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Why the 2003 Invasion of Iraq Was Unjust:  
An Application of Michael Walzer's 'Just War' Theory

Alexandra Ages, University of Victoria

On March 20th, 2003, the surprise military invasion of Iraq, initiated by U.S forces, began. With no formal declaration of war, hundreds of thousands troops, primarily American and British, would invade Iraq under the pretense of finding weapons of mass destruction. In the process, they came to largely destroy the nation, and killed roughly 170,000<sup>1</sup> innocent civilians. No weapons of mass destruction were ever found. In this paper, I will argue that the United States-led invasion of Iraq was an unjust war according to Walzer's theories on wars of anticipation. The invasion of Iraq serves as a testament to the dangers of the American military-industrial complex, and the consequences of this deeply unjust and immoral war linger today in the form of ISIL, in lost lives of the hundreds of thousands of innocent civilians who were killed, and in the destroyed remnants of a nation that was once Iraq.

Michael Walzer's views on pre-emptive strikes generally support the idea that certain anticipatory strikes are in fact just if certain conditions are met beforehand. Walzer defines the main condition that justifies anticipatory action as the 'line of sufficient threat,' versus the more classically accepted condition which is the 'line of imminent attack.' However, 'sufficient threat' is at times a blurry and confusing line, and what

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constitutes as a sufficient threat can be interpreted in vastly different ways by those in power. Walzer clarifies that he defines ‘sufficient threat’ as three things: “a manifest intent to injure, a degree of active preparation that makes that intent a positive danger, and a general situation in which waiting, or doing anything other than fighting, greatly magnifies the risk.”<sup>2</sup> Despite Walzer’s clarification of the three main ways that ‘sufficient threat’ can be determined, there is still a great degree of uncertainty over what exactly is a genuine threat, and even Walzer notes that context is absolutely key in defining what a justifiable reason to engage in a pre-emptive strike would be. Nonetheless, the issue with Walzer’s ideas of just and unjust anticipatory action, and indeed in regards to just war theory in general, is that perceptions of events and of dangers often differ greatly, creating situations in which the often-hazy definitions set out by Walzer can be twisted and adapted for specific circumstances.

The 2003 invasion of Iraq is one such case where distortions of ‘sufficient threat’ influenced the perception of justice to such a degree that military action was taken, under the false pretense of highly dangerous weapons of mass destruction. To twist Walzer’s words, it is perhaps possible to turn the invasion into a just war, by arguing that the anti-American sentiment expressed by Iraqi leader Saddam Hussein qualified as a “manifest intent to injure,” that the potential weapons of mass destruction qualified as “active preparation,” and that to act later rather than sooner could potentially put America, perhaps even the world, at risk. However, these assumptions, which were the core arguments of those in support of the war, are utterly false. While they can technically work in tandem

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with Walzer's theories, the accuracy of the perceptions used to justify the war means that such ideas, as untrue and unverified, mean that no matter how compelling an argument they may make, they are still in no way compatible with Walzer's arguments for what constitutes a just anticipatory strike.

The open of hostility of Iraqi dictator Saddam Hussein towards America, which was considered deeply threatening by U.S President George W. Bush and his advisors due to potential links with various terrorist organizations, did not constitute a "manifest intent to injure." While Hussein was undeniably a brutal dictator who treated both neighboring countries and his own citizens with hostility and oppression, the likelihood of him and his regime being intertwined with radical Islamic terrorist groups to destroy America was completely marginal.

The Ba'ath party, of which Hussein and his government represented, was a secular and socialist party, and was in fact often at odds with many of the more religious conservatives.<sup>3</sup> Al-Qaeda, the terrorist group whose 9/11 attacks helped to support public perception that America was under attack by the Middle East, was largely composed of citizens of Saudi Arabia, America's ally.

Hussein, while certainly not a friend of American interests, had very little clear "manifest intent to injure," and it is only through dramatically warping perceptions that an alternate view could be accepted by those without any hidden interests. Walzer's first and foremost requirement for a 'sufficient threat' was not met by Saddam Hussein or the nation of Iraq in general, meaning that the invasion of Iraq

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was illegitimate according to the very basics of just war theory.

Iraq's weapons of mass destruction, though now widely known to have never existed, were considered to be a deadly serious issue prior to the 2003 war. However, the acquisition of weapons of mass destruction, though obviously a reasonable cause for concern, is not in itself a justification for a large-scale invasion. As Norman K. Swazo writes:<sup>4</sup>

Yet, it remains amply unclear what the *moral* or *legal* warrant is for the Bush Administration's call for "regime change." A government set on primacy and seeing itself as a "regional" military power in the Middle East as part of its hegemony surely has strategic interest in regime change as well as assuring that there are no weapons of mass destruction that can be used against its forces when the hegemon chooses to intervene militarily. But strategic calculations are hardly moral or legal warrants for preemptive strike or preventive war.

Strategically, ensuring that no weapons of mass destruction were present in Iraq was a vital interest to the U.S., yet a vital interest is still not adequate justification of war, because the acquisition of such weapons did not constitute as 'active preparation' for an attack on the U.S. It's also worth noting that the reliability of intelligence regarding the weapons Iraq supposedly possessed has been called into question repeatedly in recent years, was called into question even prior to the invasion even beginning, and ultimately, did turn out to be faulty when no such weapons were found. The use of unreliable

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intelligence to justify an invasion is already in a moral grey zone, but the confirmation by then-Deputy Defense Secretary Paul Wolfowitz that “...for bureaucratic reasons we settled on one issue, weapons of mass destruction, because it was the one reason everyone could agree on,”<sup>5</sup> clearly illustrates that the belief in weapons of mass destruction was used in part as a convenient means to justify the invasion; therefore the U.S invasion was not based on grounds of ‘active preparation’ for war taken by Iraq.

Had Saddam Hussein possessed weapons of mass destruction, and had he similarly possessed enough hostility towards the U.S that an attack was possible, the likelihood of it occurring was still relatively minimal. There was no immediate threat posed to the U.S, nor would waiting for an imminent threat versus pursuing an anticipatory strike have dramatically magnified the risk to the U.S should a later intervention have become necessary. While a terrorist threat was a possibility, the likelihood that it would be carried by Iraqi forces, versus say, Saudi radicals already known to be active terrorists who had previously carried out the 9/11 attacks, was not great enough by any means to warrant an invasion. Had the U.S waited until imminent danger to invade, Iraqi forces would have likely had similar strength to what they possessed during the pre-emptive strike, as large-scale UN sanctions and deep-seated national unrest did not bode well for sudden mobilization. As with Walzer’s two first conditions for a threat to be deemed sufficient enough to warrant anticipatory action, the third condition was not met prior to the 2003 invasion.

Preventive war is, in theory at least, meant to be true to its name, serving as a means by which to *prevent* greater

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destruction. Anticipatory wars exist in relation to Walzer's basic rules of just warfare; notably, the belief that a war should only be undertaken if the overall benefits outweigh the harm. This doctrine is fundamental to just war theory, as it provides some semblance of logic to military actions and serves as the dividing line between a morally correct war and a war of needless destruction and suffering. For a war to be just, it must in some way prove itself to have been worth the lives and resources that were lost while fighting it. In regards to this doctrine, the invasion of Iraq's greatest violation of just war theory is plainly evident. Over a decade after the the invasion was initially launched, hundreds of thousands of civilians are now dead, as well as 4,412 U.S servicemen.<sup>6</sup> Alongside a shockingly high number of casualties, the political situation in Iraq also deteriorated as a direct consequence of the U.S invasion, with Iraq now existing as a borderline failed state that allowed for the rise of ISIL, a terrorist group that has, arguably, wreaked far more havoc in the Middle East than Saddam Hussein ever did. The preventative war that was the U.S led invasion of Iraq prevented nothing, except for any hopes that Iraq could have stabilized and peace could be achieved. Instead, the anticipatory strike that began in 2003 cost countless lives, destroyed Iraq (and arguably, Syria as well) and led to the rise of a far more dangerous terrorist group. Not only is the Iraq war of 2003 unjust according to Walzer, it is unjust to any individual who feels that political motivations are not a valid reason for thousands of civilians to die, and for a nation to be all-but annihilated.

