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Ian H. Angus

*George Grant's Platonic Rejoinder to
Heidegger: Contemporary Political
Philosophy and the Question of Technology*
Queenston, ON/Lewiston, NY: The Edwin
Mellen Press 1987. Pp. 149.
Cdn \$39.95: US \$39.95. ISBN 0-88946-715-3.

The 'essence' of modern technology does not lie simply in particular instruments or procedures but in the hegemony of the instrumental outlook, the 'fundamental orientation' through which first and foremost all reality is without limit 'summoned forth' as a 'resource at the disposal of our "creative" wills,' opened up for the most expedient ordering and control (43). It is this orientation above all that gives sense to the whole of contemporary experience. Not everything in our world is determined absolutely as an instance of the technological outlook. Yet everything comes to be and has its true meaning only in relation to this outlook. It is thus that Heidegger 'designates the contemporary situation as the epoch of technology' (45). And it is to Heidegger's thought that Grant 'turns as the clearest expression of the essence of modern technology' (42).

In these terms, Heidegger also exposes the true 'danger' inherent to modern technology. It is not just that complex technologies require exacting calculations to determine their effects accurately, nor even that, with the hegemony of the technological outlook, 'humans themselves are brought under control and taken as resources' (46). Modern technology is a danger in that the 'mode of revealing' which informs it a priori excludes or marginalizes every other way of thinking and being and thus effectively 'conceals its own essence' (46-7). This threatens humanity with the possibility of being denied 'the experience of a more primal truth' (*The Question Concerning Technology*) and hence an understanding of 'revealing as such' (46). Consequently, in questioning the essence of modern technology, what is called for is a questioning of the very limits that enframe contemporary life. To this end, Heidegger traces an incipient transformation in the root meanings of 'essence' and 'truth' in order to point a way beyond the whole history of metaphysics and hence beyond its fulfilment in modern technology and humanism.

Grant's appropriation of Heidegger on these points is ambivalent (49). He accepts that the essence of modern technology is a limitless 'summoning forth' (43ff.); that its danger lies in its self-concealment

(47); that contemporary philosophy must consider what is essential in terms other than abstract universality (9-10); and that the historicity of things is a 'truth of Being that cannot be undone' (100). Yet unlike Heidegger Grant also avows a humanism separate from the essence of technology (4). He faces squarely the fact that, whatever else it may be essentially, 'technology is the means for overcoming our subjection to nature and realizing ourselves as creative freedom' (36). He 'defends particularity, one's own' (100), not from the vantage point of an ontological narrative that grants one particularity, the German, positive significance, but by arguing more modestly that 'only by loving particular things can we gain an idea of a universal good that is not merely a sacrifice of what is one's own on the altar of technological progress' (19; cf. 100, 121). At bottom, Grant regards Heidegger's thought as ambiguous, not only expressing the essence of modern technology as the hegemony of the unrestrained will to power that marks the end of metaphysics, but also representing the consequences of this event by remaining entangled in the cultural relativism that follows in its wake.

Herein lies the root of Grant's ambivalence. 'While [he] utilizes Heidegger's analysis of technology to characterize the contemporary situation, he cannot accept the destruction of metaphysics that this implies since it would undermine the Platonic conception of justice' (45-6; cf. 49). Justice, conceived 'as what we are fitted for' (44), is based upon a metaphysical grasp of 'the whole of what is' (69), such that the limits appropriate to human being have an ontological foundation outside the exercise of our will. The essence of modern technology subverts this conception, for it 'reveals our unlimited capacity to alter the whole' (ibid). When all reality becomes a resource at the disposal of our creative wills, the will determines the 'whole' by positing through itself the essential measure of what is real, good, and true. Whether utilitarian or rationalist, liberal humanism is an expression and not a challenge to this subversion. Its principle of universal autonomy fosters an homogenization of society that renders inessential what is one's own, levelling it to 'an exemplar of the universal' (10). Yet a radically autonomous will can suffer no external limitation, not even obedience. Thus, even though it seeks to retain the old content of justice, liberal humanism 'ultimately ends in the arbitrariness of subjectively posited "values"' (68). This coincides with the tendency implicit to the essence of modern technology to obliterate all difference and to ground all value in the arbitrary exercise of creative will. This in turn 'suggests that each individual may

not have a “due” ’ (45). The hegemony of the technological outlook subverts the ontological foundations that define appropriate human limits, and substitutes for these the arbitrary goals of instrumental reason. In the event, the values posited by liberal humanism become ‘the reflex of the technological domination of nature’ (68). Alienation becomes endemic, for there is always more to ‘summon forth’ and control (cf.91). Justice, ‘which requires the limitation of human action by an intuition of the order of what is’ becomes a matter of convention and convenience, insofar as the creative will to dispose resources ‘proceeds without limit’ (44). Different capacities for self-transcendence becomes ‘a division within society into masters and human resources’ (45).

Grant ‘enucleates’ these phenomena as a ‘civilizational contradiction’ between the driving force of modern technology and the content of justice (44, 49, 54, 93). As remedy, he offers a ‘Platonic rendering of humanist ethics’ (100), one that purports to include the achievements of technology, yet be independent of, and thus transcend, technology’s assumptions (cf.29-30). His attempt is only obliquely a ‘rejoinder’ to Heidegger, since it accepts his announcement of the end of metaphysics but does not confront his own positive efforts to think beyond that end. It is a ‘Platonic’ rejoinder only in part, for it accepts the content of Platonic justice as true (a content said to be unfolded practically in the Gospels), but in accepting also the doctrine of historicity, admits the impossibility of thinking this content in unity with the essence of technology. ‘At crucial moments, upon which turn the very possibility of philosophy, Grant appeals to the Christian Gospels – though the unity of technology and justice cannot be *thought*, it can be *believed*. The ontological argument is a matter of faith’ (93).

Faced with this impasse, Angus reformulates Grant’s contradiction and scouts a way round (55ff.). Following Heidegger, he argues that humanism and technology have the same origin in the essence of metaphysics (68), and hence ‘that modern science cannot be opposed to Greek virtue in a way adequate to criticize technology.’ Our ‘civilization contradiction is between the inception and the end of humanist metaphysics’ (69). A. is nonetheless critical of Heidegger for reducing particularity to the epochal image of being, eliding the effective reality of different technological uses and practical contexts (cf.101). In contrast, A.’s own project is to renew the question of ethical and technological action by inserting ‘the practical context “between” particular and universal’ (119). To this end, he proposes a ‘phenomeno-

logical exploration of the particularity of contemporary technology,' one that will outline 'a new configuration of particular and universal' (101) and find "the *truth*, .. within its *horizons* ... systematically explicated" (116). This is done 'through articulation of Canadian experience' (14), moving 'through love of one's own to the universal' (121). To reason from this basis is to confront our epochal situation from a place (both physical and interpretive) on its borders. 'The wager of Canada is thinking civilization from its periphery' (54), (which lends 'deconstructive' irony to the 'Queenston/Lewiston' place of publication). In the process, A. reiterates Grant's thesis that, in the face of the homogenizing influence of technology, Canada represents a conservative hope and a putative appreciation of ethnicity that value particularity (16-17). He also carries further Grant's thesis that 'our primal' is not the memory of a lost autochthony to be recovered by metaphysics and technology, but 'the wilderness,' which displaces the presumption to belong and resists all standardization (119-20). A.'s goal, reflected in the root metaphors that animate his text – trails, waterways, blazes, precipices, portages – , is to discover in the 'sensitivity of the voyageurs' (126) and the distinctively Canadian 'encounter with a diverse and awe-inspiring environment' (8), the experiential basis for a 'post-metaphysical' ethics and response to technology (118). To nature as a resource summoned forth by our creative wills, he juxtaposes the 'wild' as the awesome context that lies beyond all our making and does not need us, yet to which we accommodate ourselves as wayfarers (120ff.). To metaphysical truth as fixed and absolute, he juxtaposes 'aesthetic truth' as the disclosure of 'contents within horizons' (116) in which is presupposed 'an act of will that ... opens us to the wilderness of unique encounters' (118).

Whether 'new sources of civilizing can be articulated on the encounter with wilderness' (11) remains to be seen. What A. offers are 'blazes,' not a generalized map. Whither they point can be decided only in the tracking.

Robert Burch

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**Stephen Eric Bronner and
Douglas Kellner, ed.**

Passion and Rebellion;

The Expressionist Heritage.

New York: Columbia University Press 1988.

Pp. 468.

US \$25.00 (cloth: ISBN 0-317-68228-8);

US \$14.00 (paper: ISBN 0-317-06762-3).

For some time now, scholarly effort in the arts has been preoccupied with the thesis that 'modernism' is no longer 'now', but merely designates a historical period in keeping with such terms as 'romanticism' and 'classicism'. This thesis unsettles on many counts, perhaps most immediately because many of us who have experienced the transition did not expect it to be so complete – or so easy. So the assessments now taking place are often reassessments of those experiences and of the values that informed them: What were the dynamics of change? Which ideals were spurious and which real? Is there fault to be assigned? What has been lost? Of course, as 'modernism' is a category inclusive to the point of inchoateness, much of the reassessment takes the form of distinguishing the central from the peripheral and justifying the choices made. The book here reviewed is on European – more precisely German – Expressionist art from about the turn of the century to the second war. The claim to centrality is made by stressing both the aesthetic and social importance of its subject: Expressionism is made to bear the explicative weight – as art symbol, and often the functional weight – as social instrument, of the central events of that tumultuous period. This claim is bolstered by the paucity of reference to other modernist movements or to the later developments, e.g., in America, of expressionist art.

The book comprises a collection of essays on the manifestations of Expressionism in the various arts: literature and theatre, painting, music and dance, film. It also contains a number of more theoretical essays on the problems of aesthetic and social interchange. Despite the book's somewhat lurid title, its editors, Douglas Kellner, a philosopher, and Stephen Eric Bronner, a political theorist, do a praiseworthy job in the selection of material, and they also contribute valuable introductory and summary essays. Indeed, these two essays, taken together, could stand on their own. The first offers a social analysis, tracing Expressionism from its roots in Nietzschean philosophy through its responses to developing industrial culture. The

second locates Expressionism within the competing Marxist ideologies of Lukács, Bloch, and Brecht. Kellner presents us with the aim of the book early on: 'Expressionism will therefore be reinterpreted as an avant-garde artistic movement which responded rebelliously to the development of bourgeois society in the era of industrial capitalism.' This theme runs consistently through all the essays, despite the specific differences in subject – which is not to say that these essays are repetitive, only that their viewpoints are ideologically compatible. There are no aestheticists or formalists here; neither are there radical relativists or indifferent deconstructionists. What delights about the book, perhaps because of this compatibility, is the importance for our deepest concerns that it finds in its subject, the lingering sadness that – at least for the period in question – the artistic imperative did not prevail, and the implication throughout that to treat art as other than socially engaged is to trivialize it. The essays range over such topics, to name a few, as expressionism and psychoanalysis, Kafka, Kandinsky, Klee, the Golem, Ernst Bloch and Fritz Lang. By and large, they are well written and should be of interest to the general reader as well as to the scholar. A great deal of historical material has been brought together with a good bibliography in addition.

