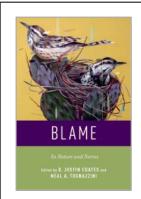
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Moral Blame and Moral Protest.

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Abstract and Keywords

This chapter's aim is to critically evaluate two recent accounts of the nature of moral blame, defended by George Sher and T. M. Scanlon, and to offer an alternative account that this chapter thinks solves some of the difficulties faced by their views. The chapter argues that both of these accounts leave out something that is absolutely essential to moral blame: the element of moral protest. To morally blame another, the chapter argues, is to register in some significant way one's moral protest of that agent's treatment of oneself or others. This element, in turn, is what explains how moral blame differs from the sorts of negative attitudes and responses we might have toward individuals and creatures whom we do not regard as morally responsible for their conduct.

Keywords: blame, protest, Strawson, Sher, Scanlon, moral recognition, reactive attitudes

1. Introduction

One of the most interesting recent developments in the literature on moral responsibility is the increased focus on the nature of moral blame. If we understand what it means to be morally responsible for something as a matter of being a sensible target, in principle, of moral praise or blame for that thing, then our account of the conditions of moral responsibility will certainly depend on how we interpret these distinctive forms of moral response. If we interpret blame as mere negative moral evaluation, for example, then it would seem that the conditions of moral responsibility may be quite weak: in order to be a sensible target of negative moral evaluation, it is plausible to claim that one need only be capable of expressing a morally significant "quality of will" through one's conduct. If, on the other hand, we interpret blame as a kind of explicit moral sanction involving harsh treatment, then it would seem that the conditions of moral responsibility may be more stringent: in order to be a sensible target of ill treatment, it is plausible to claim that one should have had an opportunity to avoid that ill treatment. Thus our willingness to ascribe moral responsibility to some agent for something may depend, significantly, on what we think blame itself is.¹

Like many recent writers on this topic, I am dissatisfied with both the "moral assessment" account of blame and the "moral sanction" account of blame. The sort of blame associated with our ascriptions of moral responsibility seems to me to go beyond the mere negative assessment of a person for her attitudes or (p.28) conduct, but it also does not seem to me to be a matter of anything akin to a punishment or penalty for wrongdoing. If we think carefully about mundane cases of moral blame arising in everyday interactions between normal competent adults, it seems clear that we are not simply evaluating one another against a moral standard, but it also seems wrong to say that we are "punishing" or "sanctioning" one another (in the way that we may punish or sanction a small child in an effort to foster her moral development).² But what, then, is this attitude or activity of moral blame, which goes beyond mere assessment but does not involve the deliberate infliction of punishment or penalties?³

Probably the most influential contemporary answer to this question has its roots in the reactive attitude theory put forward by P. F. Strawson in his famous 1962 article "Freedom and Resentment." According to this theory, blame is neither a mere assessment nor a form of sanctioning activity but rather a distinctive emotional response we have to perceived manifestations of ill will or disregard on the part of others. To blame a person, on this view, is to feel a reactive emotion of resentment or indignation toward her for violating the basic moral demand for goodwill or reasonable regard. But this theory too has come under attack recently by some who have argued that such emotional reactions are not, in fact, essential to moral blame. Both George Sher (2006) and T. M. Scanlon (2008) have argued against the Strawsonian account on these grounds and have put forward distinctive new proposals about how we should understand the nature of moral blame.

My aim in this paper is to critically evaluate these two new accounts of blame and to offer an alternative account that remedies what I see as some of the shortcomings in their approaches. Both Sher and Scanlon seek to provide an account of blame that falls between the mere assessment account and the sanction account, but they reject the appeal to the Strawsonian reactive attitudes as a way of splitting the difference. While I agree with them that the reactive attitudes are not necessary for blame, I will argue that each of these new accounts leaves out something that is absolutely essential to the kind of blame associated with ascriptions of moral responsibility, something that the Strawsonian theory comes much closer to capturing: namely, the element of moral (p.29) protest. To morally blame another, in my view, is to register in some significant way one's moral protest of that

register in some significant way one's moral protest of that agent's treatment of oneself or others. Such protest need not be outwardly expressed in any way, and it need not take the form of a Strawsonian reactive attitude. But what unites all of the behavioral and attitudinal responses we are inclined to categorize as instances of blame, I will argue, is that they share this element of moral protest. This element, in turn, is what explains how moral blame differs from the sorts of negative attitudes and responses we might have toward

individuals and creatures whom we do not regard as morally responsible for their conduct.

My strategy will be as follows. In the next section, I will very briefly discuss some of the well-known objections that have been raised to the sanction view, the assessment view, and the reactive attitude view of moral blame. By examining these objections, we will be in a position to spell out some of the basic desiderata that an adequate account of moral blame must meet. In sections 3 and 4, I will discuss Sher's and Scanlon's recent accounts of blame and explain why, despite their improvements over these traditional views, neither of these accounts successfully explicates the true nature of moral blame. Finally, in section 5, I will put forward my alternative account, which I will argue does a better job of capturing the distinctive force and significance of moral blame.

2. The Nature of Blame: Sanction, Assessment, or Reactive Attitude?

Moral blame of the sort I am concerned with in this paper is characteristically a response to a *person* on the basis of some wrongful, objectionable, or untoward conduct on her part. Unlike the sort of "blame" we might attribute to malfunctioning artifacts or disruptive weather patterns, moral blame of persons is thought to have a characteristic "force" or "depth" that goes beyond a mere description of causal responsibility for a bad result (Wolf 1990; Hieronymi 2004). In addition it is generally agreed that blaming someone for something goes beyond simply judging or believing that she is blameworthy for it. After all, it seems perfectly legitimate to say things like "I know he is blameworthy for doing X, but I just can't bring myself to blame him for it," suggesting that blame involves something that goes beyond the simple judgment of blameworthiness (Cohen 1977). And when we forgive a person, it seems that we retain our judgment of blameworthiness but disavow certain critical responses that we would ordinarily be justified in taking toward the agent on the basis of her objectionable conduct. But what, exactly, are these "critical responses," and how do they go beyond the judgment of blameworthiness? And how should we understand their characteristic "force" or "depth"?