### **Notes**

1. According to rough estimates from various news sources.

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2. Michael Walzer, *Just and Unjust Wars: A Moral Argument with Historical Illustrations*(New York: Basic Books, Member of the Perseus Group, 2015), 81.
3. Anouar Abdul-Malek, *Contemporary Arab Political Thought* (London: Zed Press, 1983).
4. Norman K. Swazo, "Just War Against Iraq in 2003." *The Ethical Spectacle* (February 2003),  
  
<http://www.spectacle.org/0203/swazo.html>
5. David Osborne, "WMD Just a Convenient Excuse for War, Admits Wolfowitz," *The Independent*, May 29, 2003.
6. According to the U.S defense website's log of casualties

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## A Renewal of Philosophy

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For centuries, Western philosophers have grappled with profound questions. How do we know what we know? When are we justified in claiming we know? Are there universal moral truths? Does the physical world exist independent of human perception? If it does, do we perceive it directly—or only via representations in our minds? Are the human mind and human body two distinct substances, or are they one physical thing? If they are distinct, how do they interact; but if they are identical, where can we locate conscious experiences in someone’s brain? These problems have yet to be solved, and perhaps they never will be. Yet, at the same time, science made great strides in answering questions about the physical world. Can we finally say then that philosophy has failed—that it is dead? In this paper, I will argue that if the purpose of philosophy is to *answer* the profound questions, then yes, philosophy has failed. But I will also suggest that if we reconsider its purpose, then philosophy is very much alive.

Here at the University, criminology and nursing students are required to take at least one philosophy course about ethics in their respective fields. Their professors traverse thorny ethical issues: Is plea bargaining moral? Should there be mandatory sentences for serious crimes? Are police sting operations fair? Is plea bargaining ethical? Should we allow assisted dying? Is abortion murder? To the disappointment of the students, the answers to these problems are no more

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forthcoming then are the centuries-old profound problems of philosophy exemplified above. Many of these students complete their ethics courses frustrated *because they were expecting answers*. What good is a class in ethics if they return to their legal or nursing programs without the rules which will guide them through the maze of dilemmas they will face in their careers?

Bertrand Russell (89-94) asserted the following: In contrast to physical science, which “is useful to innumerable people who are wholly ignorant of it,” philosophy only directly affects the lives of those who study it. Philosophy does not directly produce knowledge. Though philosophy is the great mother of sciences, it leaves it to the other sciences to find answers—because if it were to produce answers, it would no longer be philosophy. Indeed, said Russell, the purpose of philosophy is not to find answers, but to better ourselves as people by helping us clarify questions; accept uncertainty; examine our beliefs, convictions, and prejudices; remove ignorance which prevents us from eventually finding answers to problems; and to help us achieve personal liberation by developing compassion and kindness. If Russell was correct, then it is no wonder that criminology and healthcare students don’t find immediate answers to their problems; yet it is the hope that philosophy helps them take small steps towards becoming clearer thinkers and better people.

Russell believed that the ambiguities, misunderstandings, and other obstacles to clear thinking were the result of the inadequacy of grammar. Propositions must either be true or false—but not indeterminate. But what is the truth value of a statement such as “The present of King of France is bald,”

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considering that the present King France is a non-existent entity. How can something that doesn't exist have a property; and moreover, how can we determine the truth value of such a claim? Russell sought to clean up sloppy language by translating it into logical form, a superior "language" which explicitly elucidates the *intent* of the deficient grammar, which is in this case, "There exists one and only one present King of France, and he is bald." If we apply Russell's logic, we have a conjunction,  $A + B$ . Unless *both* conjuncts are true, the statement is false. Since  $A$  is false, we now have successfully determined the falsity of the entire statement. Russell thus cleaned up language, at least with respect to nonexistent definite descriptions. But using a similar strategy of determining the logical intent behind grammar, Russell's theory of descriptions solved various classic puzzles of grammar presented by Frege and Strawson.<sup>1</sup>

Russell's student, Ludwig Wittgenstein, initially seemed to share Russell's belief that the best strategy to address philosophical problems and to clarify thinking was to clean up language. Both Russell and Wittgenstein sought to clarify language insofar as grammar is often imprecise and ambiguous, but they employed distinct strategies. As explicated above, Russell sought to expose the underlying logic, and reduce the world to logical statements about simples.<sup>2</sup> But Wittgenstein took a different approach: His *picture theory* taught that those objects—and only those objects—which could coherently fit together in a picture were part of the world. Anything else was nonsensical, and one could not possibly encounter nonsensical states of affairs composed of things that did not fit logically together (*Tractatus*). Russell explained how sentences referring

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to nonexistents could have meaning by reducing such sentences to anatomical logical statements, as described above. Wittgenstein, on the other hand, stated that nonexistents, so long as they were logically possible (the present King of France is possible, but a round square is not), were facts of the world. They may be true facts, or false facts—but all *logically possible* states of affairs are part of the world as described by language, according to Wittgenstein.

Then Russell and Wittgenstein parted ways. Whereas Russell may have succeeded in exposing the underlying logic which is the *intention* of ambiguous grammatical statements, and may have succeeded in inventorying the world of anatomic facts, Wittgenstein embarked on a much more radical project: To refute that anatomical facts have significant meaning at all; and moreover, to refute widely accepted metaphysical beliefs on the grounds that such metaphysical theories *do not fit into pictures*. For example, beliefs about morality, good, bad, evil and God are out the window—such things cannot be pictured. Indeed, no judgments about states of affairs can be pictured—only states of affairs themselves make any sense.

Wittgenstein was not done yet; his project was not to lead us into nihilism by denying meaning or values, then walk away. He pointed us in a new direction by offering an alternative method to understand life which relies neither on metaphysical theories nor on value judgments (indeed, it precludes them). This is the world of *Realität* —the present moment of *here and now* which cannot be converted to grammatical descriptions nor to metaphysical concepts. Indeed, the present moment is *all* we ever have. The “past” is merely a memory experienced in the present; ideas about the “future” likewise necessarily reside in

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the present. No sooner than we attempt to conceptualize, philosophize, moralize, or otherwise judge an experience, the moment in which such experience resided is already gone. Thus, we are always and inescapably in the present moment which words cannot capture. The word *pain* is not identical to the experience of pain, it is merely a word. Because words cannot capture an experience, *Realität* is a mystical place devoid of words (and thus concepts) where one might hope to find personal meaning—yet in which there is no possibility of conceptualizations, judgments, nor proclamations about immaterial yet purportedly objective features of the world such as moral codes (Atkinson 37-43).