The interpretative mix of artistic and socio-political concerns does raise certain problems; these are found in a number of essays – notably in Kellner's introduction. On the one hand, with the desire to stress the uniqueness and individuality of the artistic efforts, much emphasis is put on the differences, even incompatibilities, in their styles and outlooks. On the other hand, in keeping with the social concerns, expressionists as a political entity are given a single voice through which they collectively rebel, advocate, articulate, portray, and so on. This is a deep problem, perhaps inherent in the approach of the book where the importance of Expressionism is seen as inseparable from its ideological opposition to 'early' bourgeois-capitalism. Art, so engaged – encumbered? – can only speak in a single voice, and all its inventions and diversities must ultimately be measured by their contributions to its message. But artists, attending first to their troubled and insistent psyches, have their own irreducible measures. To be sure, there may be historical times when the freest personal expression and the most urgent social criticism can share the same forms, and the expressionist period documented here may be one. If this is so, then German Expressionism could be interpreted as an aesthetic success even if, practically, its social

goals were not realized. The question remains as to how the expressionist aesthetic fares when, as it often seems, what is personal must avoid the task of social engagement in order to remain free.

Lucian Krukowski

Washington University

Norman J. Finkel

Insanity On Trial.

NY: Plenum Press 1989. Pp. xxiii+374.

US \$42.50. ISBN 0-306-42899-7.

The insanity defense has proved to be deeply problematic in law. Finkel's *Insanity On Trial* offers an insightful look not only at the insanity defense's historical roots but also at the problems associated with the various legal tests that have been proposed at one time or another, the Wild Beast test (1723), the M'Naghten Rules (1843), the irresistible impulse test (1887), the Durham Rule (1954) and the American Law Institute's recommendation (1955). In the penultimate chapter Finkel presents not only his own new test for insanity, a multi-level approach which rests on the assumption that it is possible to find individuals partially and even fully culpable for bringing about their disability of mind, but also a detailed new four-stage approach to criminal trials. In the first stage, 'The Behavioral Decision', the jury determines simply whether or not the *actus reus* component is satisfied. In the second stage, the '*Mens* Decision', the jury determines if the *mens* requirement is satisfied, i.e., whether the defendant was a 'response-able' agent at the time of the act. During the third stage, the 'Culpability Decision', the jury decides if the defendant is fully culpable, partially culpable, or not culpable for bringing about his disease of the mind. The final stage is the '*Mens Rea* Decision' and it is during this stage that the jury decides whether the defendant acted with the requisite knowledge and intent.

Finkel excels at addressing, in depth, empirical issues which other writers on the subject have paid little attention to: the relationship between law and psychology, the juror's perspective on the use of the insanity defense, and the defendant's view on involuntary hospitali-

zation and treatment. The constructive portion of Finkel's project consists of building on the work of Fingarette and Hasse with respect to their contributions in this difficult area of distinguishing the *mens* from the *mens rea* and their 'Disability of Mind' doctrine. Finkel argues first, on p. 251, that 'the justifying excuse for the insanity defense is different from the other excusing conditions, save for the infancy-child excuse,' and from this it follows, he argues, that there is a justifiable reason for shifting the burden of proof concerning whether or not a defendant is insane to the defense. We are justified in shifting the burden to the defense, he argues, if we accept the no *mens* basis for the insanity defense. 'For it is the defense that is asking that the normal standards and procedures for judging responsible persons *be set aside* in this particular case. It is not so much a plea to excuse as it is a plea to exempt. Given this distinction, it seems reasonable that this burden be borne by the defense' (251). Finkel's view on this shifting of burden is that the prosecution 'must prove *beyond a reasonable doubt*' that the requisite criminal intent was present at the time of the act while the defense 'must show *by the preponderance of evidence* that the assumption of *mens* (i.e., that the defendant was a response-able person) is not warranted' (294-5).

Finkel argues on p. 252 that the *mens* issue is 'deeper and more fundamental than *mens rea*' and therefore the order which these issues should be dealt with during a trial should be the *mens* issue and then the *mens rea* issue. (See his four-stage sequence for trials outlined above.) Finkel offers very little explanation of what he means by a person not having the requisite *mens* other than to say that the person is not 'response-able.' He argues that the issue of whether a child is *doli incapax* – incapable of entertaining a criminal intent – or *doli capax* 'is the same as whether an allegedly insane defendant is response-able or not' (251). It is by no means clear that this is true, for the incapacity that the child suffers from with respect to forming a criminal intent is one that is primarily biologically and physiologically (and perhaps psychologically) based, whereas the incapacity that an insane person suffers from may or may not be so based. But, assuming it is here, Finkel argues then that where there is no *mens*, or an insufficiency of *mens*, there can be no *mens rea*.

Some things need to be said about Finkel's arguments. Finkel needs to offer some account of what it means to form an intention and what it means not to be 'response-able' and how these differ. Most philosophers take intention to consist of desires and beliefs and, insofar as this is true, children are certainly capable of both and, for

the most part, so are most mentally ill people. Furthermore, both children and mentally ill people are certainly 'response-able' with respect to certain of their behaviors. Because of this it is incumbent upon Finkel to offer an argument that shows how and why the individuals we are here concerned with are 'response-able' in some cases but not others. Given that a person must at least 'knowingly' and 'intentionally' do the criminal act in order to be found guilty and given that both 'knowledge' and 'intention' involve 'beliefs' – knowledge, epistemologists tell us, is at least justified true belief and intention involves desires and beliefs – Finkel might better his argument if he could show that there was some sort of 'justificational' failure with respect to the forming of these beliefs. If the justificational failure that mentally ill people suffer from approximates to at least some reasonable degree the justification failure that children suffer from then Finkel will have better established his view that the case for excusing insanity 'most closely parallels' (250) that of children.

In conclusion, Finkel's book is well worth reading. It is a highly informative, essentially accurate and a mostly empirical study of some of the more interesting questions concerning the insanity defense. His new test for insanity and his proposed four-stage sequence for criminal trials promises to generate heated debate, especially given his assumption that it is possible to find individuals partially and/or fully culpable for bringing about their disability of mind.

Kenneth F.T. Cust

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George P. Fletcher

A Crime of Self-Defense:

Bernhard Goetz and the Law on Trial.

New York: The Free Press 1988. Pp. xi+253.

US \$19.95. ISBN 0-02-010311-8.

On December 22nd, 1984, Bernhard Goetz shot and injured four black youths who approached him in a New York subway car. At his trial for attempted murder, assault and various other charges, Goetz was acquitted on all but a charge of criminal possession of a weapon in

the third degree. The case is well known, even notorious. George Fletcher, Professor of Law at Columbia University, is a highly regarded legal theorist: his magnum opus, *Rethinking Criminal Law* (Boston: Little, Brown 1978) is a – perhaps, the – fundamental contemporary work in the theory of criminal justice. Fletcher attended all parts of Goetz's actual trial, including parts away from as well as before the jury, and this book is his account of that trial. He describes at length the legal background, the screening and selection of jurors, the trial itself, the personalities at centre stage, and the aftermath. He discusses and analyzes defence and prosecution strategies, their strengths and weaknesses. On one level, the book is simply a great read, a fascinating account of a significant series of events by a sensitive and highly intelligent story-teller. I recommend it as such to all devotees of narrative legal-eagery (not to mention legal narratology). But the book is not just that. Fletcher uses the Goetz case as a foil to present and discuss, albeit with expository rather than investigatory intent, issues of criminal law theory. There is much legal philosophy in, and to be learnt from, the book.

The 'philosophical' chapters are ch.2 on the defence of self-defence, ch.3 on reasonableness, ch.4 on the reasons for the creation of offences, and ch.9 on 'perfecting the law'. Ch.2 discusses that Fletcher calls the 'complicated moral sentiments triggered by an argument of self-defence' (17). Self-defence is presented as a boundary between the authority of the state and the right of individuals to protect themselves (18). There is, Fletcher claims, a fundamental tension in self-defence. Our passion regards self-defence as an act of punitive justice against a wrongful aggressor: our reason regards self-defence as a vindication of a stable social order (19). The New York Penal Law – quite typically – regards self-defence as a justification (the defendant claims that what he or she did was right), not as an excuse (the defendant acknowledges that wrong was done, but denies it was done intentionally). It defines self-defence in terms of four elements which the defence must prove to obtain – the aggressive threat must be *imminent*, the response *necessary* and *proportional* to the threat, and the *intention* must be to thwart, not to hurt. There are, according to Fletcher, four underlying theories of why self-defence is a defence, and different theories emphasize the four elements differently. (a) The self-defender justly punishes a wrongdoer in lieu of the state: here the requirements of proof of imminence and necessity will be looser, and of proportionality stronger. (b) Self-defence is an uncontrollable reaction to a threat: here imminence and necessity require more strict

proof and proportionality less strict. (c) Self-defence represents the exercise of a basic right of an autonomous person to hold ground against an aggressor: this 'individualist' view will be weak on imminence, necessity and proportionality, and in the extreme case will abandon proportionality altogether. (d) The 'social' version of the right to defend oneself accepts the equal humanity of the aggressor: it leads to very strict requirements of imminence, necessity and proportionality. The requirement of proving an intention not to hurt has to be a common element in any attempt to show self-defence as a justification. Fletcher not only shows by detailed analysis how untidily the facts of the Goetz case fit these neatly distinguished theories. He also shows how the argument of Goetz's defence counsel shifted from (a) to (b) to (c), back and around, as the rhetorical exigencies demanded. Fletcher asks the deadly serious question of whether reason can tolerate such a diversity of conceptions of self-defence. Since the book is not a systematic treatise, but an attempt to get readers to exercise their own minds, there are no answers here.

In ch.3, in fact, Fletcher complicates the picture further. All four requirements involve reference to the self-defender's beliefs, and thus raise in a sharp form the difference between so-called (by lawyers and legal theorists) 'subjective' and 'objective' interpretations of such requirements. Suppose we require that self-defenders must 'reasonably believe' they are under attack. In Goetz's case, when one of the youths approached him in the subway car and asks for five dollars, does Goetz 'reasonably believe' he is under attack? The Subjectivist view, embodied in the U.S. Model Penal Code, implies that the court should only be interested in how things seemed to Goetz – if he saw things in such a way that he believed in good faith in the necessity of defensive force, even if from an 'objective' point of view he so believed *unreasonably*, he should be acquitted. The Objectivist will rather try to require the belief in the necessity of defensive force to be reasonable by some independent, 'objective' standard. The New York Penal Law at the time of the Goetz case case was unclear, and much of ch.3 is taken up with a fascinating account of the attempt by the prosecution to get a definitive ruling from the New York Court of Appeal in favour of an 'objectivist' interpretation – in which interpretation they had an obvious interest. Fletcher also discusses the pros and cons of Subjectivism and Objectivism, and ultimately plumps himself for a form of Objectivism. Criminal justice, he says, does not condemn the defendant's thought. Rather, the foundation of criminal responsibility is 'our judgment about whether he could and should

have acted otherwise under the circumstances' (61). I am sympathetic to this conclusion, though I believe that the apparent conflict between Subjectivism and Objectivism has much to do with Subjectivism's underlying philosophy of mind. If Subjectivism is detached from dualism, then Subjectivism and Objectivism may meet on common ground. But that is another story.