(p.30) One natural answer to these questions is that blame must be some sort of punitive activity we direct toward those whom we regard as morally blameworthy. If we take our cue from the criminal legal system, a judgment of moral blameworthiness might be seen as akin to a finding of criminal guilt, and moral blame might be seen as akin to criminal punishment. To blame someone, on this view, is simply to engage in negative overt behavior (such as scolding, rebuking, telling off, or ostracizing) in response to someone's objectionable conduct. According to many Utilitarian philosophers writing in the first half of the twentieth century, moral blame should be understood as a form of negative treatment whose purpose is to bring about socially beneficial outcomes; blame is justified, on this view, so long as it is possible to influence a person's future conduct or character through such sanctioning activities (Schlick 1939; Smart 1961).

While this sanction account of blame was once widely accepted in the philosophical literature, I think it is fair to say that it has now fallen decisively out of favor. Even philosophers who see close connections between blame and certain forms of punishment or unpleasant treatment generally insist that blame itself is distinct from any of these forms of punitive activity (Wallace 1994, pp. 55-56). One obvious problem with this account is that it does not appear to allow for the phenomenon of private or unexpressed blame. Yet we can coherently say things like "Though I never told him, I always blamed my father for neglecting me when I was pwing up." Nor does it appear to allow for blame of people who are outside the reach of our sanctioning activities (either because they are now dead or are distant from us in time or space). But it also seems quite possible for us to blame people such as Hitler, Omar al-Bashir, and even the reckless driver on the highway whom we are not in a position to personally sanction in any way. Both of these objections point toward a more general objection, which is that even when blame is overt, its force seems to reside not in the outward conduct itself but rather in the negative attitude that is expressed by this outward conduct. Indeed, we generally do not think that the overt sanctioning activities directed at small children or

pets count as instances of "moral blame" precisely because these activities do not express the relevant sort of moral attitudes or judgments. But if that is correct, then it seems that the sanctioning activities many people identify with blame are really just vehicles for the *expression* of moral blame, and we still need an account of what blame itself is.

The next two views attempt to provide such an account. According to what I have called the assessment view, to blame a person for something is essentially to take that thing to reveal something negative about that person's character. Defenders of the assessment view often appeal to the idea of a moral "ledger" or "balance sheet" and suggest that when we praise and blame persons we are, in effect, making additions or subtractions to our assessment of their overall "moral record" (Feinberg 1970, pp. 125–27; Glover 1970, p. 64; Zimmermann 1988, p. 38). Wrongdoers are judged to have a black mark, or a demerit, (p.31) in their moral ledger, which in turn lowers our overall assessment of their moral worth. Since most of us care about whether others regard us as morally worthy or not, we care about these positive and negative evaluations of our moral standing.

One advantage of the assessment view is that it can explain how blame goes beyond a mere judgment of blameworthiness, but in a way that, unlike the sanction view, allows for the phenomenon of private or unexpressed blame. In order to blame a person, I must not only judge that she is blameworthy for something; I must also judge that she is diminished or disfigured or tarnished in some way in virtue of her misconduct. But I can make such an assessment without ever expressing that judgment to the person in any way, through word or action. Yet critics of the assessment view have argued that this simply does not capture what most of us have in mind when we blame someone for her misconduct. In particular it has been argued that this view cannot capture the distinctive force of blame or explain why it is anything more than "a pointless assignment of moral grades" (Scanlon 2008, p. 127). The notion that in blaming we may be dispassionately evaluating a person's moral record simply does not do justice to the emotional significance of blame and to the important

role this attitude plays in structuring our moral relations with one another. Reflection on this significance and this role brings us to the third, and probably most influential, contemporary account of the nature of blame.

In his landmark essay, "Freedom and Resentment," P. F. Strawson (1962) drew attention to a set of attitudes that he argued is intimately bound up with our practices of holding one another responsible. These "reactive attitudes," as he called them, are essentially emotional reactions to the goodwill or ill will that people manifest toward us (or others) in their behavior. Strawson, and Strawson-inspired theorists such as R. Jay Wallace, put particular emphasis on the negative attitudes of resentment, indignation, and guilt as the characteristic emotional responses to perceived manifestations of ill will (Wallace 1994, pp. 29-30). According to these philosophers, these reactive attitudes are the key to understanding the nature and significance of blame (and selfblame). Blame, on this view, is not simply a negative assessment of someone's character, nor is it an explicit activity we engage in in order to sanction someone for bad behavior. Blame is a way of responding emotionally to the perceived disregard or disrespect manifested in someone's behavior toward oneself or others. These reactions, according to Strawson, "rest on, and reflect, an expectation of, and demand for, the manifestation of a certain degree of goodwill or regard on the part of other human beings toward ourselves; or at least on the expectation of, and demand for, an absence of the manifestation of active ill-will or indifferent disregard" (1962, p. 84). And these reactive attitudes, in turn, "tend to inhibit or at least limit our goodwill toward the object of these attitudes, tend to promote an at least partial and temporary withdrawal of goodwill" (p. 90). When we blame someone, then, we are emotionally exercised by (p.32) what they have done, and this emotional disturbance carries with it a certain amount of hostility toward the offender. As Strawson puts it, the reactive attitudes entail "the modification ... of the general demand that another should, if possible, be spared suffering" (p. 90).

The reactive attitude view has seemed to many philosophers to capture quite nicely the distinctive force of blame and to

explain how blame differs from a simple judgment of blameworthiness. The person who says "I know X is blameworthy, but I just can't bring myself to blame him" is indicating that he does not feel the usual attitudes of resentment, indignation, or hostility toward a person who has manifested ill will. And the person who forgives can be understood as disavowing the sort of "partial withdrawal of goodwill" that would normally be justified in response to a blameworthy agent. This view clearly allows for the possibility of private or unexpressed blame, but it also gives a plausible account of what the reactive attitudes express when they are communicated to others: they express a kind of hostility toward the agent for violating the "basic moral demand" for goodwill or reasonable regard in her interactions with others. This, in turn, explains why blame plays such an important role in our interpersonal relationships, for blame and the other reactive attitudes embody at a deep level the basic expectations we hold one another to as members of a shared moral community.