Equally as radical, Wittgenstein argued that all language is public. *Language games* set forth agreed-upon rules, without which language would be nonsensical, much like would be a game of chess to non-players. At first, this claim might seem uninteresting. But a deeper understanding of this claim reveals that if there is no private language, then although *sensations* are private, culture defines *concepts*. This means that one's self identity is contingent upon public language. This is a radical claim that the nature of human cognition is contingent and cultural—rather than *a priori* (i.e., necessary and prior to experience). We can see how Wittgenstein's language game theory is related to *Realität*: The present moment, although private, does not lend itself to language; and language, necessarily public, never captures the present moment. Thus, *private* meaning exists only in the moment and cannot be conceptualized. Conceptualization necessarily involves adopting culturally constructed, public concepts.

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To review up to this point: Russell understood that the purpose of philosophy was liberation and sought to eliminate the confusion of language by seeking a universal language of logic. Wittgenstein elucidated how language works, and thought it worked just fine for its intended purpose—making an inventory of facts and communicating socially using language games—but that meaning in life would not be found in language. Towards the goal of finding meaning, Wittgenstein lead us into the mystical present-moment of *Realität*.

For those who still cling to conventional views of logic: Quine attacked the empirical philosophers' distinction between analytic and synthetic claims as dogmatic. He stated that the proposition "No bachelor is married," presumed to be analytically true by definition, is not so—because definition "hinges on prior relations of synonymy" (261). But Quine points out that for words to be synonymous they must be interchangeable *salva veritate*.<sup>3</sup> If a statement such as "All bachelors are unmarried men" to be analytic, the words "bachelor" and "unmarried man" would have to be interchangeable. But said Quine, "Truths which become false under substitution of 'unmarried man' for 'bachelor' are easily constructed with the help of 'bachelor of arts' or 'bachelor's buttons . . ." But even if we ruled out alternate definitions of "bachelor," interchangeability *salva veritate* would not be an assurance of *cognitive synonymy*, which Quine asserted would be necessary for analyticity. The general terms "creature with a heart" and "creature with kidneys" are alike in extension, i.e., they point to an identical creature—because hearts and kidneys can only exist together. Thus, they are interchangeable *salva veritate*. But they are not *cognitively* synonymous. Therefore,

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in an extensional language, cognitive synonymy and interchangeability are distinct matters. That “bachelor” and “unmarried man” point to the same object does not mean that they are cognitively synonymous. If they are not assured to be cognitively synonymous, we can question whether “All bachelors are unmarried men” is analytic.

Quine also attacked the second “dogma of empiricism”, viz., the verification theory of meaning, which states that the meaning of a statement is its *empirical* verification condition. (267) The dogma (and self-contradiction) here is that according to *itself* the verification theory is meaningless, because *it* has no empirical verification condition.

Next, enter Derrida. One of Derrida’s projects was to question logical centrism (*naïve* devotion to logic). Widely accepted laws of logic such as LEM—the law of excluded middle—are false according to Derrida’s concept of *differance*:<sup>4</sup> Logical centrism failed to recognize dynamic flow based on relationships of opposites. Indeed, *A* implies *not A*. Love and hate, for from being mutually exclusive opposites, have something important in common: They are both strong emotions. Logic-centric philosophy, forever seeking primacies of meaning, has failed to recognize the symbiotic relationship of opposites. The laws of physics reveal potential energy, which can be thought of as residing somewhere between existence and non-existence—again, challenging the law of excluded middle.<sup>5</sup>

Derrida also questioned implicit metaphysical biases in philosophy, e.g., that “good” is better than “bad,” and that “reality” is preferable to “illusion.” Further, we erroneously believe that *aporia*—confusion and doubt—is to be avoided.

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Also, on the chopping block were Russellian efforts to find logic in language. Derrida pointed out that communication is laden with difficulty because language is *polysemic*. Words have multiple meanings, and these meanings are constantly in flux. Written language is out of the writer's control (and the reader is not present at the time of writing), therefore there's a contextual disconnect such that written material can be interpreted by readers in ways not intended by the writer. Moreover, Derrida attacked the "classical assertion" that performative utterance refers to something outside of itself, because *language transforms the very situation it describes* (355). With ambiguities such as these, it seems that language itself may have trouble being a tool of effective communication.

Rorty dealt a final insult to centuries of philosophy as a descriptive endeavour. He argued that schools of philosophy which try to establish truth correspondence to the natural world ("Mirror of Nature") are bankrupt (370). Rather, Rorty advocated a pragmatic theory of knowledge wherein scientific and metaphysical "truths" are recognized as merely contingent vocabularies which are employed by social convention because of their usefulness—not because they *correspond* to an objective world.

If my brief overview of the modern philosophers and their theories which I have referenced above has influenced us, we are now likely in states of aporia—knowing less than we thought we knew when we started this inquiry, and perhaps less than we expected to know after finishing several years of philosophy classes. But remember Russell's claim—that philosophy does not have answers, only questions. Derrida and Quine warned us that if we accept dogmatic answers to the

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problems of philosophy, we are likely fooling ourselves. Wittgenstein offered a possible approach to the confusion and frustration which are inevitable consequences of a plethora of intractable metaphysical problems: The meaning of life is to be discovered, here and now, not in metaphysical theories but in the non-conceptualizable experience of *Realität*. Perhaps we are witnessing the death of dogmatic philosophy and even of metaphysics itself. Philosophy could be reborn as an authentic quest for personal liberation, freedom, and meaning—free from questionable logical and metaphysical claims which, even if true, would not give us meaningful insights into life. Centuries of dogmatism may have imprisoned us; indeed, Wittgenstein asserted that his aim was “To shew the fly the way out of the bottle” (Investigations 165)—that is to say, no amount of hard thinking about which theories are correct will free us. Rather, freedom is a consequence of letting go, ceasing the persistent and insatiable quest for answers to intractable problems, and instead becoming aware of the present moment. But paradoxically, this very argument of Wittgenstein’s might itself be considered just another example of a philosophical theory, which as such should be dismissed by its own logic, as should the theories of Russell, Derrida, Quine, and Rorty. How then can we justify adopting Wittgenstein’s approach or that of the deconstructionists more than any other philosophical position? The answer may be that our study of philosophy—including the theories that I have elucidated herein—form a ladder. This ladder offers us a method to rise above the insatiable quest for the “correct” descriptive metaphysical theory which corresponds to an objective world, and rather towards an open state of acceptance of the unknown, letting go, and surrendering to the only sure thing we have—the present moment. Once

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we've achieved freedom, metaphysical ladders may no longer be needed—indeed, they may be the walls of the bottle which trap the fly.

### **Notes**

1. The referential theory of language holds that names and descriptions refer to things in the actual world. But this gives rise to certain puzzles of identity, references to nonexistents, negative existentials, and substitutivity (Lycan 19-26). Russell's theory of definite descriptions offers plausible methods of dealing with these puzzles by extracting the logic behind the grammar (Donnellan).
2. *Simple* refers to the smallest reducible objects. But the concept of simples came under attack by Quine for placing an artificial limit on reducibility (271).
3. Two expressions are said to be interchangeable *salva veritate* if the substitution of one for the other does not change the truth value or meaning of any context in which either expression appears.
4. Derrida intentionally misspelled the word *difference* to illustrate that words are difficult to interpret without context. He gives us context for *differance*, otherwise we would not know its meaning.
5. Arguing for idealism, W.T. Stace used the indeterminacy of potential energy as an argument against the objectivity of science (620).