Ch.4 asks the simple (but not simplistic) question, Why is an act of shooting a crime? Theory gives (again) two distinct answers – because harm is caused, and, because there was a voluntary choice to do an evil thing. An unsuccessful attempt to cause suffering illustrates sharply the difference between the answers. If harm matters most, then an unsuccessful attempt is much less bad an act: if the choice of evil matters, an unsuccessful attempt is as bad as a successful one. Fletcher points out that Goetz was charged with both kinds of crime. The deep question Fletcher is raising is again one of the internal coherence of our conception of what acts criminal justice proscribes and why, and of what offenders deserve punishment and why. As before, no answer is offered.

Ch.9, 'Perfecting the Law', discusses first so-called 'jury nullification', the fact that jurors when all's said and done have the right to vote according to their own vision of right and wrong. Fletcher thinks this is ill-named 'jury nullification', since it is rather the realization of the law's inherent values (154). I suspect that this terminological issue has its roots in conflicts of legal theory. To those who equate law in the proper sense with enacted law, the repudiation by the jury of, say, an instruction to convict as statute requires can only appear a 'nullification' of law. To those, like Fletcher, who believe law in the proper sense comprehends *Droit/Recht* as well as *Loi/Gesetz*, then 'nullification' will seem inappropriate for the reasons Fletcher gives. Fletcher speculates that Goetz might have appealed quite successfully to the jury over the head of the law even as regards the possession offences with which he was charged on the basis of the U.S. Constitution's Second Amendment right to bear arms. As a Canadian who finds this element of U.S. political morality at best unnerving and distasteful, at worst alien and unconscionably wrong, I can only be profoundly glad the issue did not come up.

Fletcher's other speculation in ch.9 is that Goetz might well have raised the defence of necessity – he had no choice but to shoot, without mentioning self-defence. Indeed, such a defense also would have sufficed even for the possession offences. We have here again another fundamental difference between Canadian and U.S. (in this case,

New York) law, and here I forgo comments on national stereotypes. There are two theories of how necessity works as a defence – as an excuse ('I could not have done otherwise than I did'), and as a justification ('I minimized evil by performing that act which was the lesser of two'). The New York Penal Law unambiguously opts for the latter, and Fletcher efficiently delineates how the defence might have been pursued under such a conception. But the deeper philosophical issues here he leaves untouched, and, with respect, this will not do. The defence of necessity became prominent in Canadian jurisprudence in the mid-70s when it was used (among other arguments) by Dr. Henry Morgentaler in his titanic (and ultimately successful on other grounds) struggles against the Canadian law restricting the availability of abortion. He began a line of cases culminating in *Perka et al v R* (1984) 14 CCC (3d) 385 (the hilarious facts of which concern the allegedly necessitous off-loading of 33.49 tons of marijuana in a bay off the West coast of Vancouver Island called 'No Name Bay'). In a lengthy 4-1 majority opinion, Justice Brian Dickson (as he then was) comes firmly down in favour of necessity as an excuse only in Canadian law. Justice Bertha Wilson in dissent argues for the additional legitimacy of necessity as a justification. Both opinions thoroughly survey the philosophical foundations for the defence. Aristotle, Hobbes, Kant, Hegel, and, by no means least, Fletcher himself parade across the pages of the opinion in a manner virtually unprecedented in any, let alone Canadian, courts of law. There are severe philosophical difficulties with the construal of necessity as a justification – the problems of Subjectivism (whose judgment on which evil is lesser counts?) are huge, and the defence has to be conceived qua justification in terms of an individualism that is itself contentious. (But see J.E. Bickenbach *Canadian Journal of Philosophy* 13 [1983] 79, A. Brudner *Oxford Journal of Legal Studies* 7 [1987] 339) for responses to these alleged difficulties.) Given that Fletcher has written so much of significance on this issue elsewhere, I find his unelaborated speculative attribution of necessity as a justification to Goetz evasive.

There is, then, a sense in which, seen as jurisprudential research, the book is somewhat unsatisfying: it raises more questions than it answers, and some questions it doesn't raise at all. But as the jurisprudential pedagogy it was intended to be, it is excellent. The issues are made to come alive as they arise in the real-life drama of Goetz's shots and their consequences, legal and non-legal. The book can be thoroughly recommended to anyone who has intuitions about

the rights and wrongs at stake here, and who wishes sound guidance as to how to begin the search for equilibrium between those intuitions and fundamental principles of criminal justice.

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Erich Heller

The Importance of Nietzsche: Ten Essays.

Chicago: The University of Chicago Press
1988. Pp. xi+199.

US \$34.95 (cloth: ISBN 0-226-32637-3);

US \$13.95 (paper: ISBN 0-226-32638-1).

The ten essays which compose this book have all previously appeared. Most were considerably revised and enlarged for this book, however, and they do form a coherent whole. Spanning a thirty-year period, Heller's essays demonstrate a remarkable consistency of theme: Nietzsche's creative despair failed, but it is one of the most instructive failures of his time. This is a modernist, perhaps late modernist reading of Nietzsche, one that insists that we understand Nietzsche as the one who most terribly took sides with everything/one that hurt him. Why? Because in his own personal dissolution Nietzsche believed that he was living the universal dissolution of tradition – Nihilism. Nietzsche underwent more deeply than most others the effects of a Christianity that had lost its fundamental assumptions. Heller's contention is that Nietzsche was a profoundly religious thinker.

'Eternal Recurrence' is interpreted, accordingly, as a religious attempt to conquer the universal dissolution by artistically establishing 'a new center'. In his essay 'Nietzsche's Terrors: Time and the Inarticulate' Heller ties together the tragic sense which Nietzsche developed in *The Birth of Tragedy* and his later formulation of the doctrine(s) taught by Zarathustra. Only art, including language that has not lost its music, can maintain the forceful contradictions of life without redemption. In this sense tragedy is the supreme art, and it is tragedy that is embodied in the blissful affirmations of the Übermensch, the only one capable of giving meaning to the earth after

the dissolution of 'man' and his worlds (true and apparent). Eternity is thus no longer outside of time: the 'true' and 'apparent' worlds are both abolished with the event of the *Übermensch*, the meaning of the earth, after the death of all gods, beyond redemption.

Why, then, is Nietzsche a failure? Ironically, it is because Nietzsche was so profoundly a religious thinker, so profound that he could not believe, could not accept as *true* what he had established as an *aesthetic* solution. This is the thrust of the essay 'Nietzsche's Last Words About Art Versus Truth'. This essay is the center of Heller's reading of Nietzsche, one which remains unmoved by both Nietzsche's tortuous reflections on art and his own creations. It is an attempt at a masterful refusal to move into the realm of the indecidable. Heller's reading of 'We possess *art* lest we *perish of the truth*' is that this formulation simply reverses Platonism: 'art [illusion] is worth more than truth'. Such a reading, and Hannah Arendt makes the same point, simply reverses the Platonic revolution and argues that if the 'real' world is only a lie which creates the 'apparent' world, the abolition of both would also be the abolition of art (171). In other words, we cannot believe in illusion once we know it to be illusion. But this logical re-registration of the hierarchy misses, as it must, Nietzsche's point: the very distinction between true and false is an affect of *art in decay* (Euripides-Socrates-Christianity-Wagner). Their abolition, accordingly, means reversing not 'true' and 'apparent' but the decay of the art that gave birth to these distinctions/oppositions – metaphysics. Instead of the art of redemption (decidability – always masculine and masterful) and its nihilistic effects, Nietzsche attempts an art of indecidability – one which does not oppose reason and passion, truth and falsehood, man and woman, belief and non-belief, pain and pleasure, joy and sorrow, and the many Nietzsches with no center.

Thus, the essays in this volume that beautifully illustrate that passion and thought are not opposites are its very finest. They are in the spirit of Nietzsche's attempt at an art of indecidability: 'Nietzsche and Goethe'; 'Rilke and Nietzsche with a Discourse on Thought, Belief and Poetry'; 'Yeats and Nietzsche: Reflections on Aestheticism and a Poet's Marginal Notes'; and 'Wittgenstein and Nietzsche'. Heller is right: there is no salvation through art. But does that put art in its place? Heller does not want to relinquish *valid* distinctions; he decides by arguing against *invalid* ones. Yet, he knows that it is not without much anguish that one holds to this 'valid' distinction – Nietzsche has had his effect. He also knows that it is precisely those without anguish, those who all-too-easily decide the meaning of exist-

ence, those who worship the nothing which makes everything possible, who are the terror of our dark age: 'There are ideas and beliefs so prosaic, outlandish or perverse at their core that no great or good poetry can come from them: for instance, Hitler's racialism. It is this *negative* consideration that to me finally proves the intimate *positive* relation between belief, thought and poetry. If there were no relation, there would be no reason either why the most perverse or idiotic beliefs should not be convertible into *great* poetry. They are not' (112). Heller's book shows us that Nietzsche 'proves the intimate *positive* relation between belief, thought and poetry'. Carefully read, Heller's decidability oscillates in the manner of this intimate positive relation.

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Göran Hermerén

The Nature of Aesthetic Qualities

Lund: Lund University Press 1988. Pp. 296.

n.p. ISBN 91-7966-042-8;

Chartwell-Bratt ISBN 0-86328-200-9

**Edited by T. Anderberg, T. Nilstun &
I. Persson**

*Aesthetic Distinction: Essays presented to
Göran Hermerén on his 50th Birthday*

Lund: Lund University Press 1988. Pp. 117.

n.p. ISBN 91-7699-039-8;

Chartwell ISBN 0-86238-198-3

The Nature of Aesthetic Qualities is a useful and important book. In it Hermerén presents a sustained, detailed analysis of the nature of aesthetic (as distinct from artistic) qualities. In general, he aims to reconcile, on the one hand, the relativity of such qualities to perceptual, social and historical circumstances and, on the other, the objective status of such qualities as featuring in justifiable descriptions of objects and artworks. (The view for which he argues is in many respects similar to that proposed by Margolis.)

Aesthetic qualities are phenomenal qualities in the sense that they are perceived (or perceivable). (There is no particular aesthetic sense or mode of perception, though it is true that perception of such qualities is always influenced by mental sets as well as by upbringing and cultural practices. This is not to say, though, that there is no conceptual basis for a distinction between perception and interpretation.) Most such qualities are tertiary qualities in that they are dependent on the presence of other (primary, secondary and, sometimes, tertiary) qualities. There is a variety of aesthetic qualities which can be classified along several different dimensions and which cannot be analysed in quite the same way.