Despite the apparent advantages of the reactive attitude view, various objections have been raised to this account as well. In particular both Sher (2006) and Scanlon (2008) have objected that blame does not necessarily involve reactive emotions such as resentment or indignation. It seems possible to blame friends or loved ones for their misdeeds, for example, without feeling any attitudes of resentment, anger, or hostility toward them. Others have objected to the apparent "retributivist" elements of Strawson's view, specifically to his claim that these reactive attitudes necessarily embody a kind of hostility or a "partial withdrawal of goodwill" (Stern 1974, pp. 78-79; Watson 1987b, p. 286). Finally, it has been argued that Strawson, and those inspired by his account, have put the emphasis on the wrong aspect of his view (Scanlon 1988, pp. 160-72; Hieronymi 2004, pp. 122-25). In order to understand the special force of blame, according to these critics, what is important is not so much the emotional heat of the reactive attitudes (understood as affects) but rather the fact that blame is a way of registering a modification in one's moral relationship with another. While the reactive attitudes may be one way of registering such a modification, according to these

critics, they have no privileged status in this regard. One can also register such a modification by dispassionately "unfriending" someone on one's Facebook page, for example, or by simply refusing to trust her anymore, and these too should qualify as forms of blame.

(p.33) It seems, then, that each of the three traditional accounts of the nature of blame has certain advantages and disadvantages. The sanction account easily explains how blame goes beyond a mere judgment of blameworthiness, but it does not allow for the phenomenon of unexpressed blame, nor does it make clear the special tie between moral blame and ascriptions of moral responsibility. The assessment account easily explains the phenomenon of unexpressed blame, but it fails to capture the special "force" of moral blame and the distinctive role it plays in our interpersonal relationships. The Strawsonian account appears to solve these problems with the first two views, but in tying blame so closely to the reactive attitudes it seems to exclude genuine instances of blame that do not involve these reactive sentiments.

On the basis of this critical evaluation of the three traditional accounts of blame, then, we are in a position to identify four of the key desiderata that any successful account of the nature of blame must meet. First, the account must explain how blaming someone goes beyond simply judging her to be blameworthy. Second, the account must allow for the possibility of unexpressed blame, including blame of the distant and the dead. Third, the account must be flexible enough to accommodate the variety of attitudinal and behavioral reactions we are inclined to countenance as instances of blame. And fourth, the account must explain the special tie between moral blame and ascriptions of moral responsibility; that is, it must make clear why the responses of moral blame are appropriately directed only at individuals deemed morally responsible for their conduct.

In the next two sections, I will look at two recent accounts of blame that attempt to meet these desiderata.

3. Sher's Dispositional Account

In his recent book In Praise of Blame, George Sher (2006) sets out to defend a comprehensive account of blame that avoids some of the pitfalls of the traditional accounts discussed above. Sher is particularly eager to provide an account of blame that can explain why blame is so often associated with things like anger, hostile behavior, and reproach, while not being exclusively identified with any one of these things. In order to accomplish this, he puts forward the following proposal: Blame should be understood as a set of dispositions to have certain attitudinal and behavioral reactions, and these dispositions should be understood as traceable to a single desire-belief pair that includes (1) a belief that the person in question has acted badly or has a bad character, and (2) a corresponding desire that the person not have acted badly or not have a bad character (Sher 2006, p. 112). This results in what Sher calls a "two-tiered account of blame" (p. 138), with the core desire-belief pair forming the first tier and some collection of blame-related behavioral and attitudinal dispositions forming the second tier.

(p.34) According to Sher, the core belief component of blame is the belief that a person has acted badly or has a bad character. In the introduction of his book, Sher makes clear that what he means in saying that a person has performed a "bad act" is that he has performed a wrong act for which he does not have a sufficient excuse or justification. He goes on to define bad acts as "morally defective acts that render agents blameworthy" (2006, p. 9). So the belief component of blame, on Sher's account, is the belief that an agent has performed a wrong action for which he is blameworthy.

Now, as Sher himself points out, if we are trying to give an account of what is involved in the stance or attitude of *blaming* someone, it will not do simply to identify such a stance or attitude with the belief that a person is blameworthy. For, as he puts it, "this merely returns us to the question of what, in blaming the wrongdoer, we believe him to be worthy of" (Sher 2006, p. 75). So anyone who wants to account for blame in terms of a belief cannot take the content of that belief to be simply "that the agent is blameworthy" without facing a

vicious circularity. But if we add a desire to this belief and show how this desire-belief pair can make appropriate a range of attitudinal and behavioral responses to the agent, we will be in a position to say what it is that the blameworthy are worthy of. They are worthy of whatever reactions are made appropriate by this desire-belief pair in the context.

One of the really attractive features of Sher's account, as well as Scanlon's (as we will see), is that it can make sense of the fact that the type of blame that it is appropriate for any particular individual to direct toward a blameworthy agent may vary depending on that individual's relation to the agent and other specific features of the context. While the core desire-belief pair he identifies remains constant across all agents and contexts, it will make appropriate different reactions depending on whether, for example, I am myself the wrongdoer, or the victim of the wrongdoing, or a neutral third party observing the offensive action. I may feel guilt or a disposition to apologize to the person I have wronged; the victim of my wrongdoing may feel resentment or a disposition to reproach me; and a third party may feel indignation or a disposition to ignore or snub me. Any and all of these responses seem to qualify as forms of "blame," yet they are all quite different. This account can also explain why anger or hostile feelings are not necessary components of blame. In some cases, because of my close relationship to someone who has wronged me, I may not feel resentment or hostility toward her, yet I may still be disposed to confront her with her wrongdoing and to demand an apology from her. And this too would seem to be a way of blaming her. Thus Sher's account can capture the variety of things we are inclined to describe as instances of blame without identifying it exclusively with any particular attitudinal or behavioral reaction. And what allegedly allows for this heterogeneity is that all of these responses are ultimately explicable in terms of the core desirebelief pair he identifies.

(p.35) The central question to be asked about his account, then, is whether this core desire-belief pair has the correct content to explain and unify the various attitudinal and behavioral dispositions we associate with blame. Since the belief component is simply the judgment of blameworthiness,

what is really doing the work in his account of blame is the desire component. That component, recall, is a desire that the person not have acted badly or not have a bad character (Sher 2006, p. 112). Sher thinks the presence of this (frustrated) desire can explain all of the attitudinal and behavioral dispositions we associate with blame. As he puts it, using D to refer to the desire in question, "[T]he obvious way to invoke D to account for our disposition to become angry at those we blame is to assimilate that anger to the other negative feelings that we have when we see that we cannot get what we want. Just as obviously, the way to invoke D to account for our disposition to display hostility toward those we blame is to see our hostile behavior as a natural expression of our negative feelings toward them" (pp. 104-5). Is Sher right that the addition of this desire to the judgment of blameworthiness can capture and make appropriate all and only those reactions we associate with blame?