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Parfit on Personal Identity in Lewis'  
Metaphysics:

How a broader conception of 'being-the-same-person-as' can help respond to Humphrey-style objections

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David Lewis is famous among philosophers for proposing a metaphysical picture of reality as made up of discrete, causally closed spatio-temporal worlds. His account treats individuals as worldbound, meaning they do not have identity across possible worlds. Its plausibility therefore relies on the success of Lewis' Counterpart Theory, which is a method to analyze the truth of counterfactuals about people in the actual world. Alvin Plantinga, in "Transworld Identity or Worldbound Individuals?", presents two objections to Counterpart Theory containing the implicit premise that personal identity is equivalent to 'being-the-same-person-as'. One reason to suspect this equivalence does not hold is Parfit's distinction between our intuitions about survival and identity. Drawing on Parfit's distinction, I suggest a way of conceptualizing of counterparthood as 'being-the-same-person-as', while distinguishing this relation from identity. Finally, I show how this conceptualization can neutralize Saul Kripke's famous 'Humphrey Objection' to Counterpart Theory in *Naming and Necessity*.

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Lewis defends a view known as modal realism, which states that possible worlds are maximally spatiotemporally interrelated wholes, with the same ontological status as the actual world. Possible worlds are metaphysical constructs, which represent ways the actual world could be. Most philosophers argue possible worlds are abstract, and are such things as sets of consistent propositions. Lewis' account instead holds that possible worlds are just as real as the world in which you are reading this paper. The term 'actual' is a merely indexical term, referring to the world in which the speaker happens to be talking. These worlds are defined by spatial and temporal relations. Anything that is spatially temporally related to anything else is a part of the same world as it. Consequently, individuals can only exist at a single possible world, or else they would stand in spatiotemporal relations to objects at other possible worlds, which would violate the maximal definition of a world. For instance, if I exist in the actual world, but also exist (by being identical with a thing that exists) in a possible world where the Allies lost WW2, then I would stand in temporal relations to events in that world, and spatial relations to people in that world. That would violate the definition of a possible world, because then those two worlds would be spatiotemporally related, and would be the same world. In other terms, on Lewis' account, identity is worldbound<sup>1</sup>.

Lewis argues counterfactuals can be analyzed by examining the nearest possible world to the actual world in which the antecedent holds, and asking whether the consequent holds. Counterpart Theory explains how we can analyze counterfactuals about individuals that exist at our world, given that they do not exist in other possible worlds. An individual's

counterpart at another possible world is the individual at that world which is most relevantly similar to the individual, if a relevantly similar individual exists. This relation is not transitive or symmetric, unlike the identity relation. It is reflexive: every individual is their own counterpart in their possible world<sup>2</sup>. What all of an individual's counterparts have in common is that individual's essence, meaning that essence and counterparthood are interdefinable<sup>3</sup>. When analyzing counterfactuals about what would be the case for an individual, we examine what is the case for their counterpart in that relevant possible world.

Alvin Plantinga has offered two objections to the theory of worldbound identity, as supplemented by counterpart theory, which target the consequences of defining what is possible for a person in terms of a non-identical person.

Firstly, according to counterpart theory, an object's essence is what is common across its counterparts<sup>4</sup>. Consider two properties I might have: the property of being self-identical, and the property of being identical with me (meaning, the person I am actually am)<sup>5</sup>. Since all of my counterparts are self-identical, meaning they are all identical with themselves, I am essentially self-identical<sup>6</sup>. However, my counterparts do not have the property of being identical with me (meaning, the person I actually am)<sup>7</sup>. What Plantinga considers "genuinely paradoxical" is the consequence that, since I am not essentially identical with myself, "I could have been someone else [...] distinct from me"<sup>8</sup>. The force of Plantinga's objection comes from this being a deeply unintuitive consequence.

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Plantinga then argues that worldbound identity entails that objects are intensely modally fragile, meaning they would be different objects given even the smallest change in what obtains<sup>9</sup>. Consider a possible world that is exactly like the actual world, except one more raindrop falls during a storm. My counterpart in that world is not identical to me, by definition. Plantinga infers that, therefore, my counterpart in that world is not the same person as the actual me<sup>10</sup>. Thus, the statement “if another raindrop had landed, I would be a different person” is true<sup>11</sup>. Put generally, if anything had been other than it actually is, I would have been a different person, or I would not exist (if I do not have a counterpart at that possible world)<sup>12</sup>. Plantinga suggests, plausibly, that this contradicts our basic intuitions about existence<sup>13</sup>. After all, what does the number of raindrops that fall have to do with the person I am?

Both of Plantinga’s objections contain the implicit assumption that if a person is not identical to someone, they are not the same person as them. Plantinga’s first objection moves from the premise that “I am not essentially identical with the person I actually am” to the premise that “I could be a distinct person”. This only follows on the assumption that identity is a necessary condition for being-the-same-person-as, which takes the form of the hidden premise “if I am not essentially identical with the person I actually am, I am not essentially the same person as the thing I actually am”. The second objection can be reconstructed to recognize the implicit premise as such:

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P1 If another raindrop had fallen, the person I would be would not be identical with the person I actually am

P2 If the person I would be would not be identical with the person I actually am, I would be a different person

C If another raindrop had fallen, I would be a different person

These premises hard to articulate, because on Lewis' view, what would be true of me if another possible world had obtained is what would be true of my counterpart, who is not identical with me. On counterpart theory, P1 would hold because in the world where the raindrop falls, my counterpart would not be identical with me, defined as the person I am in the actual world. P2, on the other hand, only holds if personal identity is equivalent with 'being-the-same-person-as'. If we assume that P2 holds, then Plantinga's argument follows logically. We might be inclined to assume this equivalence. Lewis himself appears to, by stating that "Your counterparts resemble you closely in content and context in important respects. [...] But they are not really you"<sup>14</sup>. However, there are also reasons to distinguish these two relations.

One reason to do so is Parfit's argument that when we question our intuitions about personal identity, we are actually asking what is sufficient for our continued existence, which is a more important question. As both Lewis and Plantinga note, problems in time are often analogous to problems in modality. Parfit gives a possible solution to the question of identity through time in "Personal Identity", by arguing that our intuitions about survival often diverge from what would be the

case if personal identity was our main concern. For instance, we can conceptualise one person surviving as two people. Imagine splitting one brain in half, and connecting each half to a different body. If the person survives at all, which seems plausible, then they must survive as both people, because there is no rational reason to say they survive as one and not the other<sup>15</sup>. This implies personal identity is not necessary for survival, as an identity relation between the initial person and the two product-people would require the product-people also be identical to one another, which they would not be<sup>16</sup>. Parfit goes on to argue the relations we care about when assessing survival are those of psychological continuity, or the causal continuity between psychological states<sup>17</sup>. Psychological continuity is not one-to-one; it can hold between multiple beings. There is nothing essential to psychological relations (such as remembering an experience), that requires they only exist between people who are identical with one another; therefore, psychological continuity could hold between people who are not identical with one another<sup>18</sup>. Survival differs also from personal identity in that it is a matter of degree<sup>19</sup>. Parfit argues there are cases where a person appears intuitively to partially survive a situation, such as if they merged with another person<sup>20</sup>. ‘Psychological connectedness’ describes the degree to which two individuals are directly psychologically related, and therefore the extent to which a person survives. Unlike psychological continuity, it is not transitive<sup>21</sup>.

Both Lewis’ definition of counterparts, and Parfit’s definition of survival in terms of psychological connectedness, and intransitive and context-dependent. Lewis argues that counterparthood is a more powerful tool than identity for

describing what could be the case, because it is not transitive or symmetric, unlike identity. Since counterparthood is determined by *relevant* similarity, it is also context dependent on Lewis' view. Parfit's psychological connectedness is also formulated as an alternative to the identity relation, and is intransitive for similar reasons. Since it affords of degree "the drawing of these distinctions can be left to the choice of the speaker and be allowed to vary from context to context."<sup>22</sup> This suggests that underlying both cases is the intuition that what matters to personhood is not a strict identity relation, but a more complex, context-sensitive web of relations.