Aesthetic qualities are intersubjective in the sense that there is considerable intersubjective agreement – at least within a particular culture – as to whether a given object has a particular aesthetic quality. Most aesthetic qualities are experienced as qualities of objects rather than as qualities (or reactions) of the experiencing subjects. Statements to the effect that a given object has a particular set of aesthetic qualities have truth-value in the weak sense that they can be claimed to be correct or mistaken (i.e., such attributions are rationally defensible), given a shared practice and certain generally accepted methods by critics and scholars. Many terms designating or referring to aesthetic qualities are value-laden, but such terms have a descriptive content as well. To the extent that they are normative, the use of such terms can be interpreted as proposals about the best or most rewarding way of contemplating the objects of which they are predicated.

Much of the detail of Hermerén's discussion is very interesting – for example, the careful description in Chapter 5 of the types and varieties of aesthetic qualities, the review of arguments about the ontological status of such properties in Chapters 7 and 8, and the final discussion on the compatibility between, on the one hand, the relativity of aesthetic qualities to changing historical and social circumstances and, on the other, the rational justifiability of predications of such qualities. Throughout the book Hermerén draws on the writings of metaphysicians and epistemologists, as well as those of critics and philosophers of art.

Much of the ground covered in this book will be familiar already to researchers in the area – it is a virtue of the book that it argues in detail for what has become a popular, even dominant, view of the topic. The philosophical meat comes mainly in the latter part. Some interesting issues on the distinction between aesthetic and non-

aesthetic qualities might be thought to be side-stepped (on the grounds that the borders between such things are fuzzy. Hermerén holds that there are no jointly necessary and sufficient conditions governing the correct attributions of aesthetic qualities). I would have appreciated a closer look at a number of issues – the conceptual relation between aesthetic and artistic properties and, in that connection, at the relation between attributions of aesthetic qualities to nature (and non-artworks) as well as to artworks; at the distinction between interpretation and description; and at the nature of metaphor (a topic considered but dismissed by appeal to a tight distinction between semantic and ontological theories – 162-4), given the author's view that metaphor lies at the heart of many attributions of aesthetic qualities.

Finally, it is a shame that such a well-produced book should contain so many typographical errors.

Aesthetic Distinction, dedicated to Göran Hermerén and containing a bibliography of his writings on aesthetics, consists of seven disparate essays of a uniformly high quality.

Margaret Battin (in 'Lessons from Ethics: Case-driven aesthetics and approaches to theory') argues against 'theory-driven' aesthetics, suggesting that philosophers of art might more rewardingly approach their subject (as ethicists have done) through a consideration of 'hard' or 'puzzle' cases – i.e., those cases which are slippery just because they '... strain and chafe at traditional theoretical constructions, forcing us to articulate the principles embedded within them and forcing us further to rank and prioritize them.' Hard cases can serve this rôle because they are as much as possible theory-independent. She advocates the pursuit of a Rawlsian 'reflective equilibrium' between our intuitions and our theories in which each informs and modifies the other.

The reliability of this strategy depends upon two related assumptions the truth of which might be questioned: (i) that 'hard' cases are 'hard' because they plug directly into pre-theoretical intuitions which then are found to be in tension with theoretically informed judgments and commitments; (ii) that art-making and practice are no more theoretically self-conscious than is ordinary moral practice/judgment. If (modern) artists create art in the light of (or to illustrate) art-theories, then it is not obvious that a case-driven approach to the philosophy of art is better placed to avoid the pitfalls which attend the theory-driven approach.

George Dickie (in 'Experiencing Art') is concerned with the functional value of art. He suggests that artworks may have aesthetic

value, cognitive value, or both. Where an artwork has both aesthetic and cognitive properties, they are integrated in the experience of the work's value. He recognises three kinds of cognitive value (or disvalue) in art: (i) that the work is true or false to actuality, (ii) that the work has referential features responsible for its having certain valuable or disvaluable aesthetic properties, and (iii) that the work refers to or represents objects, events or states of affairs which have art-independent (non-aesthetic) value or disvalue.

Sören Halldén (in 'The Critic's Competence') offers a sociological/psychological account of the way in which a person becomes and achieves recognition as a critic. He concludes that the forces at work here are such as to guarantee that critics are unrepresentative of the public which appreciates art and, further, that these forces lead critics to echo and perpetuate the views of their peers rather than to respond spontaneously to artworks. He concludes that there are no reliable experts on art and that the judgment of works of art is '... too difficult to be left to the critic.' (This recalls Schumpeter's famous analysis of democracy and his conclusion that government is too important a matter to be trusted to elected politicians. Just as Schumpeter might be criticised for dismissing the ideals which give democracy its distinctive character, thereby reducing democracy to no more than a procedure in terms of which individuals compete for power, so too Halldén might be criticised for confusing aspects of the practical process by which critics acquire their social position with the point of the activity in which they claim to be engaged.)

In 'Orchestrating Platonism' Peter Kivy argues against Jerrold Levinson's characterisation of the ontological nature of the musical work (see 'What a musical work is', *The Journal of Philosophy*, 77 [1980]). This is the third of Kivy's published attacks on Levinson's paper. In this case Kivy concentrates on Levinson's arguments for the claim that the performance-means are constitutive of, and not merely incidental to, the work's identity. Kivy, who has previously argued for the view that musical works are sound-structures, believes that the identity of the musical work survives changes to its instrumentation, that composers frequently think in terms of sound-structures and complete their works before they orchestrate them, and that the aesthetic and artistic properties of the work inhere in its sound-structure (even if it is true that such properties might be enhanced or muted by the choice of different performance-means).

I am disturbed by Kivy's overall strategy. Often he argues by describing something which (he thinks) we would recognise as a per-

formance of a given work – then by declaring that that which is missing from such a performance could not be constitutive of the work in question. So, if we would recognise a performance on instruments other than those indicated by the composer as a performance of the composer's work, then the work's instrumentation cannot be constitutive of the work's identity. However, this strategy is bound to prove too much. An amateur performance of a given work might remain recognisable despite its containing many hundreds of wrong notes – are we to conclude, then, that the correct notes which were not played are not part of what makes the work the work that it is? The problem is that Kivy treats performances recognisable as performances of a given work as on a par, whereas in fact we can and do judge performances to be more or less accurate. What he would need to show is that a performance is not the less perfect for ignoring a work's specified or conventionally assigned instrumentation; this he fails to do. (However, it may be that Kivy has an *ad hominem* point in mind. Sometimes Levinson writes as if he thinks that an inaccurate performance fails to be a performance of the given work. If this is how he reads Levinson, Kivy's approach to the issue would be understandable.)

In 'Artworks and the Future', Jerrold Levinson considers whether or not the content of an artwork can change in the light of artistic or other developments which post-date it. He denies that the *content* of an artwork can change in this way. It may be that some of the artistically interesting properties of a work can be discovered in it only in the light of later developments, but this is not to say that that which is newly discovered is newly acquired. Further, the significance that an artwork's content has for us, its effect upon us, can alter with time, but this is not to say that a change in the way in which we appreciate its content amounts to a change in its content (as opposed to its *apparent* content). 'Influence properties' – a work's seminality, pivotalness, fecundity, importance – are intermediate in status (between content and significance/effect). If they are treated as part of the work's content, still they must be distinguished as more removed from the work than are the properties which give it its 'art-character', from what it says as an artwork.

Two comments: (a) Levinson rejects out of hand the view which would most readily oppose his own – namely, that artworks somehow are constituted by our interpretations of them, and that artworks may change along with our different interpretations of them. (b) It is not clear to me why Levinson is prepared to countenance the idea

that 'influence properties' might be regarded as matters of content rather than of effect. His concession appears to undercut the strength and clarity of the distinction for which he has argued.

Joesph Margolis' essay, 'Ontology Down and Out in Art and Science', has been published elsewhere. In it he criticises Arthur Danto's claim that artworks form an ontically distinct category which is to be contrasted with the category of 'mere real things.' Danto could define art by contrast with 'mere real things' only if 'mere real things' constitute an ontologically primitive, pre-theoretical category, and Margolis denies the existence of any such category – in the absence of an account of 'mere real thinginess', Danto's theory is empty. (Were Danto's notion of 'mere real thinginess' spelled out, Margolis suspects that artworks as characterised by Danto would collapse back into the realm of mere real things from which Danto means to exclude them.) In a similar vein, Margolis objects to the use Danto makes of the claim that artworks may be perceptually indiscernible from mere real things – perception, too, is theory-impregnated, so that what is discernible and what is not will depend upon the prior categorisation of the objects of perception.

Margolis' criticisms of Danto are deserved and interesting. (Like Margolis, I find Danto's 'is' of 'artistic identity' perplexing, and I too doubt that Danto has established that artworks possess a distinctive ontological status.) Still, Margolis seems to be so far out of sympathy with Danto's project that many comments read more as an outright rejection than as a repudiation of Danto's position. Danto's approach to the concept of art is irredeemable only if one accepts the kind of thorough-going relativism which Margolis espouses – and one need not be a crude absolutist to feel that less radical forms of social, historical and epistemological relativism – forms of relativism with which Danto might be comfortable – are defensible.

A curiosity. The most famous sentence in Danto's 'The Artworld' (*The Journal of Philosophy*, 10 [1968]) reads as follows: 'To see something as art requires something the eye cannot decry – an atmosphere of artistic theory, a knowledge of the history of art: an artworld.' I believe that 'decry' is a misprint for 'descry'; and I have seen the sentence quoted with 'de[s]cry' or with 'decry [sic]' – so I am not alone in my view.) Margolis, though, makes a point of the fact that Danto 'devilishly' chose 'decry' in preference to 'descry' and goes on to turn Danto's choice to his own advantage.

Göran Sörbom (in 'Imitations, Images and Similarity: Some views from antiquity') aims to correct the common view that Plato defined

art as imitation. The Greeks did not have a concept of high art and (anyway) did not distinguish imitations which are art from those which are not. Moreover, similarity to actual objects (or classes of such objects) is only one of three necessary conditions for pictorial imitation and is not a sufficient condition for it; similarity to actual objects is neither a necessary nor a sufficient condition for musical and poetic imitation. The crucial similarity in all cases is between an imitation and (the experience of) a mental image or mental representation.

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Brad Inwood and L.P. Gerson, trans.

Hellenistic Philosophy:

Introductory Readings.

Indianapolis: Hackett Publishing Company, Inc. 1988. Pp. xii+266.

US \$26.50 (Cloth: ISBN 0-87220-042-6);

US \$6.95 (Paper: ISBN 0-87220-041-8).

This is a new translation of a representative sample of Epicurean, Stoic and Skeptic texts meant to enable undergraduate and more advanced audiences to acquire a good grasp of the thought of the major schools of the Hellenistic period. The sample is substantial and well chosen and there are few regrets about omissions. (The *Enchiridion* of Epictetus comes to mind as a noteworthy omission.) In addition to the principal texts we are given well-chosen selections from the discussion of the doctrines of these schools by ancient commentators like Cicero and Plutarch; and a valuable glossary of philosophical terms, a list of philosophers, a special index of translated passages and a general index are included at the back of the book.