I think not. In fact, I think this core desire-belief pair is neither necessary nor sufficient to account for all of the reactions we are inclined to classify as forms of blame. Let's begin by looking at why the account is not sufficient. Consider, for example, the reactions of a mother whose son has been justly convicted of murder. Assume that she judges that her son is blameworthy for the crime (she does not doubt that he is guilty) and that she strongly desires that he had not committed it. She desires this because she knows that his wrongdoing will ruin the rest of his life, and she is deeply distraught by this fact. Her reactions in this case might well take the form of deep sadness, despair, or pity, and these reactions appear to be justified by her belief and desire. Yet I would not be inclined to say that these are reactions of blame. Indeed, some of these reactions (e.g., sadness and pity) seem to be the opposite of blame, yet they are perfectly understandable responses to loved ones who have behaved badly in ways that we strongly desire they had not.

Not only is this core desire-belief pair not sufficient for explaining the dispositions we associate with blame; it is also not necessary. Consider, for example, the attitudes of many Republicans on learning of Bill Clinton's ill-fated dalliance with Monica Lewinsky. I think it fair to say that a great many

of these individuals *blamed* Clinton for his behavior (or at least for his lack of candor about his behavior). Is it so clear, however, that all of these individuals desired that Clinton had not behaved badly? To the contrary, I suspect most of them were quite happy to see him do wrong, yet they blamed him all the same. In fact—and this is a sad truth about us—I think it is rather common for us to relish the missteps of others, yet this in no way inhibits our tendency to blame such individuals for their misdeeds.

desire Sher has placed at the core of his account of blame is simply incapable of capturing what is essential to this distinctive type of moral response. When we blame another, we don't simply desire that the wrong had not been done. As we have seen, such a desire is not even present in all instances of blame, and it is possible to have this desire (and the corresponding belief in blameworthiness) without reacting in any of the ways typical of blame. Sher may be correct, however, that there is something distinctively motivational at the heart of blaming reactions and that this is the key to distinguishing between merely judging someone to be blameworthy and blaming her. But if it is not a desire that the agent not have acted badly, then what could it be?

To focus the mind a bit, we might consider what is going on when we blame brutal political leaders such as Slobodan Milosevic and Bashar al-Assad for their slaughter of innocent agents. In these cases, of course, I'm sure we all do have a desire that they had not acted as they did, precisely because of the horrible suffering they have caused others. But this desire is, in a way, no different from the desire we might have that an earthquake had not hit Haiti or that a grizzly bear had not attacked campers in Yellowstone; that is, this sort of desire can take as its object the occurrence of natural disasters or the behavior of nonrational animals no less than the actions of morally responsible agents. If we are looking for a motivation that is distinctively connected with moral blame, then its content should be such that it would not make sense to direct it toward these sorts of regrettable "natural" occurrences. So what is special, then, about the sort of reaction we might have

to a Milosevic or an Assad that differentiates it from the sort of reaction we might have to an earthquake or a grizzly bear?

I propose that we understand the distinctive motivational element implicit in all instances of moral blame as a disposition to protest conduct that we regard as wrongful or disrespectful to ourselves or others. What distinguishes moral blame of persons from the sort of regret or sadness we might feel over natural disasters is that the former embodies a disposition to repudiate, to take some kind of stand against, a certain presumption implicit in the wrongdoer's behavior: the presumption that he or she has a right to treat others in objectionable ways. When it is a person who has caused unjustified pain and suffering to others, we not only desire that he had not done so; we feel compelled to register in some way—in our attitudes or in our conduct—the fact that his actions are morally unacceptable, that they have violated basic norms of mutual respect and recognition. Our blame in these cases represents our protest of his actions and our repudiation of the attitudes toward others that these actions reflect.

I will say more in section 5 about how I think we should understand the element of protest embodied in all cases of blame, but I hope I have said enough to distinguish this view from the one Sher defends. The fundamental (p.37) motivational element underlying all instances of moral blame, I suggest, is not a desire that a person not have acted badly or not have had a bad character, but rather a desire to protest and repudiate conduct or attitudes that manifest moral disregard. If I am correct, then this would explain why such reactions are properly directed only at morally responsible agents. Earthquakes and grizzly bears cannot show moral disregard since they are clearly incapable of recognizing the moral significance of their activities. It would thus make no sense to protest anything they "do." Creatures who have the ability to recognize, assess, and respond to reasons, however, are capable of expressing moral disregard through their activities and thus are appropriate targets of responses of protest. In the next section, I will try to build on this suggestion by considering another account of blame recently put forward by T. M. Scanlon.

4. Scanlon's Impairment Account

The final account of blame I will look at before spelling out my alternative account is one defended by T. M. Scanlon in his recent book *Moral Dimensions: Permissibility, Meaning, Blame* (2008). Like Sher, Scanlon finds difficulties with all of the traditional accounts of blame and seeks to present an account that explains how blame is more than a (negative) evaluation but not a form of sanction. Scanlon believes that Strawson was basically correct to place human relationships at the foundation of blame, but rather than identifying blame with the reactive emotions of resentment and indignation, Scanlon places emphasis on "the expectations, intentions, and attitudes that constitute these relationships" (p. 128). He puts his proposal as follows:

To claim that a person is *blameworthy* for an action is to claim that the action shows something about the agent's attitudes toward others that impairs the relations that others can have with him or her. To *blame* a person is to judge him or her to be blameworthy and to take your relationship with him or her to be modified in a way that this judgment of impaired relations holds to be appropriate. (pp. 128–29)

For example, if I discover that a friend has betrayed me, I will take his action to reveal attitudes (of disloyalty, disrespect, etc.) that impair my relationship with him. His action reveals that he does not have the attitudes, dispositions, and intentions that are (ideally) constitutive of a relationship of friendship. I may respond to this judgment of impairment in any number of ways. I may do nothing at all, in which case it might be said that I judge my friend blameworthy but do not blame him. On the other hand, I may modify my own attitudes, intentions, and expectations toward my friend in response to my judgment of impaired relations. I may no longer trust him or seek his company; I may feel angry, upset, disappointed, or just sad; I may complain to him (p.38) about his conduct and seek explanation or justification. In Scanlon's view, all of these possible modifications to my own attitudes, intentions, and expectations count as ways of "blaming" my friend, and what unites them is that they are all responses to a judgment of

impaired relations. Like Sher, then, Scanlon thinks it is a mistake to identify blame with any single attitude or type of behavior; rather, blame can take any number of different forms depending on the nature of the relationship that is impaired, the nature of the impairment itself, and the specific relation between the agent and the one who is blamed.