However, psychological connectedness is not directly analogous to counterparthood, for a few reasons. Firstly, psychological connections cannot be used to describe how counterparts are related to one another. Psychological connections are causal, and on Lewis' account there cannot be causal relations between worlds. Secondly, survival is a matter of degree, whereas something cannot be 'more or less' a counterpart of something else. Though an object's counterpart on another world might change depending on the context of analysis, it always is or is not a counterpart, with no middle ground. Thirdly, an individual has at most one counterpart at a possible world, whereas psychological connectedness can hold between one person and multiple other individuals at the same time.

That being said, Parfit's distinction suggests a framework for understanding how and why we might distinguish between 'being-the-same-person-as' and personal identity. It shows there are at least a few conceivable cases where identity is unable to capture our intuitions about a person's continued existence. So,

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what could ‘being-the-same-person-as’ be, if not being personally identical? In order to prevent the inference of P2, it must be the case that even if we are not identical with our counterparts, we are the same person as them. This means it is a judgement of relative similarity, rather than ontological fact. This is not entirely at odds with our intuitions, as Parfit demonstrates with respect to sameness through time. Moreover, it is not uncommon to hear someone say “I was a different person back then” about their misguided youth, or “they could be the same person” about two people with similar personalities. This suggests that we have a commonplace conception of personhood which is distinct from personal identity. On the analysis I am suggesting, these two comments can be taken seriously. Consider the first claim. If the speaker considers their decision-making processes to be relevant to who they are as a person, and they have changed significantly in them over time, then, they could become sufficiently relevantly dissimilar from their past self as to become a different person. In the second case, the statement could be translated as an assertion that there could be a possible world where two similar people share the same counterpart. In other words, two people are so similar, that there is a close possible world where the most relevantly similar person to each of them is the same.

Let us apply this distinction to Kripke’s famous ‘Humphrey objection’ to counterpart theory, which is often taken to be one of the most damning responses to Lewis. The structure of the objection is similar to Plantinga’s<sup>23</sup>. Consider the counterfactual ‘if he had pursued a grassroots voter mobilization strategy, Humphrey would have won the election’. Humphrey’s counterpart on the nearest possible world where

Humphrey pursues this strategy is not Humphrey, but “someone else” we will call HumphreyG<sup>24</sup>. Kripke argues that Humphrey probably “could not care less” about how successful HumphreyG is; because Humphrey cares about whether he would have won, not about whether some similar person would have won<sup>25</sup>.

Our analysis accepts that Humphrey is not identical to HumphreyG, but does not accept that HumphreyG is therefore a different person. This takes the sting out of the objection, because if Humphrey is the same person as HumphreyG, Humphrey should care about the results of HumphreyG’s election. After all, what we care about is being the same person, not the more technical matter of identity.

Despite this promising neutralisation, there are two main questions that remain for my suggested modification of Counterpart Theory. Firstly, does the rejection of the equivalence between personal identity and being-the-same-person-as fully deal with Plantinga’s objections, or do the objections arise on the grounds of identity alone? Plantinga suggests his first objection remains, because the modified Counterpart Theory still entails ‘x is essentially self identical’ is not coextensive with ‘x is essentially identical with x’. Alone, it is hard to judge what damage this does to Lewis’ theory. On one hand, this consequence appears to have an argumentative status similar to the ‘incredulous stare’, since it merely articulates a fairly unavoidably odd consequence of worldbound identity and Lewis’ definition of essence. After being robbed of its consequences for personhood, the amount of unintuitive true counterfactuals it produces is seriously restricted. Moreover, Counterpart Theory is a necessary part of Lewis’ overall

metaphysical picture; meaning that on Lewis' way of thinking, giving up some plausibility for the problem-solving benefits it provides is a valid trade-off. Secondly, the question remains of whether this modification to Lewis' theory has unwanted consequences for his overall metaphysical picture. To this question, I am more confident that any consequences would be limited. The conception of 'being-the-same-person-as' retains all the useful features of counterparthood; it merely adds a psychological dimension to the picture, by recognising the ways in which it aligns with our intuitive, day-to-day conception of personhood.

### **Notes**

1. Plantinga, *Essays in the Metaphysics of Modality*, 2-3.
2. Lewis, "Counterpart Theory and Quantified Modal Logic," 114.
3. Ibid.
4. Plantinga, *Essays in the Metaphysics of Modality*, 11.
5. Ibid, 13.
6. Ibid.
7. Ibid.
8. Ibid, 14.
9. Ibid.
10. Ibid, 15.
11. Ibid.
12. Plantinga also suggests a second, and more existentially frightening result: if another world had obtain, the person that I am would not exist. "I" might exist, in that I would have a counterpart who would exist, leading to it being true that 'if another raindrop had fallen, I would exist'. However, since that counterpart would not be identical with the me who actually exists, it is also true that 'if another raindrop had fallen, the person who I actually am would not exist'. This extension of the objection does not apply to Lewis' modal realist ontology. The person who I actually am would still continue to exist, because all possible worlds exist and have the same status as the actual world. The

person I actually am would not be actual, and extra-raindrop-Sheridan would be actual; however, actuality is merely indexical, making it far less existentially worrying.

13. Ibid.
14. Lewis, "Counterpart Theory and Quantified Modal Logic," 114.
15. Parfit, "Personal Identity," 7-9.
16. Ibid.
17. Ibid, 12.
18. Ibid, 15.
19. Ibid, 18-19
20. Ibid.
21. Ibid, 21.
22. Parfit, "Personal Identity," 25.
23. Kripke, *Naming and Necessity*, 45.
24. Ibid.
25. Ibid.

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Repercussions and responsibility:  
An analysis of the relationship between privilege and  
the moral expectation to whistle blow

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Blowing the whistle on inappropriate or dangerous conduct in workplace contexts is undoubtedly an intimidating thing to do. Being the person to expose one's own employer often comes with the title of *traitor* or *snitch*. But often times, it is of great importance that someone be willing to put their reputation and security on the line, for the good of the public. Whistleblowers can do a great and important service to the general public, and it is largely for this reason that anyone risks reporting at all. However, due to the unpleasantness, and serious repercussions, that may befall the whistleblower at the hands of their employer, coworkers, and/or community, ethicists are divided on whether or not anyone can ever be *obligated*, versus *permitted*, to whistle blow. The aversion to obligate whistleblowing is in connection with the negative personal consequences that accompany blowing the whistle. The concepts of intersectionality and privilege appear highly relevant in this area of discussion, as the severity of the social and professional consequences that a whistleblower faces are likely to have some relationship with their status in society and the workplace. Current discussions of moral permissibility versus requirement of whistleblowing largely fail to consider privilege dynamics, and it is this hole in whistleblowing ethical theories that I will address.

This paper will be divided into three main sections; the first section will discuss my proposal for a general framework

revision to whistleblowing theories of ethics, in order to integrate intersectionality and understandings of power dynamics into whistleblowing moral theories. Following this, I will explore the significance of discrepancies in privilege in a professional context, and why these unequal power dynamics *should* matter in the formulation of whistleblowing criteria. The third section will outline two prevailing whistleblowing moral theories, and here I will examine how these theories largely fail to consider the likelihood of unequal repercussions to the whistleblower, and reflect a problematically homogenous ‘Whistleblower identity’.