The translation is on the whole very good and eminently readable. As every translator knows, however, translation is more than the process of saying again in one language what had first been said in another. To translate a text always amounts to interpreting it, and it is in this respect that a translator must be very careful. For example, there is a passage in Epicurus' letter to Menoeceus in which Epic-

urus seems to ask something quite straightforward. Inwood and Gerson translate: 'Practice these and the related precepts day and night, by yourself and with a like-minded friend' (25). The puzzling phrase in Greek is *ton homoion seautō*. Inwood and Gerson think that Epicurus must mean a like-minded friend by that phrase, and other translators before them, such as Bailey and Hicks, understood the passage in a similar way. But there is another way of understanding it which gives an importantly different meaning and is more faithful to the text. Long and Sedley, in their recent translation of that passage, have opted to remain more faithful to the text. They translate: 'Practice these things and all that belongs with them, in relation to yourself by day, and by night in relation to your likeness.' The first translation simply has Epicurus asking Menoeceus to practice Epicureanism all the time, both alone and with Epicurean friends. The second translation indicates that the Epicurean seeks to shape his character completely, not just his public image, his day-time self, but his most private self as well, the self of his dreams and fantasies. The Epicurean transformation is to be complete. The same point is made by Diogenes Laertius (X, 121) when he refers to the consistency of character of the Epicurean wise man even in sleep (35). Given the greater faithfulness to the text and the confirmation of the philosophical point in another place, the second translation is preferable.

While I have the letter to Menoeceus before me, it is worth making a further comment. At 124 Epicurus makes a remark about the gods of public opinion which must be handled very carefully. Inwood and Gerson translate: 'For the pronouncements of the many about the gods are not basic grasps but false suppositions. Hence come the greatest harm from the gods to bad men and the greatest benefits [to the good]. For the gods always welcome men who are like themselves, being congenial to their virtues and considering that whatever is not such is uncongenial.' (23) The translation 'Hence come the greatest harm, etc.' quite buries the important point Epicurus is making, that divine reward and punishment is merely an implication of false suppositions which cast the gods in the image of our own common virtues, but does not really occur since the gods are supremely indifferent to our doings. Also the reference just before this passage to god as an animal is unduly literal and the translation of *prolēpsis* as 'basic grasp' seems infelicitous and will take some getting used to.

In the passage from Epicurus' *On Choice and Avoidance* quoted by Diogenes Laertius (X, 136) Inwood and Gerson translate *aponia* as 'freedom from suffering' (35). This is much better than the usual

'freedom from bodily pain' which is so often used. But even 'suffering' is a bit strong for *ponos*. Might not 'absence of hardship' better capture what Epicurus was after?

There are times as well when this translation revises earlier efforts and succeeds beautifully. I'll just point out one. Diogenes Laertius tells the story of how Zeno of Citium meets Crates the Cynic. Earlier translations, e.g. Hick, have him browsing in an Athenian bookshop leafing through Xenophon's *Memorabilia* and asking the bookseller where a man like Socrates could be found. But Inwood and Gerson take seriously the genitive absolute construction of the passage which indicates that not Zeno but the bookseller is reading Xenophon. The little slice of Athenian life we get is transformed entirely – booksellers reading aloud from books they have for sale both to entertain and make a sale to people already seated in the shop and to attract passers by. The image of the silent and sober Canadian bookstore just won't do, but rather we find ourselves in something more like an oriental bazaar. A nice touch! (I wish to thank my colleague Tom Robinson for help with this passage.)

We have long needed a good textbook for Hellenistic philosophy, and Inwood and Gerson have produced an excellent one. The selections are well chosen, the translation accurate and very readable, and the glossary and indices quite helpful. As an undergraduate text in post-Aristotelian philosophy it is to be highly recommended, for it is the best available.

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John Kekes

The Examined Life.

Cranbury, NJ: Associated University
Presses (for Bucknell University Press)

1989. Pp. 201.

US \$29.50. ISBN 0-8387-5132-6.

Kekes writes, explicitly, with a view to a 'literate nonspecialist audience for philosophical reflection' (10). He intends to occupy the middle ground between 'trafficking in generalities and engaging in technical disputes' (10) in addressing the questions: What is or makes a good life?; and: How can we achieve a good life?

His outline answer to the first question is as follows: 'Our lives are subjectively good if we succeed in satisfying our most important wants in accordance with appropriate ideals, and they are objectively good if reasonable observers agree with this appraisal' (19). His outline answer to the second question is that, to live a good life, we need to exercise 'self-direction', to exercise the capacity and disposition to order and to regulate the pursuit and satisfaction of our wants in complex ways (20). The bulk of the book is given over to putting the flesh on these initial suggestions.

Kekes' discussion, after the opening chapter from which the points noted above are drawn, falls roughly into four parts. Chapters 2-4 concentrate on the nature and role of 'self-direction', the power to which Kekes attaches central significance in his account of what makes a life good and of how it can be lived well. Chapter 5 elucidates the nature of ideals and the place these occupy in the structure of a person's motivation and in their personal integrity. Chapters 6-9 concern the character of those virtues the possession of which is a necessary part of having the capacity for self-direction. These virtues include self-control, self-knowledge, moral sensitivity, and wisdom. The book concludes with a treatment of the relations between living a good life and enjoying happiness, and with an examination of the justification of those ideals which, in Kekes' account, are central to the possibility of living a good life.

Kekes writes in a direct and uncluttered way, readily accessible to his intended audience, and there is much good sense in his discussion. I thought that Chapter 4, which makes effective use of Montaigne's *Essays*, was the best chapter. Montaigne's often pungent shrewdness, which is however not deadened by cynicism, always makes good reading. Overall, Kekes' views come across very plainly.

Man fulfils himself in many ways, but there are limits to realistic possibilities of human fulfilment which are established by 'human nature' (by our physiology), and by the shape of our moral tradition, which forms the necessary context, the necessary substantial basis, for any individual's 'experiments in living.' Within these limits there are general enabling capacities and dispositions, the virtues, which equip a person, as far as his circumstances may allow this, to take control of his life and his personal situation so that he can become the possessor and controller of his own purposes and the direction of his life. There remains, however, no fail-safe 'recipe' for a good life, neither for all persons alike nor for any one specific individual. We need to remain open and sensitive to other possibilities of action and experience and to be responsive to new things if we are not to find that our lives have been an expense of spirit in a waste of shame.

It might well seem, and not just because of the inevitably deadening effect produced by a very short summary of a long book, that the conclusions that Kekes reaches are a bit bland, a bit anodyne. I must admit to having such a feeling from time to time. Kekes is undeniably right to say that not just anything can serve as an ideal capable of sustaining a person if they give their life's allegiance to it. Lives can be ruined through misdirected loyalty to a shallow or perverse objective. But we soon discover (see, for example, p. 123) that, according to Kekes, Joan of Arc, Lenin, Simone Weil, among others, did not live good lives. 'They lack the tolerant wisdom that only civilized minds possess.' Kekes quotes, with approval, Blanshard's exclusion of Rousseau, Schopenhauer, Nietzsche and Kierkegaard from an imaginary 'gallery' of possessors of wisdom. Surely something has gone amiss here. A world of urbane, tolerant, open-minded persons, appreciative of the existence of alternative ways of life and of the possibility of their being mistaken in their own commitments, may have its attractions. But one might feel that a certain intensity of life was missing. Kekes must give better reasons than he does for excluding extasy and despair from the catalogue of essential human experiences. Goethe, whom Blanshard apparently approves of, did after all write *The Sorrows of Young Werther* before he became the sage of Weimar. It may have been a work of his youth, but the wisdom of old men is sometimes tinged with the need to find a consolation for something lost. T.S. Eliot wanted old men not to be wise but to be foolish. He did not mean, of course, that they should be stupid, but that they should put aside caution and foresight and allow themselves to be

seized by passion enough to dare everything. They will get hurt; they may well hurt others too. But they will have lived.

Kekes cannot be unaware of such points as these. My concern is that they do not get as much attention and weight as the more cautious sides of human beings. The account which issues suffers as a result, I think.

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Robert Lee and Derek Morgan, eds.

Birthrights:

Law and Ethics at the Beginnings of Life.

New York: Routledge, Chapman and Hall
1989. Pp. x+222.

Cdn \$74.95: US \$57.50. ISBN 0-415-00301-6.

In one of the papers in this anthology, a paper written by the editors, Robert Lee and Derek Morgan, there appears the following statement: 'Reproduction has come to occupy a central position in the theatre of the personal. It has moved upstage, from being seen as a minor bit part of personhood, to being cast as one of the essential characteristics of its successful production and realization' (132).

Such a claim is surprising chiefly for its inaccuracy. It could justifiably be said that for most *women*, that is, those human beings who usually play ongoing and demanding reproductive roles, procreation has always been a dominant element in their lives. Moreover, women have often defined themselves and been defined by their reproductive characteristics (as mother of X, as childless, as infertile, as adoptive parent, and so on). On the other hand, while it is certainly true that throughout the past reproduction has ordinarily been for men a 'minor bit part of personhood,' there is not yet much evidence that procreative functions are now central to how most men are seen and see themselves.

What has happened, however, is that moral and social policy issues pertaining to reproduction are acquiring greater prominence, and not so much in the 'theatre of the personal' as in the 'theatres'

of politics, economics, law, and education. *Birthrights: Law and Ethics at the Beginnings of Life* is one of a growing number of recent anthologies that explore the ethical and legal disputes raised by new reproductive practices and technologies. Its eleven papers investigate a variety of topics. A few discuss general questions, such as Elizabeth Kingdom's paper on the relative merits of an equal rights or a 'special rights' strategy for 'address[ing] the realities of women's unequal treatment' (17), and Frances Price's survey of the problems of professional self-regulation in the clinical 'management' of infertility. Most of the papers focus upon specific and fairly well-defined topics in reproductive ethics, such as so-called 'surrogate' motherhood, abortion, embryo experimentation, donor insemination, sterilization of handicapped women, 'wrongful life' claims, and the treatment of severely disabled newborns.

Many of the new anthologies on reproduction originate from the United States. (Recently published collections include Sherrill Cohen and Nadine Taub, eds., *Reproductive Laws for the 1990s* [Clifton, NJ: Humana Press 1989]; Gena Corea et al., eds., *Man-Made Women: How New Reproductive Technologies Affect Women* [Bloomington: Indiana University Press 1987]; Herbert Richardson, ed., *On the Problem of Surrogate Parenthood: Analyzing the Baby M Case* [Lewiston: The Edwin Mellen Press 1987]; Patricia Spallone and Deborah Lynn Steinberg, eds., *Made to Order: The Myth of Reproductive and Genetic Progress* [Oxford: Pergamon Press 1987]; Michelle Stanworth, ed. *Reproductive Technologies: Gender, Motherhood and Medicine* [Minneapolis: University of Minnesota Press 1987]; and Linda M. Whiteford and Marilyn L. Poland, eds., *New Approaches to Human Reproduction: Social and Ethical Dimensions* [Boulder: Westview Press 1989].) Hence, because all the contributors to *Birthrights* live and work in the United Kingdom, and most of its papers explore reproductive questions within a British context, this anthology provides a useful source of comparative information for those interested in international differences in reproductive policies and institutions.