Once again I think it is an advantage of Scanlon's account that it can accommodate a wide variety of reactions that we are inclined to classify as forms of blame. While he admits that the reactive attitudes are a common response to judgments of impairment (this is *one* way we can modify our own intentions, attitudes, and expectations in response to a judgment of blameworthiness), he insists that such attitudes are not necessary for blame. And this seems right: if someone that I care deeply about wrongs me in a serious way, I may feel extreme sadness rather than resentment or indignation toward her, but I may also proceed to cut off all further interactions with her and refuse to consider her requests for reconciliation. These responses too seem to be forms of blame, even if they are not accompanied by the Strawsonian reactive attitudes.

Yet there still seems to be something missing from Scanlon's account, and I submit that it is the same thing that is missing from Sher's account: namely, the element of moral protest. Consider again the case of a mother whose son has been convicted of a terrible crime. Since she does judge him to be blameworthy, we can assume that she judges him to have attitudes that impair his relations with others. And on the basis of this judgment, she might modify her own attitudes, intentions, and expectations toward him. For example, she might make an extra effort to show love and affection toward him, either as a way of compensating for the hatred others will likely direct toward him or in an effort to get him to modify his own relationship-impairing attitudes. Or she may reluctantly modify the high expectations she once had of his becoming a great artist or a successful businessman. But surely these modifications to her attitudes, intentions, and expectations toward him would not show that she blames him for his crime. While we certainly want an account of blame that can accommodate a variety of attitudinal and behavioral responses, it is clearly going too far to suggest that showing

extra love and affection toward someone can count as a way of blaming him!

In response Scanlon might well protest that I am not taking seriously his claim that to blame a person is to judge him or her to be blameworthy (i.e., to have relationship-impairing attitudes) and to modify your attitudes, intentions, and expectations toward him or her *in a way that this judgment of impaired relations holds to be appropriate*. That is to say, what is crucial here is that the modification in question be an "appropriate" response to the relationship-impairing attitudes of the other. The problem, however, is that the standard of "p.39" "appropriateness" at issue here is too indeterminate.

There's certainly a *sense* in which the mother's loving modification of her attitudes toward her blameworthy son is an "appropriate" response, given her desire to compensate for the hatred of others or to encourage him toward self-improvement. Indeed, there are indefinitely many modifications that may count as "appropriate" responses to a judgment of impaired relations in any given case, only some of which seem, intuitively, to qualify as instances of blame. What we need, then, is a way of distinguishing those attitudinal modifications that properly manifest blame from those that manifest some other stance toward the blameworthy agent, such as love, pity, or pappointment.

My suggestion is that we can capture the relevant distinction here by bringing in the notion of moral protest. It is only those modifications of attitudes that are undertaken as a way of protesting the relationship-impairing attitudes of others that qualify as instances of moral blame. Even in the case of betrayed friendship discussed earlier, I would not describe the intentional cessation of all interactions with one's friend as a form of blame unless that action is undertaken as a way of repudiating or taking a stand against what one regards as unacceptable treatment on the part of one's friend. I could, after all, regard your betrayal as just a bit more information about you and your attitudes to which I had not previously been privy and decide on that basis that you are not someone I wish to associate with anymore. I might make a similar modification to my attitudes, intentions, and expectations if I

discovered that you are a fan of the Yankees or a member of the Republican Party. In both cases, once I become better informed, I may decide not to spend time with you anymore, but these would not seem to me to be instances of blame. It is only if I modify my attitudes, intentions, and expectations toward you as a way of *protesting* (rather than merely adjusting to) what I regard as relationship-impairing attitudes on your part that I would describe this as a reaction of blame.

What is significant about this, if I am correct, is that blame really is, as many philosophers have argued, implicitly or incipiently communicative in nature. 6 While it may not in fact ever be communicated to another, blame by its nature has an expressive point and a broadly communicative aim: it expresses protest, and, I submit, it implicitly seeks some kind of moral reply. In a revealing footnote, Scanlon explicitly denies this. He writes, "In my view ... blame itself—the revision of one's attitudes toward a person in response to attitudes expressed in his behavior—is not, even incipiently, a form of communication. Expressions of blame are forms of communication, and they may be pointless if the person cannot appreciate their force. But this does not, in my view, make (p.40) blame itself inappropriate" (2008, fn. 54, pp. 233-34). What Scanlon is reacting to here is the suggestion that blame may be inappropriate if the target of blame cannot understand or appreciate the moral demands on which it is based. For example, some have argued that psychopaths are not appropriate targets of moral blame since they are unable to care (emotionally) about the moral demands they violate (Shoemaker 2007, 2011; Deigh 1995; Watson 2011). On this point I am in complete agreement with Scanlon, that a failure to appreciate or care about moral demands does not render an otherwise competent moral agent exempt from reactions of blame. But I think Scanlon goes too far in claiming that blame is not even incipiently communicative in nature, and I would argue that this in fact renders his account of blame very unattractive. Indeed, I believe that it undermines the entire point of his insistence that blame should be understood as a response to perceived impairments in relationships. Let me see if I can make this thought a little more precise.

One of the rather curious features of Scanlon's account, as I understand it, is that while he (rightly, in my view) stresses the importance of relationships in thinking about blame and its significance, his understanding of blame itself does not seem particularly "relational" in nature. What I mean by this is that blame, on his view, appears to be a wholly one-sided affair: someone who blames judges there to be an impairment caused by another's attitude, assesses her relation to the agent and the significance of the impairment to that relation, and modifies her expectations, intentions, and attitudes toward the agent accordingly. There is no suggestion on this account that blame involves any element of what Gary Watson (1987b) calls "moral address," any even implicit attempt to communicate to the blameworthy agent one's repudiation of her conduct. Indeed, there is no suggestion that blame on this view implicitly seeks a response from the blameworthy agent of any sort: blame appears to be a reaction to damage already done, not an invitation to the other party in the relationship to take steps to repair (or, more hopefully, to head off) that damage. (I am reminded here of a phrase from Stephen Darwall's book The Second-Person Standpoint [2006, pp. 40-42]: blame, on Scanlon's view, does not seem to come with an RSVP.)