#### I. Integrating Whistleblowing Ethics And Intersectionality

This section will suggest some general changes to the framework of whistleblowing ethical theories to allow for fairer, privilege-aware theories of whistleblowing. The primary change that is necessary is to explicitly acknowledge in the theories that privilege discrepancies among potential whistleblowers *do* exist, and also *do* impact the experiences one has as an individual. To allow for a more multi-dimensional model of a “Whistleblower identity” that acknowledges diversity of experience based on one’s privilege identity, the criteria that dictate the permissibility/obligation of whistleblowing must reflect the varying degrees of risk that accompany blowing the whistle depending on *who* blows it. Intersectional-analysis allows for the consideration of the interaction of “a [broad] range of oppressions...or social groupings” (McBride et al. 332), and thus facilitates the understanding of a whistleblower as more than one *type of person*. For example, intersectionality can be a useful concept in analyzing how a transgender, working-class, Caucasian

woman may experience discipline at the hands of her employer for a multitude of privilege indicators. She would simultaneously be at a systematic disadvantage because of her gender-identity and her income level, while also holding white privilege. The interaction of multiple *types* of privilege and oppression that are present for any person are complicated, and being sensitive to and aware of overlaps and degrees of privilege and power is important.

To integrate intersectionality into whistleblowing ethics, I suggest that there should exist some positive correlation between level of privilege of a potential whistleblower, and the moral expectation/duty of that person to whistle blow. This proposal would mean tailoring whistleblowing criteria to fluctuate in response to differences in whistleblower identity and circumstances. People of greater privilege in society and the workplace ought to also hold a greater duty to whistle blow on ethically problematic corporate behaviour, as their personal identity makes likely less severe repercussions than people of less privileged identities. This sliding-scale model of whistleblowing ethics does not encourage or obligate workers to whistle blow any more than the existing theories do, but rather removes some of the moral responsibility to report ethical misdeeds from whistleblowers of lesser privilege, who are likely to experience unreasonably serious or damaging repercussions as a result of reporting.

## II. Privilege in the Workplace, and Why it Matters

This paper is intended to demonstrate the flawed nature of whistleblowing ethics as they currently stand. This flaw exists, I argue, in the indifference that whistleblowing criteria

show towards how people of different levels of privilege may experience differences in severity of repercussions for reporting workplace concerns. In simple terms, what this section will contribute towards my argument is background knowledge of workplace discrimination, inequalities, and power dynamics. This research reinforces my assertion that people with less privilege in the workplace *are* likely to experience more serious consequences for whistleblowing than those with more privilege, as patterns in delegation of power, the fear of persecution that can stem from discriminatory practices, and the often subtle nature of prejudice, all act to reflect predictable patterns of unequal experience based on people's personal identities and status.

Personal attributes impact one's experiences, as differences in age, race, sex, etc. "influence quality of life and life chances" in workplace contexts (Stainback 2). These life chances may include being hired, promoted, fired, trusted with more or less significant tasks, and so on. Quality of life may involve the respect one is paid in the workplace, how safe one feels, how happy one is in their work environment (again, this is not an exhaustive list). And with the range of success and/or satisfaction that any given person may have in their quality of life and apparent opportunities, the issue of privilege is always intertwined. Biases in management are especially concerning, as "people in positions of situational power, such as supervisors and managers, are more likely to fall back on stereotypic assumptions about social out-groups" (Stainback 6). In simpler terms, what is alarming is that people in positions of greater power and influence in the workplace, tend to be biased in ways

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that label certain minority and/or societally disadvantaged groups as “other” or “lesser”.

‘That is not awesome,’ one might say, ‘but how do stereotyping and bias really play into life quality and chances?’ To assess this, let us first consider a scenario:

*Ayah is a Muslim woman working for S&G Advertising Inc.. She has been a loyal and effective employee for eight years, and has recently put her name in for consideration for a promotion. Up for the same promotion is John, who has worked for S&G for four years, and has been reprimanded on several occasions for careless work, and showing up to work late. The manager in charge of hiring, Greg, thinks that Ayah is the more competent and reliable choice for the promotion, but is hesitant to give her the job, because he believes that as a moderately young woman of Islamic faith, she is likely to want children, and Greg does not want to have to pay for a maternity leave at the significantly increased salary that accompanies the promotion.*

Regardless of whether or not Ayah gets the promotion, this example can be used to illustrate how biases and stereotypes impact experience. What should be taken away from the S&G example? The two main points are that (1) Ayah is, even in the eyes of her employer, the more qualified and deserving candidate, and yet (2) Ayah may not get the promotion, because of assumptions made regarding her gender and religion. Clearly, attributes of Ayah’s that are not connected to her success as an S&G employee are wrongly treated as relevant to her work, thus decreasing her chances of attaining a better job and the satisfaction of recognition for her work. So, to discuss Ayah’s job prospects without considering her identity-

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related privilege seems to fail at capturing the whole picture; her identity as an ‘employee’ alone, without factoring in her identity as a ‘young, Muslim woman’, may not explain her experiences in the promotion-process.

The issue of unequal privilege in the workplace is made more complex, moreover, by the often obliviousness of the perpetrator of bias, as “prejudice in the workplace often manifests in subtle ways” (Jones et al. 52). Employers and coworkers that may be commonly acknowledged as very ‘good people’ in many respects, may perpetuate inequality in the workplace without realizing or intending it. This can make addressing cases of discrimination, prejudice, and inequality difficult. In the S&G example, for instance, let us assume that Greg is a well-liked and compassionate manager in most respects. Ayah herself has had only positive interactions with him, and feels that he is a kind man and employer. However, from the example, we know that, despite his potential unawareness of it, Greg is making important employment decisions based on gender and religious stereotypes. Because of the subtle/potentially unintentional nature of Greg’s prejudice, Ayah may be unaware of the bias that is colouring his decisions, or else may fear confronting him about it, as she has an otherwise amiable relationship with him, which she may not wish to jeopardize by questioning his objectivity. Employees, like Ayah, are often “enmeshed in a web of interpersonal [and] structural...relationships that may enable or constrain not only the experience of discrimination but also their capacity to redress it” (Hirsh 261). After all, no one likes to be told that they are being racist/sexist/classist/homophobic (the list goes on). Having one’s decisions and morals questioned can cause to

feelings of “discomfort”, “irritation” and “antagonism” (Czopp et al. 532), all of which may lead to potentially toxic backlash.

So, what we see so far is a framework where some people are placed in more disadvantaged positions in society and the workplace, but are often simultaneously unsure of the intentions of perpetrators of specific instances of unequal treatment, or else left in awkward or personally harmful positions if they wish to address prejudice/bias behaviour. This is where I hope to connect whistleblowing to the issue of privilege discrepancies in the workplace. When a person blows the whistle, they often suffer unpleasant consequences for their breach of confidentiality or loyalty to their employer (De George 268). But, moreover, “decision-makers are more likely to rely on stereotypes under conditions of threat or uncertainty” (Stainback 6). What does this mean? It means that bias is relevant (maybe even especially so) when in threatening and complicated circumstances – such as whistleblowing. And since “status hierarchies, such as the mapping of ascriptive hierarchies (sex, race, ethnicity, age) onto organizational ones (occupation, job, work group)” overlap, people with more privilege in society (white, male, straight, cis, etc.), tend to hold positions of more power in the workplace (Hirsh 262). With this positive correlation of identity-related privilege and workplace role-related privilege, it seems to follow that differences in privilege *do* matter in corporate contexts. It is therefore reasonable that a person that is treated unequally in many domains of life, expect that they may be treated unequally as a whistleblower, as “employment discrimination often finds its victims among those who are in subordinate positions on multiple social axes and are most vulnerable to the social and

economic repercussions of speaking out...” (Hirsh 263). So then, if privilege discrepancies are such an important consideration in workplace politics, hierarchies, and treatment, are they reflected in whistleblowing ethical theories? This is what I will proceed to discuss in section (iii).