Unlike some of the recent anthologies, such as those by Corea et al. and by Spallone and Steinberg, *Birthrights* does not adopt an explicitly feminist perspective. Nevertheless, more than half of its contributors are women, some of them express feminist concerns about the issues, and many of the papers convey an admirable awareness of the growing and insightful feminist literature on reproductive problems.

However, despite the promise of the book's subtitle, the background of most of the contributors is in law rather than philosophy, and the

result is that while the papers provide helpful overviews of relevant legislation, they are often less than satisfying in their analysis and assessment of moral and political disputes. For example, in 'Surrogacy: An Introductory Essay', Derek Morgan seems to assume rather than demonstrate the moral legitimacy of contract motherhood as a 'treatment' for infertility with a 'high success rate' (73), and presents a disappointingly uncritical survey of the language, history, incidence, and 'demand' for 'surrogate' mothers. Similarly, in 'Abortion: A Rights Issue?' Linda Clarke provides a far too brief defence of women's right to abortion, while remaining insufficiently critical of the notion of 'father's rights' (which could more accurately be dubbed 'impregnator's rights') – an idea likely to be of particular interest, since the summer of 1989, to Canadian readers.

Far more interesting and challenging from a philosophical perspective is John Harris's 'Should We Experiment on Embryos?' Harris's ethical classification of embryo experimentation with abortion is open to question, and his claim that 'we should permit embryo research and experimentation and the use of embryonic material on the same terms and set a limit to such research *at the same point* as the upper limit for abortion' (94, Harris's emphasis) is not convincing. Yet his responses to those who object in principle to embryo experimentation deserve more attention, and his paper makes a forceful, if challengeable, case for the justification of embryo experimentation.

Another useful paper is Lee's and Morgan's 'A Lesser Sacrifice? Sterilization and Mentally Handicapped Women.' Despite its dubious claim, quoted earlier, about the new centrality to personhood of reproduction, this paper presents a bold and politically astute analysis and critique of court-ordered sterilizations of women. And Robert Lee's paper, 'To Be or Not to Be: Is That the Question? The Claim of Wrongful Life', cogently exposes the inadequacies of legal arguments that challenge the legitimacy of 'wrongful life' suits.

While this collection might serve as a supplementary text in undergraduate courses in biomedical ethics, its primary use and interest will be both to graduate students and to scholars who are exploring the moral and political ramifications of recent changes in the medical, social, and legal structures of reproduction.

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William Leiss

C.B. Macpherson:

Dilemmas of Liberalism and Socialism.

Montreal: New World Perspectives; New York: St. Martin's Press 1988. Pp. 152.

Cdn \$9.95: US \$24.95. ISBN 0-920393-39-X (Cdn.): ISBN 0-312-02475-4 (U.S.A.).

The series, *New World Perspectives*, of which this is the fourth contribution, promises 'critical explorations of the key thinkers in the New World,' and much else besides. Leiss' study of the work of C.B. Macpherson is a useful presentation, but it is more a devoted than a critical exploration. It is Leiss' view that Macpherson was an 'epic theorist,' a term with a specific or technical meaning as well as a common one. However understood, it conveys Leiss' high opinion of the man and his work.

Chronologically, Leiss begins with a consideration of Macpherson's Masters Thesis, submitted to the London School of Economics in April, 1935. He ends with an analysis of Macpherson's last work, *The Rise and Fall of Economic Justice* (1985). Macpherson's early work was informed by faith that British politics was advancing upon a decision point: Would there be fascism or socialism? *Tertium non datur*. The central concept in the study of the topic of his thesis, on trade unions and the state, was property relations and the implicit and allegedly inevitable antagonism between democracy and the concentration of property. Leiss mentions Macpherson's teachers, all of whom were politically committed to the left, and indicates that the young Canadian's work would have pleased his British mentors.

Macpherson's early reviews included some revealing allusions to the viability of the dictatorship of the proletariat, which Leiss says was 'uncharacteristic,' a ringing defense of socialism, and a prophecy that the contradiction between economic liberty and other liberties 'is likely to be explosive.' This 'apocalyptic vision,' as Leiss calls it, was followed by a description of the role of the political scientist. He quoted Marx's Manichean options from the Eleventh *Thesis on Feuerbach* and suggested his own alternative: the political scientist should change the world by interpreting it. This kind of activism that dare not speak its name, Leiss says, was 'the finest part of the legacy from his work.' It is a question to which we shall return.

Macpherson's international reputation was first gained as an interpreter of Hobbes. Leiss points out, quite rightly, that Macpherson

owed an intellectual debt to Leo Strauss, with whom, so to speak, he had nothing in common. From Hobbes, Macpherson later developed his notion of 'possessive individualism.' His first book, however, was *Democracy in Alberta* (1953), which has long been admired in Central Canada as a 'classic.' Its reputation in Alberta, however, has been less grand. Leiss is aware of the limitation of Macpherson's vision of reality because he mentioned the divergent political history of Saskatchewan, but he does not question the view that the analysis of class, upon which the book was based, was fundamentally sound. Leiss does say, however, that 'empirical detail was not allowed to constitute a rigorous test for the explanatory power of key concepts, especially the concept of social class.' But the evidence of the differences in political regimes in Alberta and Saskatchewan indicates that the explanatory power of the conceptual variable, class, is vanishingly small. To explain the higher, in this instance, political action, by the lower, namely, social class, is methodologically inadvisable under any circumstances. When the evidence regarding the political nature of Social Credit in Alberta (as of the CCF in Saskatchewan) is so overwhelming, one can only wonder at the willful or inadvertent blindness of the analyst regarding the nature of the reality he is trying to study. But then again, one would have to be an exceptional thinker to overcome the limitations of Toronto and of one's commitment to class and to property relations when one turned one's gaze to the farmers and ranchers of Alberta and attempted to understand them on their own terms. Macpherson did not have the imagination to write such a study. Indeed, armed with the powerful weapon of social class, he seemed unaware that such imagination was necessary.

Macpherson was at his best explicating texts. He will best be remembered for the term mentioned earlier, 'possessive individualism.' The larger argument that sustained the term postulated two models of human being, which described what they essentially are and what, therefore, they should do. As postulated models, they, like his notion of class, were not intended to be refuted by empirical evidence. The two models share a foundation in a specified series of capacities or powers: for rational understanding, for moral judgement and action, for aesthetic creation or contemplation, for emotional experiences of friendship, love and religion, for transforming nature. All of these could be exercised without inhibiting others from doing so as well.

The two models are named the developmental and the extractive. The first requires that an individual have access to whatever is re-

quired for the exertion of his powers. The second is developmental *plus* whatever capacities one individual can command over others and *minus* what he has lost to others. In Marxist terms, the net transfer of powers is surplus value. Broadly speaking the second model is capitalist and the first is not. But what it *is*, as distinct from what it is not, is very hard to say. Other distinctions and subtleties supervene, many of which were derived from J.S. Mill, but Macpherson remained coy about labelling what a society of persons who exerted and enjoyed the full development of their capacities might be called. Perhaps this explains Leiss' opening remark, 'all political theorists are utopians, more or less.'

According to Leiss, the great value of Macpherson's model is that it allows one to apprehend what he called the capitalist agenda. Its importance, therefore, was heuristic and 'critical' in the sense that, like Voltaire's many polemics (and Voltaire, Leiss says, was a model for Macpherson's style), Macpherson felt obliged to say only what was wrong with the world, as he saw it. Leiss says that this approach led Macpherson to ignore the possibility that many people, perhaps most people, found in capitalist society, and specifically in consumption, an adequate expression of their capacities and a genuine satisfaction. Leiss, at least, retains sufficient commonsense not to be a 'utopian.'

One may also approach the centre of Macpherson's political opinions by considering the topic of property. The transformation of property from its early modern sense of one's own to what Macpherson called a 'broadened' view, whereby others could legitimately claim a share of 'one's' resources, constitutes the meaning of the transformation of the 'capitalist agenda' from a concern with property to a concern for democracy.

Leiss patiently goes through Macpherson's argument, relates his concepts one to another and concludes, as have others before him, that 'everything does not quite add up.' Now, since Macpherson's studies were intended 'to display the shortcomings of the market-dominated society in which he lived and to show the way to a better one,' the reasonableness of the second objective will depend in part on the adequacy of the analysis of the first. If, for a sympathetic reader, things do not quite add up, what would a less friendly one say?

Leiss concludes by considering contemporary society from a Macphersonesque perspective, and uses Macpherson's term, 'quasi-market society,' in his analysis of a political-economic regime 'beyond capitalism and socialism.' Most of the OECD countries, Leiss says, are approaching this new regime from the side of capitalism; a few are 'in

full flight from largely unhappy applications of an overly rigid socialist ideology.' This version of the convergence doctrine, like many others, happily avoids questions of the goodness or evilness of the two categories of regime. Leiss creates an index to measure the degree to which a quasi-market society tends to exist, but then adds numerous qualifications that detracted from the explanatory power of the model. His qualifications do, however, come closer to the everyday reality of real political differences between real countries such as Poland and Sweden or the USSR and Canada. The great threat to the convergence of quasi-market societies, at least in those countries that are approaching the regime from the capitalist side, is privatization, which Leiss nevertheless dismisses as a 'shortrun challenge.' On the other hand, this may be whistling in the dark.

Leiss' sympathetic exposition, followed by some modest amendments to Macpherson's vision of a non-capitalist and democratic regime, raises a larger issue: since no regime in the modern world is democratic that is not also essentially capitalist, and since all seriously socialist regimes are neither democratic nor even productive, what is the point of writing 'utopian' tracts, even if one calls them 'epic theory'? According to Leiss, *all* political theorists are utopians and the sole difference among them centres on how loudly they declaim their views. According to Leiss, Macpherson was discreet. One wonders why. He remained happily within one of modern society's great institutions, the university, while pursuing a career devoted to the unsparing criticism of the society that sustained him. As Leiss puts it, also with discretion, he was a scholar and protagonist. Macpherson was an adherent of the religion of progress and judged liberalism from within the horizon of his progressivist faith. Chiefly this took the form of a criticism of capitalism and a defense of a liberalism practiced nowhere on earth and given only the slightest of allegiance within the university. In fact, though Leiss does not say so, Macpherson's liberalism was tainted with the notion of a liberal education. And a liberal education has never been a particularly democratic notion.

One may approach the real problem of intellectuals such as Macpherson from another perspective as well. He was a scholar, a practitioner of the 'scholar's craft,' as Leiss puts it. But scholarship is at best a propaedeutic to thought or to philosophising and is, in any event, always subordinate to other commitments. For Macpherson, scholarship was a propaedeutic to criticism. Why intellec-

tuals should find their vocational desires satisfied as critics is a long-standing puzzle. To begin to unravel it one must question the guiding assumption of Leiss' book, that all political theorists are utopians.

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Kurt Salamun, ed.

*Karl Popper und die Philosophie des
Kritischen Rationalismus. Zum 85.*

*Geburstag von Karl R. Popper. Studien
zur österreichischen Philosophie, Band 14.*
Atlanta, GA: Rodopi 1989.

Pp. ix+283. (cloth: ISBN 90-5183-036-X);
(paper: ISBN 90-5183-091-2).