But this seems like a mischaracterization of the way blame functions in most ordinary interpersonal relationships. When I blame a friend for failing to support me in a time of need, for example, it seems to me the modifications I make to my intentions, attitudes, and expectations toward her have a point and implicitly seek a response. While I may never outwardly confront her with my complaint, the sorts of modifications I am likely to make in my attitudes toward her can all be understood as forms of protest: I will be less likely to confide in her or to offer myself as a confidante, for example, as a way of registering my objection to her treatment of me. And in doing these things it seems to me I am hoping for some sort of moral acknowledgment on her part. In healthy relationships, these sorts of modifications will usually prompt precisely the sort of moral acknowledgment we seek and thereby head off a more serious impairment to the relationship. (p.41) But if blame is not even incipiently communicative, as Scanlon claims, then it becomes merely a one-sided adjustment of

attitudes, intentions, and expectations in response to assessments of relational impairment. I find it odd that a view that places such importance on the role of relationships should end up with a view of blame that seems so deeply nonrelational.

Let me distinguish this concern from one that several recent commentators on Scanlon's account have raised. R. Jav Wallace and Susan Wolf have both objected to Scanlon's account on the grounds, roughly, that it leaves out the emotional heat of blame. In his paper "Dispassionate Opprobrium: On Blame and the Reactive Sentiments," Wallace writes, "Blame has a quality of opprobrium that is not captured by the considerations about the significance of impaired relationships that are at the center of Scanlon's approach. I believe that this important dimension of blame can be made sense of only in terms of the reactive sentiments" (2011, p. 349). Wolf writes, "What is missing from Scanlon's account is any fundamental connection between blame and anger—or, to adopt a phrase from Marilyn Frye, of 'righteous anger'" (2011, pp. 334-35). My objection, though perhaps related, is somewhat different. While the reactive attitudes may well be one of the most common ways in which we register moral protest and the demand for moral acknowledgment from others, I do not think it is the only way. After repeated disappointments, for example, I may have lost my ability to feel anger toward an unreliable friend, yet I may still protest his treatment of me by cutting off relations with him. In doing this, and doing this in protest of his latest letdown, I make clear that I blame him, even if my predominant feeling is one of sadness. If this is correct, then the reactive attitudes are not necessary for blame, though they may well capture better than any other reaction the sort of moral protest I think is the crucial element of blame.

If these criticisms of Sher and Scanlon are on the mark, then we may be close to a more adequate account of the nature of moral blame. Recall that one of the attractions of both of these accounts is that they seem capable of accommodating the wide variety of reactions we are inclined to classify as forms of blame. But the problem with both of these accounts is that there seem to be reactions that meet their conditions but that

we would hesitate to classify as instances of blame. Perhaps we can solve this problem by building the moral protest condition into either or both of their accounts. In the next section, I will offer an account of blame along these lines and will highlight some of the advantages this account has over other views.

5. The Moral Protest Account

Up to this point I have not said much about the nature of "moral protest" or about how we should understand its particular target. Nor have I explained in what sense an attitude or a nonverbal form of behavior can "embody" protest. (p.42) Protest, after all, is typically understood as an outward statement of disapproval, whose explicit aim is to draw public attention to some serious moral wrong. Indeed, it may seem that I am trying to explain the more morally basic (blame) in terms of the less morally basic (protest). After all, protest looks like a vehicle for the *expression* of moral blame; how, then, can protest be used to explain the nature of moral blame?

In order to answer some of these concerns, we might start by trying to clarify what, exactly, is being protested when we blame another for something. Following Pamela Hieronymi, I think we should understand protest as a challenge to, and a repudiation of, a certain moral claim implicit in the wrongdoer's behavior. Discussing resentment as one common form of blame, Hieronymi writes:

[A] past wrong against you, standing in your history without apology, atonement, retribution, punishment, restitution, condemnation, or anything else that might recognize it as a *wrong*, makes a claim. It says, in effect, that you can be treated in this way, and that such treatment is acceptable. That—that claim—is what you resent. It poses a threat. In resenting it, you challenge it. If there is nothing else that would mark out that event as wrong, there is at least your resentment. And so resentment can be understood as protest. (2001, p. 546)

Blame, on this view, is our way of protesting such false claims about our own moral status or the moral status of others. Whether or not it is outwardly expressed, a person who blames "marks out" and "challenges" as unacceptable a certain moral presumption on the part of the wrongdoer—the presumption that the person he has wronged is not deserving of moral respect. Bernard Boxill gestures toward a similar understanding of the nature of protest when he writes, "[P]rotest is, essentially, an affirmation that a victim of injury has rights. It is not an argument for that position. Typically, people protest when the time for argument and persuasion is past. They insist, as DuBois put it, that the claim they protest is 'an outrageous falsehood,' and that it would be demeaning to argue and cajole for what is so plain" (1976, pp. 63-64). While Boxill clearly has in mind more explicit forms of protest, it is striking that he understands the fundamental nature of protest in a way that is quite similar to the account Hieronymi gives. What is protested is "an outrageous falsehood" concerning the moral status of the victim; protest "affirms" what the wrongdoer's action denies. Blame, we might say, is a primitive reaction of protest (p.43) against a moral threat in the same way that pain is a primitive reaction of protest against a physical threat.

If we understand blame as itself a form of moral protest, then, we might see it as having two distinct but related aims: first, to register the fact that the person wronged did not deserve such treatment by challenging the moral claim implicit in the wrongdoer's action; second, to prompt moral recognition and acknowledgment of this fact on the part of the wrongdoer and/or others in the moral community. But as both Hieronymi's and Boxill's quotations make clear, it is the first aim that is primary: even in cases where our protest is unlikely to prompt moral recognition from others, it still has the important function of registering a significant moral truth—namely, that unjustified disregard was shown to a morally considerable being.

If these reflections are on the right track, perhaps we can simply modify Scanlon's basic account of blame to capture this

essential element of moral protest. I propose that we understand the nature of moral blame as follows:

The Moral Protest Account: To blame another is to judge that she is blameworthy (i.e., to judge that she has attitudes that impair her relations with others) and to modify one's own attitudes, intentions, and expectations toward that person as a way of protesting (i.e., registering and challenging) the moral claim implicit in her conduct, where such protest implicitly seeks some kind of moral acknowledgment on the part of the blameworthy agent and/or on the part of others in the moral community.

In the rest of this section, I will spell out some of the advantages of this moral protest account of moral blame, explaining in particular how it meets the desiderata for an adequate account of blame spelled out in section 2.