### III. Ethical theories of whistleblowing (and what’s missing)

Two prevailing whistleblowing theories that highlight criteria for permissible and/or obligatory whistleblowing are the Dominant Theory, and the Complicity Theory (Davis 534). While these are by no means the only sets of criteria of importance in whistleblowing discussion, they will be my primary focus in this section.

The Dominant Theory evolved from De George’s work on distinguishing what qualifies an instance of whistleblowing as morally permissible versus morally required (Davis 533). The Dominant Theory consists of three criteria that are supposedly jointly sufficient in deeming an act of whistleblowing permissible, and an additional two criteria that, when fulfilled along with the first three, may deem an act of whistleblowing morally *obligatory* (Davis 533-534). To facilitate my dissection of the theory, I have paraphrased the five criteria below:

D1. The organization committing the misdeed poses significant harm to the public.

D2. The potential whistleblower has reported the issue to their immediate superior and “concluded that the superior will do nothing effective”.

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D3.The whistleblower has “exhausted other internal procedures within the organization” to the greatest extent as is reasonable and safe for the individual.

D4.The whistleblower can access evidence that “would convince a reasonable, impartial observer that her view of the threat is correct”.

D5.The whistleblower is justified in believing that reporting the issue will prevent/significantly reduce harm to the public, and at a reasonable risk to their own wellbeing. (Davis 533-534).

The Complicity Theory revolves around the work of Michael Davis, and focuses more on personal implication or contribution by a potential whistleblower to an ethical concern (Davis 534). Like the Dominant Theory, Davis outlines a set of criteria to evaluate when it is morally required to blow the whistle. Again, paraphrased, these six criteria are:

C1.One’s knowledge of the issue/misdeed is due to their involvement in the organization causing the problem.

C2.One is a “voluntary member of that organization”.

C3.One considers the action(s) of the organization “morally wrong”.

C4.One believes that their involvement in the organization to some degree contributes towards the problem, and that the problem is likely to continue if one does not report it. C5.One is justified in believing C3 and C4.

C6.Beliefs C3 and C4 are true (Davis 534).

In my discussion of these two theories, I will not attempt to assert the superiority of either the Dominant or the Complicity Theory over the other. What is at issue is not the difference in focus and intent of the opposing theories. Rather, I

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will examine how both theories fail to incorporate privilege discrepancies into their whistleblowing criteria, and how this flaw is reflected in implicit assumptions within the theories.

At the heart of whistleblowing ethics is the weighing of ‘risk and reward’, where both the risk and the reward will differ depending on the specific circumstances. What is consistent, however, is that “the whistleblower usually fares very poorly at the hands of his company” (De George 268). While De George *does* identify something important, namely, that whistleblowers tend to suffer undesirable consequences, he also reinforces what I will call the “Whistleblower identity”. Like most whistleblowing ethics, De George discusses the potential experiences, motivations, and responsibilities of “the Whistleblower”. However, to assert that there is any single set of experiences that can be considered an accurate guideline for all (or even most) whistleblowing procedures is terribly misinformed, I argue. The concept of “the Whistleblower” treats all whistleblowers as a single and homogenous identity – one where the repercussions they face are hypothesized/discussed solely on the basis of their *actions* and not on their *persons*. De George is right in the sense that consequences for whistleblowing *can* be described in general terms as ‘unpleasant’ or ‘bad’. But, this does not mean that all whistleblowers will experience *equally* bad consequences, and through considerations of privilege and power, it is likely possible to hypothesize about the degree of ‘badness’ of repercussions that a specific whistleblower experiences.

In analyzing the Dominant and Complicity Theories with an intersectional focus, the most obvious issue is that neither theory includes any criteria or guideline for how the identity of

the whistleblower ought to factor into the permissibility/obligation to whistle blow. In this way, both theories seem to assume the non-discriminating “Whistleblower identity” discussed earlier in this section. Further assumptions are evident in the Dominant Theory, such as the idea that the whistleblower has internal procedures and resources available to them, and that pursuing these internal methods is usually safe and/or productive to the cause of fixing the problem. This criterion does not take into account that internal reporting may *often not* be safer nor more advisable as a first step to whistleblowing, for reasons beyond the whistleblowing itself. Prejudice and power inequalities may make internal reporting of concerns to management more likely to silence the concern before it can be remedied or revealed to the public, while still punishing the whistleblower for insubordination or disloyalty. Some people are safer and have more “leverage” to alert their superiors of their concerns, and these are usually people with “tenure”, “position status” and “credibility” (Mesmer-Magnus et al. 280). And, as discussed in section (ii), this organizational privilege correlates to ascriptive privilege, meaning that people with tenure, position status, and credibility in the workplace are more likely to be people with greater race/gender/age/etc. related privilege. So, to imply, as the Dominant Theory does, that a necessary and *generally advisable* first step in whistleblowing is to report internally to the company, ignores the relevant issues of who has the “leverage” to do so. Rather, this assumption seems to highlight the problematic nature of the homogenous “Whistleblower identity”, as it treats a potential whistleblower with the leverage and safety to report internally as the whistleblower norm. The theories *do* recognize whistleblowing as an “ethically complex act that involves

several different overlapping understandings of obligation, honesty, loyalty, and duty” (Paeth 559); unfortunately the equally pertinent and complicated consideration of privilege is *not* present (in any explicit or sufficient way) in either theory.

#### IV. Conclusion

While my paper ends here, I do not mean to imply that I have proposed any complete or sufficient revision to whistleblowing ethics. Rather, this paper has highlighted the significance of privilege and power in the workplace, and how current whistleblowing ethics fail to reflect issues of inequality. Further research and insight is necessary for the development of a whistleblowing ethical theory that is sensitive to the intersectional nature of workplace experiences and repercussions of reporting corporate misdeeds. All that I have provided in the area is a discussion of a flaw in existing theories, and a suggestion for a more flexible framework of whistleblowing criteria, in order to appropriately relate the duty one has to whistle blow to the likely severity of the resulting consequences.

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## On the Border of Concrete Experience: Mythic and Literary Experience in C.S Lewis

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The notion of “concrete experience” seems to us relatively clear and commonplace.<sup>1</sup> By “concrete experience,” one often simply means the typical engagements within the world which happen on a daily basis. This definition works well, and it makes possible a question with which this paper is engaged: Are there activities in which we move beyond “concrete experience”, experience or have a glimpse of something beyond the domain of what happens “on a daily basis”? While many candidates present themselves, I want to focus on two found in C.S Lewis’ work. Specifically, I want to exegete how Lewis understands “mythic” and “literary” experience as methods of going beyond concrete experience. To do this, I will first present two notable essays of Lewis, namely, “Myth became Fact” and “On Myth”, which unravel the nature of mythic experience. Second, I outline, starting from Lewis’ “On the Reading of Old Books”, his defense of the thesis that self-transcendence takes place in literary experience. I conclude that Lewis’ understanding of mythic and literary experience make possible a defense of an argument which states that

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<sup>1</sup> I would like to thank the Philosophy Student Union at the University of Victoria, British Columbia, for inviting me to speak at the *Western Canadian Undergraduate Philosophy Conference (Sophia)* this March 2018. I have enjoyed the many discussions this paper generated, and I am grateful for the ability to have had this paper critiqued and worked on in light of many illuminating conversations.