This, third Popper *Festschrift* (for his 85th birthday, following his 60th and 80th), stems from a summer course on his philosophy, in Dubrovnik, Yugoslavia, 1987. In Central Europe he is long recognized as a leading philosopher; also in the British political and scientific establishments; now, incredibly, also in Communist countries. The American philosophical establishment hesitates to endorse the inclusion of his best-selling works in standard reading and reference lists. There is an obstacle here, his half-a-century old demand from the Vienna Circle for an unconditional surrender. A quarter of a century ago, the late Imre Lakatos tried to overcome that obstacle; he nearly succeeded, and then he precipitated confusion by vociferously disparaging Popper. In the meantime Popper's reputation increases, without the philosophical establishment's blessing; they will soon have to acknowledge this fact, and then his work will be standard, and his diverse contributions, including those to the study of ancient Greek thought and to logic, will be discussed, hopefully critically, and this will oust much inferior material now considered standard. But first the establishment must relegate to the past the distortion of his methodology as a criterion of scientific meaning (Carl G. Hempel) and

its dismissal as a mere popular myth (Adolf Grünbaum). The book under review, which presents Popper as an influential thinker, will soon have a great demand.

The book is mostly expository and its language (mainly German) is very readable. In part it is also enlightening – even to the adept; occasionally it is inadequate. The worst is a presentation of Popper's version of individualism that fits Hayek's, older one. Gross clumsiness in expository texts is almost as unwelcome as gross inaccuracy. This latter fault is common in the presentation of the best-known criticism of Popper, of his formula for verisimilitude which is a *faux pas*. Attempting to capture his – or Einstein's – theory that science approximates the ultimate truth, so that Kepler's theory approximates Newton's, and Newton's Einstein's, Popper suggested the following formula.

(*) A theory, called the later, is nearer to the truth [= more verisimilar] than a different theory, called the earlier, iff the later contains all the true consequences of the earlier, and the earlier contains all the false consequences of the later.

This formula deprives Newton's theory of being more verisimilar than Kepler's.

Proof: Suppose the contrary; then, by the formula, the two different false theories, the earlier and the later, include each other: they are different yet identical. QED.

Though this proof is complete, its presentation fills many studies, including a long detailed paper here (which ignores my variants of the proof and of the formula, limiting the comparison of contents to fields of potential falsifiers [*Mind* (1981)]).

Otto-Peter Übermeier presets ably Popper's solution to the problem of induction as negative (error-elimination), for which he has a positive supplement. In my view his move is question-begging and redundant, yet superior to the popular pretense that Popper solves the problem of induction positively (by his theory of corroboration): disagreement is always preferable to surreptitious alteration, Popper says repeatedly.

Gunnar Andersson observes that Thomas Kuhn and Imre Lakatos attack Popper with his own idea: one can always accommodate criticism and remain dogmatic [this is but a variant on the Duhem-Quine thesis]. They prefer dogmatism to his legislation against it and obviously they prefer not to say this openly. Let the dogmatist apply

tenets and let the curious explore novelties: an acrid stagnant dispute should transmute into a bland difference in preferences.

Dariusz Alexandrowicz handles deftly similar deliberations in his presentation of the Frankfurt philosophers' view of Popper as a positivist. I remember reading with indignation an early review of his *The Open Society and Its Enemies*, which ranks him a positivist. I was his assistant then and I reported this to him; he smiled benignly and said wisely that for the anti-scientific he is positivist enough.

A few contributors admit that science permits the practice of dogmatic adjustment to criticism by minor revisions, but as the exception, not as the rule. Ernst Topitsch's interesting essay, on the retreat from argument, ascribes to the neo-Marxists and the existentialists this very practice as a rule. Correct, but fairness requires admission that Popper erroneously conflates two defects, perhaps because they naturally unite: the reluctance to admit past error and the preference for irrefutable theories: since, as Topitsch shows, Marx systematically fenced criticism, some of Marx's ideas are criticizable. Though Joan Robinson said so (in the early sixties), Popper still deems Marx's ideas irrefutable, because of Marx's dogmatic frame of mind. But Newton too had a dogmatic frame of mind.

Dragan Jakowljewitsch discusses sensitively the difference between the natural and the social sciences. Here Popper's discussion inhibits: on this occasion he neglected presenting the problem under scrutiny; this trivialises matters, since, of necessity, partial similarity is a universal characteristic.

The best contributions are by Hans Albert, Werner Becker and Gerard Radnitzky, the leading German Popperians. They exhibit different interests and possibly differing opinions. Becker defends pluralist participatory democracy and examines how much of it is prescribed by philosophy, and how much by historical circumstances. He bravely mentions here the possibility of another holocaust. Radnitzky presents Popper's methodology as reflecting a distinct anthropology and identifies it with Hayek's, rejecting Popper's interventionism (*The Open Society*) as erroneous. (I endorse the first contention, not the second.) Albert says, since the rules of science are institutional, and of the open society, methodology cannot be a sacrosanct part of logic. The three essays show how stimulating Popper's work is and how incomplete. Regrettably, with the exception noted, they omit the disagreements which they have with Popper.

The English reading public has had hardly any opportunity to be familiar with Becker's work and only a little with Albert's. I recommend this book, particularly these three writers, hoping that the its diversity will speak for the richness of the Popper legacy.

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Jan T.J. Srzednicki, ed.

Stephan Körner –

*Philosophical Analysis and Reconstruction:
Contributions to Philosophy.*

Norwell, MA: Martinus Nijhoff Publishers
1987. Pp. xii+171.

US \$49.50. ISBN 90-247-3543-2.

This is a collection of essays on the work of one of the most distinguished and most versatile philosophers writing in English today. The best part of the book consists of Körner's responses, in which he masterfully explains and further develops his views. Some of the essays seem to have been hastily thought-out or written.

In 'A Version of Cartesian Method', Roderick M. Chisholm defends the view that 'there are absolutely certain propositions which do not belong to logic and mathematics,' about which view Körner has expressed doubt, by appealing to examples of propositions in which one attributes to oneself what, following Meinong, Chisholm calls self-presenting properties. (Thinking, judging, hoping, wishing, feeling, and being appeared to are given as examples. Believing is absent from the list.) Such propositions are absolutely certain, since the properties that are attributed 'constitute their own evidence, so to speak.' Chisholm claims that in every case of self-presentation, not only the specific act of awareness but also the subject of that act, the self, is also presented. He must be aware that many have denied this, but does not argue for his claim in this paper.

Körner replies by suggesting that the psychological concepts to which Chisholm had appealed are not purely descriptive and therefore their application is not self-evident, since they involve concepts

such as those of a person and a proposition, which can be understood in very different ways, perhaps even rejected as vacuous. Surely, Körner is right, as the example of the alleged self-presentation of the subject shows.

In 'Concepts, Rules, and Innateness', Keith Lehrer argues that Körner's views on ostensive concepts and ostensive rules involve at least one infinite regress. If to understand an ostensive concept one must accept an ostensive rule, one must already possess a language in which the rule is embedded. He then suggests that the looming infinite regress can be avoided if, following Reid and more recently Fodor, we postulate the existence of an innate language. Körner's response is that he does not distinguish two steps, accepting the rules and accepting (understanding) the ostensive concept, and therefore that his view does not involve even a finite regress. Nor has he offered any theory of concept acquisition. What he has offered is a logic of conceptual thinking, which is compatible with Reid's theory but also with others that 'can claim more empirical support.'

Lewis White Beck's contribution, 'Five Concepts of Freedom in Kant', is outstanding. He attempts to avoid the familiar difficulties of Kant's account of freedom by proposing two 'postulates': (1) 'In the natural sciences always seek natural causes, and do not admit non-natural causes in the explanation of natural phenomena (including human actions),' and (2) 'Act as if the maxim of your will were a sufficient determining ground of the action undertaken.' He points out that these postulates are consistent and make no ontological claims. They only acknowledge the difference between the scientific point of view of the observer and the practical point of view of the acting (and judging) person. Of course, the question that must be asked is what makes the difference possible, and why should it be taken as relevant. Beck denies that either postulate is a fiction, or better grounded than the other. They are just inescapable in their respective spheres of application. But it is difficult to believe that they are equally justified as long as no supporting ontological considerations are provided.

Körner is sympathetic to Beck's view but holds that the belief, implicit in Beck's account, that indeterministic freedom is inconsistent with science rests on a mistaken view of scientific theories. They are not descriptions but idealizations of the world of common experience. As such their applicability to the latter is limited. One limit is set by the commonsense fact of freedom. He expresses his difference from Beck by saying that while Beck regards natural necessity and freedom

as postulates, he, Körner, regards the former as a ('possibly obsolete') postulate and the latter as a constitutive principle of being a person. I find this view more plausible, though it requires an ontological basis even more obviously than Beck's.

Witold Marciszewski discusses Körner's monograph *Categorical Frameworks* (1970), arguing that the set of questions listed there as a way of identifying a particular categorial framework are not neutral, as they were intended to be. For example, they seem to involve commitment to classes, including the empty class. Körner acknowledges this and points out that his view has been importantly modified in his much more recent *Metaphysics*. In the latter a categorial framework is understood not in terms of answers to a list of questions but as 'the result of the manner in which human beings as a matter of empirical fact organize their experience of the inter-subjective world.'

Richard Sylvan (Routley) discusses Körner's views on the correspondence and the coherence theories of truth. He argues that a theory of truth as correspondence to facts can be developed in a manner analogous to Tarski's theory of truth as correspondence between the statements of a metalanguage and the statements of the object-language. Körner replies that such a theory would share the limitations of Tarski's, namely, the latter's applicability only to formalized languages and its basis in a version of classical logic. Sylvan questions Körner's criticism of the coherence theory of truth, namely, that the latter is plausible only if it presupposes the existence of a relation of implication (called 'involvement') such that 'any true proposition implies any other.' Sylvan claims that material implication is such a relation. Körner's response (surely right) is that what the coherence theorist needs is a relation both necessary and ampliative. Material implication may be ampliative but not necessary.

In his first-rate essay 'Prudence and Akrasia', Robert Sharpe connects the notions of self-deception and akrasia ('The self-deceiver is weak-willed.'). He rightly rejects the fashionable conflation of desires and wants ('"Desire" is appropriate for wanting food, sex, material gew-gaws, etc. The celibate may have desires which he does not want to gratify.'), as well as the no less fashionable but much more vicious conflation of desires with reasons for action ('I have a reason to do x only if x is either good in itself or a means to a good. So a clash between reasons and desires is always possible.') His view is that self-deception is irrational not because the self-deceiver does not believe what his evidence supports but because he fails to gather and inves-

tigate his evidence sufficiently. Though Sharpe does not identify self-deception with akrasia, he argues that the irrationality of the former is the irrationality of the latter, which in turn is the irrationality of imprudence. He disagrees with Körner's view (in *Experience and Conduct*) that 'prudence is a morally dominated concept such that it cannot be said of an immoral man that his behaviour is prudent.' Prudence is a matter of acting consistently with our conception of our interests and morality is irrelevant to it. To this Körner judiciously replies that 'prudence' has several senses, and that there can be moral justification for sometimes acting in accordance with self-interest but in minor violation of a moral principle. (E.g., one may break a trivial promise in order to save one's life). But he does not seem to appreciate the substance of Sharpe's article. Sharpe's most striking contention, that 'self-deception is a failure in action, a failure to investigate,' can and should be questioned. Suffice it here to recall Sartre's extensive examples (we need not accept his theories) of the patterns of bad faith.