First, this account gives a clear explanation of how blaming someone goes beyond simply judging her to be blameworthy. The account adopts the Scanlonian interpretation of what is involved in judging someone blameworthy: it is to judge that she has attitudes that impair her relations with others. This is a kind of "universal" judgment that anyone can make toward any agent, at any time, from any position. Whether a particular person can be said to blame another, however. depends on whether she goes on to modify any of her attitudes, intentions, and expectations toward the blameworthy agent as a way of protesting the moral claim implicit in that agent's conduct. When I say of someone, "I know he's blameworthy, but I just can't bring myself to blame him," I am confessing that I find it hard to protest the meaning of his actions. For example, I judge the agent who threw a pie in the face of Rupert Murdoch as he was testifying before a British Parliament committee to be blameworthy, but I cannot say that I have modified any of my attitudes, intentions, and expectations toward the pie-thrower as a way of protesting the moral claim implicit in his conduct. Murdoch's wife, however, undoubtedly both judges the pie-thrower blameworthy and blames him.

(p.44) Second, this account allows for the possibility of unexpressed blame, including blame of the distant and the dead. This may be less obvious, given my earlier suggestion that we regard blame as incipiently communicative in nature and also my suggestion that blame has moral acknowledgment as one of its constitutive aims. If the target of our blame is now dead or distant from us in time or space, or if we do not outwardly express our blame in any way, aren't these communicative and constitutive aims idle? This is not, of course, a problem for Scanlon's own account, since he explicitly denies that blame is, even incipiently, a form of communication. But I have already argued that this is one of the unattractive features of his view, so I now need to say something about why the (implicitly) communicative nature of blame does not rule out private blame or blame of those with whom we are unable to communicate.

Let me start with the case of unexpressed blame toward those who are still alive. The reactive attitudes are clearly one way in which we can register our moral protest of another without outwardly expressing it in any way. Resentment and indignation, in my view, are ways of emotionally protesting the ill treatment of oneself or others. But we can also protest ill treatment privately through the modification of other attitudes, intentions, and expectations. Even if we are not in a position (for whatever reason) to make these attitudinal modifications known, I believe these reactions embody, at a deep level, both moral protest and a desire that the wrongdoer morally acknowledge his wrongdoing. Blame is incipiently communicative both in the sense that it registers (i.e., communicates, even if only to the victim herself) the existence of unjustified wrongdoing and in the sense that it seeks some sort of moral recognition of wrongdoing on the part of the blameworthy agent.

But what about the sort of blame we still feel *now* toward those who have committed egregious wrongs in the past? For example, when I read about the brutal history of slavery in the United States, I am inclined to say not only that I judge southern slaveholders blameworthy; I am inclined to say that I actually *blame* them for their unconscionable behavior. But

can it make any sense to say that my current blame embodies a desire for moral acknowledgment or recognition? What could that possibly mean, given that these individuals are long dead and that the practice of slavery is in the distant past? Here, I think, we need to recognize a feature of protest that I have not yet said anything about. While protest primarily targets the false moral claim implicit in the behavior of a wrongdoer and seeks from the wrongdoer herself some kind of moral recognition of this fact, it can have as a secondary aim moral recognition on the part of the wider moral community. This is the sense in which blame can have a "point" even if, for whatever reason, the wrongdoer herself can never be brought to acknowledge the wrongfulness of her behavior (Talbert 2012). When we blame antebellum slaveholders, then, I think we should say that the desire in this case is for a continued acknowledgment, on the part of the moral community, of the horrible wrongs that were committed (p.45) against particular members of our community in the past. By continuing to blame these distant wrongdoers rather than simply judging them blameworthy, we, as it were, sustain and reiterate our moral protest of this treatment of our fellow citizens.

The moral protest account can help explain, moreover, why it sometimes seems guite odd to say that we blame individuals in the very distant past for their atrocities, while in other cases, such as the one just mentioned, it does not seem so farfetched. This connects with a feature of Scanlon's account that I have not said nearly enough about, which is the dependence of blame on relationships. We in the United States have a particular reason to continue to blame southern slaveholders (rather than merely judging them blameworthy), which has to do with our current relationships with members of our community who were deeply affected by this disgraceful chapter in our history. By continuing to blame, we continue to protest the "outrageous falsehood" that the practice of slavery embodied. It might not make sense, by contrast, for a presentday Norwegian to blame southern slaveholders, though he might well judge them to be blameworthy. Likewise I find it odd to say that I blame Genghis Khan for his atrocities (though I judge him blameworthy for them), but it might not be odd at all for a present-day citizen of Irag, Iran, or Afghanistan to

insist that he blames him. I do not have the space to adequately explore this suggestion here, but it seems to me the link between blame and protest gives us a way of explaining our intuitions about when it does, and does not, make sense to talk about blame of the distant and the dead.⁸

The third desiderata of an adequate account of blame is that it should be able to explain the variety of responses we are inclined to countenance as instances of blame. Like the accounts defended by Sher and Scanlon, the moral protest account allows for a wide variety of reactions to count as instances of moral blame and does not tie it exclusively to one sort of attitudinal or behavioral response. While the reactive attitudes of resentment and indignation are very common ways of "protesting" the behavior of others, this view would also allow for certain "dispassionate" forms of blame, so long as an agent modifies her attitudes, intentions, and expectations toward another as a way of registering her repudiation of the false moral claims implicit in the other's behavior. In addition this account can make sense of the fact that different people have reason to respond in different ways to the same blameworthy agent, depending on their relation to the agent, the nature of the wrong done, and even the status of their own moral character (Smith 2007; Scanlon 2008). The sort of protest it is appropriate for a betrayed lover to make is different from the sort of protest it is appropriate for a friend to make, which is different again from (p.46) the sort of protest (if any) it is appropriate for an uninvolved third party to make. And if I am the betrayed lover, my very standing to protest might be undermined by the fact that I have engaged in similar acts of betrayal toward my lover in the past. The moral protest account can make sense of all of these ways in which blaming responses can vary among people, while still retaining a common element that explains why they all qualify as instances of blame.

But unlike the accounts defended by Sher and Scanlon, the moral protest account does not seem to allow for "false positives," that is, cases in which the basic conditions of blame are met but we are disinclined to classify the resulting reactions as instances of blame. In particular, this account would exclude the reactions of the sad mother and the better

informed friend from counting as reactions of blame because the attitudinal modifications they engage in are not undertaken as a way of *protesting* the attitudes of others nor out of a desire to bring about any sort of moral acknowledgment on the part of the person blamed or the wider moral community.

