hypocrisy condition from deeper moral facts about the equality of persons. Hypocrisy involves an undue disposition to blame unfairly, and thus an implicit reject of the equality of persons, which equality is the precise basis for one's having the standing to blame; accordingly, hypocrites forfeit the standing that would otherwise be granted to them by the equality of persons they implicitly reject. The account is elegant and compelling. But, as we saw, it shows too much: it would imply that the merely *inconsistent* blamer also lacks standing. Fritz and Miller are prepared to accept this result – but the result, I believe, is not acceptable. Consequently, we cannot derive the non-hypocrisy condition from facts about the equality of persons.

And this raises the question: whence might that condition be derived? More particularly, why is it, exactly, that Sebastian lacks the standing internally to blame the alleged shoplifter, when he is himself so willing to perform such actions himself? This is, I submit, a question to which we presently do not have an adequate answer. Some might be inclined to respond by saying: so there *is* no such condition, and we have seen that, fundamentally, there is no such thing as lacking the “standing to blame”. For what it is

worth, I think this is the wrong response. Perhaps the only answer we can give to the above question is this: he just does. That is, perhaps the non-hypocrisy condition on having the (basic) moral standing to blame is, itself, basic, precisely in the sense that there are no deeper moral facts from which it can be derived. Perhaps it is simply a *fundamental* fact that, if you lack the requisite commitment to the given values, you lack the standing to blame those who would violate them. It certainly seems to be a fact; why can't it be fundamental? Perhaps we can simply end the story there, and rest content that we have unified what had appeared to be various disparate conditions on having the "standing to blame" to one. In this paper, I contend, an important theoretical unity has been achieved, even if no answer to the given question has yet been provided. Nevertheless: if, at the beginning of this paper, you had hoped for a deeper account of *why* one lacks the moral standing to blame when one does, then I certainly don't blame you. I began with that expectation myself.<sup>24</sup>

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