In 'Determinism, Responsibility, and Computers', Jacek Holowka suggests that determinism is compatible with our ordinary practice of moral evaluation, for we may conceive of ourselves as computers that have, among others, 'a moral program' that distinguishes between good and bad, right and wrong, states of affairs. Körner offers a 'pragmatic argument' for indeterminism, namely, that accepting it makes us less likely to look for excuses of immorality. He may be right. But what needs remark is that Holowka's suggestion is probably conceptually incoherent. If we regarded ourselves as moral automata, then we would also regard the concepts encoded in our moral programs as only superficially similar to our actual moral concepts.

John Cleave's 'Logic and Inexactness' is a valuable account and further development of the logic required by Körner's important theses that there are individuals that are indefinite (i.e., not sharply separable from their environment) and classes and relations that are inexact (i.e., admit of borderline cases), and that empirical continua can be understood in terms of inexact classes. (For example, the continuous change of an object from having the property P to having the property non-P includes stages when it has neither P nor non-P.) But neither Cleave nor Körner considers the question, Assuming that indefiniteness and inexactness are empirically actual, how are they possible? What must our ontology be if it is to render them intelligible?

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B. A. Worthington

Selfconsciousness and Selfreference: An Interpretation of Wittgenstein's Tractatus.
Brookfield, VT: Gower Publishing Co. 1988.
Pp. vi+84.
US \$44.50. ISBN 0-566-05554-6.

This monograph promises to be of great interest to anyone wishing a close, analytic exegesis of the *Tractatus* which is, if not overtly sympathetic to, at least interested in, the 'mystical' passages contained in its final pages. *Selfconsciousness and Selfreference* both does and does not fulfil this promise. Its exegesis of the late 5's and late 6's is most welcome; its adduction of material from the *Notebooks* interesting; its construction of parallels with central claims in Schopenhauer constructive; and its suggestion of connections with certain other authors (e.g., Descartes and Bateson) stimulating; but its failure to grasp the full significance of the picture theory for the issues it discusses is frustrating, and its overall interpretation of the *Tractatus*, therefore, a disappointment.

The core of the book, and its most original suggestion, is Worthington's claim that 'the linguistic doctrines of the *Tractatus* ... are dependent on [Wittgenstein's discussion of ethics and the self]' (51). Or, as he puts it elsewhere, '*the central semantic doctrine of the Tractatus, that language cannot be used to describe its own semantic structure, is the outcome of quasi existentialist considerations concerning self consciousness*' (55). Worthington vacillates on how strongly he wishes us to read 'are dependent on' and 'is the outcome of'. At its weakest, his thesis is simply that there is 'an underlying resemblance' between Wittgenstein's rejection of self-reference in language and his rejection of self-consciousness in the good life (54). Slightly stronger is Worthington's claim that Wittgenstein *associates* self-consciousness with self-reference (58). But at its strongest, the claim appears to be that Wittgenstein's views on language are a logical, or possibly psychological, consequence of his views on the incompatibility between self-consciousness and 'the solution of the problem of life'.

The view that Wittgenstein believes self-consciousness to be incompatible with 'the solution of the problem of life' is the outcome of Worthington's exegesis of 6.41, 6.45, 6.521a and 5.6-5.63. Roughly, Worthington's thought is that Wittgenstein, like Schopenhauer, believes that the problem of life is that life is felt to be problematic. 'The misery of the world' impresses us with the need to *do* something;

but at the same time, the world's contingency convinces us that what happens in the world is ultimately beyond our control. Only realizing that the world's misery is inevitable (God's will?), and is therefore not a 'problem', will alleviate metaphysical anxiety. But to accept that the world's misery is inevitable is to live 'without fear and hope' (*Notebooks* 14.7.16, Worthington 21); and this is 'to live in the present' (*Notebooks* 8.7.16, Worthington 21). And to 'live in the present' is to 'feel the world as a limited whole', which feeling is incompatible with 'the attitude of mind involved in metaphysical reflection' (37), viz., self-consciousness (47). There are a number of specific points on which Worthington's interpretations might be challenged, but on the whole his readings are compelling; and there is certainly a great deal of support from the main body of mystical literature for the view that mystical experience, whether or not it is tied to the rejection of metaphysical speculation, is dependent on a loss of sense of self.

But what has any of this to do with Wittgenstein's denial of self-reference to ideal languages? Certainly there are obvious superficial connections between self-consciousness and the capacity for self-reference, and so, equally obviously (and superficially) a 'resemblance' between doctrines which reject the one and doctrines which reject the other. Beyond this, however, Worthington wishes to claim that 'the incompatibility of metaphysics or, we can now say, of self-consciousness, with "the solution of the problem of life" is fundamental even to Wittgenstein's semantic doctrines since without it no sense can be made of the nonsensicality of the *Tractatus*' (55). What I believe Worthington has in mind here is his argument that what Wittgenstein means when he claims that propositions with metaphysical content (including his own – see 6.53, 6.54) are nonsense is that they are 'systematically misleading' (41, 61, etc.). (The reason I am uncertain that this is the argument he intends is that it is developed in Chapter 8, *following* the passage just quoted. But Worthington prefaces the quoted passage with reference to an argument he has given 'earlier' to this effect. I can find no such argument, though there are earlier *remarks* on the same subject. I have concluded that there must have been some confusion about the ordering of the chapters.) According to Worthington, Wittgenstein believes that consideration of metaphysical propositions is not incoherent, but counter-productive: metaphysical reflection arises in an attempt to relieve metaphysical anxiety; but the only actual relief for metaphysical anxiety is to refuse to engage in metaphysical reflection. 'Wittgenstein can hardly

mean [in 6.54] that the *Tractatus* fails to convey ideas because it obviously succeeds' (61, emphasis mine).

But Worthington here confuses Wittgenstein's thinking that certain expressions must have content because we understand them with our apprehension of meaning in what Wittgenstein alleges to be nonsense. Certainly, the oracular compositional style of the *Tractatus* forces Wittgenstein to make remarks about language as a whole in order to lay out his vision. But one facet of that vision is that, in an ideal symbolism, such claims could not be expressed – although what could be expressed in such a symbolism would make the 'truth' of such 'claims' evident. In Wittgenstein's own terms, what he means in the *Tractatus* is correct, but what he says is not. (Cp. 5.62.)

What, then, would Wittgenstein say about the *Tractatus*'s 'obvious success' in conveying ideas? – That it may appear to be successful, but that its apparent success is no guarantor of the logical coherence of its metaphysical propositions. That such propositions are not pragmatically speaking ill-advised, but are strictly speaking without sense, as this notion is defined earlier in the *Tractatus*. And that it is to such strict speaking that we must accustom ourselves if we are to learn to see the world aright.

The fundamental difficulty running through all of this is Worthington's failure to perceive that the picture theory of language makes metaphysical speculation logically incoherent. Whether it is designed to do so in order to justify antecedently held views on ethics, aesthetics, and the inexpressible, or whether those views are simply a consequence of the picture theory is an interesting question – but it is independent of the question 'What is the reason, provided in the *Tractatus*, for claiming metaphysical assertions (including its own) to be nonsensical?' The answer to the latter is: they are nonsense because they purport to describe the form of reality, i.e., logical form (2.18), i.e., 'what any picture ... must have in common with reality in order to be able to depict it' (2.18), i.e., 'its pictorial form' (2.17), i.e., *that which no picture* (read 'proposition' – 3, 4) *can depict* (2.172). By failing to appreciate the power of the logical machinery leading up to the mystical passages, Worthington ends up with an interpretation of the *Tractatus* which is as unbalanced in its own way as a positivist-style reading that views the 6's and 7 merely as a kind of mad afterthought. What is missing from both is an appreciation of the extraordinary integrity of the *Tractatus*; and that integrity, I take it, is not merely one among other characteristics the work possesses, but its point.

Worthington's reading leads him to construe Wittgenstein's later views on language and meaning as 'consistent' with those of the *Tractatus*. Because he takes it that Wittgenstein merely encourages us to avoid (47) metaphysical speculation, Worthington is able to attribute to Wittgenstein the view that all other accounts of language – including that of the *Investigations* – are simply part of the 'metaphysical confusion' (66) which Wittgenstein advises us to overcome by 'living in the present'. 'Not sayable', according to Worthington, means 'that which is strategically misguided, if one's aim is to escape metaphysical anxiety'. Hence, '[i]t will at once be seen that a wide range of philosophical topics [and views] are ... excluded by the *Tractatus* model from the realm of the sayable and yet must simultaneously be admitted to the realm of the theories consistent with the *Tractatus*' (66). ('Consistent', apparently, in the sense in which pneumonia might be said to be 'consistent' with sound medical science since the latter allows one to diagnose the former and get rid of it.) Thus, in Worthington's view, all that recommends one 'theory' of language over another for the early Wittgenstein is that it relieves one of metaphysical anxiety. Would we be correct then to think that Wittgenstein would have been just as content circulating broadsides saying 'Renounce metaphysics and follow the teachings of Zen' as he was hammering away at logic in the trenches? Obviously not. The *Tractatus* theory was to be preferred because it *proved* metaphysics to be misguided.

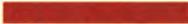
What is chiefly to be recommended about Worthington's reading is its insistence that Wittgenstein be taken seriously in the 'mystical' passages. Further, I think there can be no doubt that there is evidence for extralogical motivation in the formation of Wittgenstein's 'mystical' views. Worthington is to be applauded for his diligence in bringing this evidence to light.

I would like finally to beg the indulgence of readers to ride what must at first seem to be a hobby horse of minuscule proportions: copy-editing. *Selfconsciousness and Selfreference*, though not as bad as many contemporary volumes, contains numerous errors of punctuation and type style; and more spelling and grammatical errors than one might hope. On a larger scale, in Chapter 1, Worthington provides an overview in which the chapters are misnumbered and in which the number of chapters devoted to a particular topic is twice mistaken. None of these may be Worthington's fault, as there do exist presses which do not send galleys to their authors; and other presses which take little care with the corrections they are sent. However,

taken together such errors cannot help but convey an impression of haste and slap-dashedness. The proliferation of such instances in academic publishing of late suggests that we no longer attach importance to such matters, that we do not expect our work to be read slowly and with care by others; or that we are held in such thrall by mere length of CV that what *must* take precedence over all other concerns is that a title be in print. Whether it simply calls for a re-examination of the old maxim that whatever's worth doing is worth doing well, or whether, as I suspect, it ultimately calls for re-construing the respective rôles of thinking, writing, and publishing in the good life, it is a state of affairs which deserves our attention. I commend it to general reflection.

Jan Zwicky

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Editors' Note

The anglophone editors of

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are pleased to announce the acquisition of
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R. Burch
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