The moral protest account has the further advantage of being able to explain why the natural response to blame is apology and why the natural response to apology (when all goes well) is forgiveness. In apology, the wrongdoer acknowledges and repudiates the false moral claim implicit in her conduct. In doing so, she removes the "threat" that her claim posed to the moral status of others. Apology is thus an appropriate response to blame since it acknowledges precisely the offensive moral claim that our blame identifies as the target of moral protest. If the wronged party accepts the apology as sincere, he may feel that he no longer has reason to continue to protest the past wrong (Hieronymi 2001, pp. 548-49). This is what makes possible forgiveness. It is less clear how apologies are supposed to function on Sher's and Scanlon's accounts. In the case of Sher, one's desire that the wrongdoer not have acted badly will still be frustrated, so it is not clear how apology can help. In the case of Scanlon, while apology may serve to show that the wrongdoer has modified her own relationship-impairing attitudes, it seems there are many other ways the wrongdoer could demonstrate such a change (ways that would not require apology specifically). For example, if the wrong in question involved a breach of trust, the wrongdoer could simply work tirelessly to demonstrate that she really is trustworthy now—by sobering up, or repaying her loans, or getting counseling. Yet it seems that apology is the uniquely appropriate response to justified blame, and an adequate account of blame should be able to explain why that is.

This brings me, finally, to what I regard as the most important advantage of this account, which is that it seems to me to capture the special "force" of moral blame, and it makes clear why it is a response that it is appropriate to direct only at individuals we regard as morally responsible for their conduct. To morally blame another is not merely to wish that he had

behaved differently, and it is not merely to recalibrate our attitudes, intentions, and expectations toward (p.47) that person in response to his perceived relationship-impairing attitudes. These are responses we can have to individuals and things that clearly bear no moral responsibility for their "conduct." To morally blame is to protest a moral claim implicit in the conduct of others, and thus it is appropriately directed only at creatures that have the ability to make such claims through their conduct. And having such an ability is, arguably, both necessary and sufficient for being a morally responsible agent. Though there is deep disagreement over which capacities, in particular, one must possess in order to be capable of making "moral claims" through one's conduct, it should be common ground among the parties to these disagreements that having the ability to make such claims is a, if not the, essential condition of morally responsible agency. The moral protest account of blame, then, can help us to think more clearly about which capacities are really necessary in order for a creature to qualify as a morally responsible agent.

6. Conclusion

My aim in this paper has been to defend an account of the nature of blame that builds on the important recent work of George Sher and T. M. Scanlon. Sher and Scanlon have done us a great service in drawing attention to this remarkably undertheorized concept, a concept that plays such an important role both in our philosophical theorizing about morality and moral responsibility and in our day-to-day lives. Though I have argued that their accounts are incomplete in certain respects, the proposal I defend here clearly draws on many of their most important insights. In particular, I share their conviction that it is a mistake to identify blame with a single attitude or set of attitudes or with a single type of behavior. Blame can take many different forms, so we need an account that can explain both the variety and the unity to be found in these responses. Where I differ from Sher and Scanlon is in my account of the unifying feature, which I take to be moral protest. To morally blame another, in my view, is to register in some significant way one's moral protest of that agent's treatment of oneself or others. Such protest need not be outwardly expressed in any way, and it need not take the

form of a Strawsonian reactive attitude. But what unites all of the behavioral and attitudinal responses we are inclined to categorize as instances of blame, I have argued, is that they share this element of moral protest. This element, in turn, is what explains how moral blame differs from the sorts of negative attitudes and responses we might have toward (p.48) individuals and creatures whom we do not regard as morally responsible for their conduct. Of all of the traditional and contemporary accounts of blame on offer, it seems to me that Strawson's account comes closest to capturing this crucial aspect of these distinctively moral responses, which perhaps explains why his view has had such staying power. To the extent that it fails, it is only in placing too much emphasis on just one—albeit one very important—set of emotional reactions as the sine qua non of moral protest.

Notes:

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- (1) For the remainder of this paper, I will be using the term 'blame' to refer to 'moral blame,' unless otherwise noted.
- (2) Kyla Ebels-Duggan (2010) emphasizes how distorting it is to think of blame as a kind of "punishment" in ordinary interpersonal relations between competent adults. As she notes, questions of punishment arise most clearly in childrearing and institutional contexts. In ordinary interpersonal contexts, however, punishment is usually not at issue.
- (3) One might doubt whether there *is* a single phenomenon at issue here—"moral blame"—that is susceptible to philosophical analysis. Indeed, the wide variety of accounts that have been given of the nature of moral blame might

suggest that there is no such phenomenon. Still, I agree with R. Jay Wallace (2011, fn. 1 p. 370) that there does seem to be a special kind of reaction (or set of reactions) that we have only toward individuals whom we judge to be morally responsible for exercises of immoral agency, a kind of reaction that we do not have toward unfortunate occurrences of other kinds. This at least will be my working assumption in what follows.

- (4) Here I am influenced by Pamela Hieronymi's (2001) argument that there is an intimate tie between resentment and protest, as well as Matthew Talbert's (2012) helpful development of this idea.
- (5) As Justin Coates and Neal Tognazzini have pointed out to me, however, one need not interpret the reactive attitudes as retributive in this sense; therefore it is not clear that this is an objection to the most plausible interpretation of the reactive attitude theory of blame.
- (6) See, for example, Darwall (2006), Macnamara (forthcoming), McKenna (1998), Shoemaker (2007), Walker (2006), Watson (1987b).
- (7) Adam Smith gestures toward a similar view when discussing resentment in his *Theory of Moral Sentiments*. As he puts it, when we resent someone for something he has done, we desire "to make him sensible, that the person whom he injured did not deserve to be treated in that manner" and "[t]o bring him back to a more just sense of what is due to other people" (1759, II.iii.11).
- (8) Here I am picking up on, and trying to flesh out, some of the suggestive claims on this topic made by Scanlon (2008) on pp. 146-47 and 169.
- (9) Indeed, another curious feature of Scanlon's account is that he appears to countenance the possibility of blame of pets if they are judged to have attitudes that impair their relations with us (2008, pp. 165–66). This seems to me to sever the important connection between moral blame and moral responsibility.



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