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we best understand ourselves by myths (and stories) and not necessarily a series of objective facts about the world (though the latter are often contained in the former). It also diminishes the false dichotomy of “myth” and “truth,” pervasive in contemporary parlance. I conclude that from beginning to end, Lewis’ analyses push one to the boarder of concrete experience.

Lewis’ theses on myth are found in both his “Myth Became Fact” and “On Myth.” Beginning with “Myth Became Fact”, Lewis begins with a dilemma of the human epistemic condition. The dilemma is based on two notions. First, the human mind is “incurably abstract”, and secondly, “the only realities we experience are concrete.”<sup>2</sup> For example, in the experience of pleasure we are not intellectually understanding “Pleasure.” Lewis makes the distinction between experiencing examples or instances of pleasure, and apprehending what these examples themselves exemplify. However, the dilemma is in “lack[ing] one kind of knowledge because we are in an experience or to lack another kind because we are outside it.”<sup>3</sup> Put otherwise, “the more lucidly we think, the more we are cut off: the more deeply we enter into reality, the less we can think.”<sup>4</sup> Lewis’s contention is that the partial solution to this “tragic dilemma”<sup>5</sup> is myth.

Lewis writes that what happens in mythic experience is elusive, that is, the moment we try to capture the experience, it

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<sup>2</sup> Lewis, C.S. “Myth Became Fact” in *God in the Dock*. (Grand Rapids, Michigan: Eerdmans Publishing, 1970), 57.

<sup>3</sup> *Ibid.*, 57.

<sup>4</sup> *Ibid.*, 57.

<sup>5</sup> *Ibid.*, 57.

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somehow slips away: "...[in mythic experience] we come nearest to experiencing as a concrete what can otherwise be understood only as an abstraction."<sup>6</sup> To avoid confusion, for Lewis myth is not allegory. There is an "abstract meaning" in allegory which is extracted from the allegory itself; in myth, however, nothing of the sort occurs (at least primarily).<sup>7</sup> In attempting to translate the "mythic experience" into natural language, one gets abstractions, indeed "dozens of abstractions", making myth "the father of innumerable truths."<sup>8</sup> However, these abstractions are not indicative of what really occurred in the experience. In mythic experience, one is "not knowing, but tasting..."<sup>9</sup> "Tasting" what? For Lewis, we taste "a universal principle", experienced "only while receiving the myth as a story..."<sup>10</sup> Lewis schematizes and synthesizes how myth fits with truth and reality:

What flows into you from the myth is not truth but reality (truth is always about something, but reality is that about which truth is, and, therefore, every myth becomes the father or innumerable truths on the abstract level. Myth is the mountain whence all the different streams arise which become truths down here in the valley...[myth] is not, like truth, abstract; nor is it like direct experience, bound to the particular.<sup>11</sup>

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<sup>6</sup> Ibid., 57.

<sup>7</sup> To be clear, myth is demarcated from fable, story and narrative in this paper, although they are all structurally related. Thus, I also take a myth-centered ontology to include stories and narratives.

<sup>8</sup> Ibid., 58.

<sup>9</sup> Ibid., 58.

<sup>10</sup> Ibid., 58.

<sup>11</sup> Ibid., 58.

For Lewis, what flows into one from myth is reality, not merely truth. This is not a thesis distinct from usages in Greek. For instance, in an entry in the *Liddell and Scott's Greek-English Lexicon*, μῦθος is defined as “the matter itself.”<sup>12</sup> Thus myth is a story or narrative whose sole purpose is to deliver “the matter itself”—*reality*. The distinction Lewis is invoking is a primitive/derivative distinction. What is primitive to the mythic experience is reality itself, while derivative are “innumerable truths on the abstract level.” The danger would be in associating the latter with the former. For just as it would be conceptually inadequate to associate personal reflections on one’s experience of love with the experience of love itself, so it would take away from mythic experience to identify the experience with the extracted, abstract truths resultant from it.

There should be a word on this “untranslatability of mythic experience.” As Lewis pointed out, integral to the mythic experience is its inability to be put into concrete propositions describing schematically what takes place. However, this should be at best unsurprising, for it would be at best presumptuous to desire of language that it should be able to say concretely what occurs in all our experiences. It would be like demanding that sentential logic perform what predicate logic can do. The former cannot do what the latter can do and vice versa, and this does not diminish the value of the former nor the latter. As Goethe put it, “the most wonderful thing is

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<sup>12</sup> Liddell, Henry George and Robert Scott. *Liddell and Scott's Greek-English Lexicon Abridged*. (USA and UK: Simon Wallenberg Press, 2007), 454.

that the best of our convictions cannot be expressed in words...Language is not adequate for everything..." (*Das Wunderbarste ist, daß das Beste unsrer Überzeugungen nicht in Worte zu fassen ist... Die Sprache ist nicht auf alles eingerichtet...*).<sup>13</sup> The medium through which we desire to understand our experiences is often only possible in having the capacity of "that inner silence, that emptying out of ourselves, by which we ought to make room for the total reception of the work."<sup>14</sup> Instead of desiring to master the experience by putting it into linguistic form, mythic experience necessitates a preconditional silence which makes true listening possible. But, is there a way to make progress in philosophically unpacking the "untranslatability of mythic experience" which gives an explanation of the untranslatability? There is partial headway, though it does not satisfy the whole of the question (as I will explain in the final part of the paper). The partial explanation of the untranslatability requires one to go back to Aristotle's *Metaphysics*. Consider what he has to say there about "wonder":

It is through wonder that men now begin and originally began to philosophize; wondering in the first place at obvious perplexities, and then by gradual progression raising questions about the greater matters too...Now he who wonders and is perplexed feels that he is ignorant (thus the myth-

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<sup>13</sup> Quoted in Josef Pieper's *The Silence of Goethe*. (South Bend, Indiana: St. Augustine's Press, 2009), 53.

<sup>14</sup> Lewis, C.S. *An Experiment in Criticism*. (Cambridge, UK: Cambridge University Press, 2013), 92-93.

lover is in a sense a philosopher, since myths are composed of wonders)...

[δεῖ γὰρ ταύτην τῶν πρώτων ἀρχῶν καὶ αἰτιῶν εἶναι θεωρητικὴν: καὶ γὰρ τὰγαθὸν καὶ τὸ οὐ ἔνεκα ἐν τῶν αἰτίων ἐστίν. ὅτι δ' οὐ ποιητικὴ, δῆλον καὶ ἐκ τῶν πρώτων φιλοσοφησάντων: διὰ γὰρ τὸ θαυμάζειν οἱ ἄνθρωποι καὶ νῦν καὶ τὸ πρώτον ἤρξαντο φιλοσοφεῖν, ἐξ ἀρχῆς μὲν τὰ πρόχειρα τῶν ἀτόπων θαυμάσαντες...ὁ δ' ἀπορῶν καὶ θαυμάζων οἶεται ἀγνοεῖν (διὸ καὶ ὁ φιλόμυθος φιλόσοφος πῶς ἐστίν: ὁ γὰρ μῦθος σύγκειται ἐκ θαυμασίων)]<sup>15</sup>

Central to a myth, as Aristotle says, is that it has “wonders” (θαυμασίων). These wonders are what delights both the myth-lover as well as the philosopher—for both are concerned with wonder. It seems the dilemma we face is as follows: If “wondering” has less to do with discursive reason and rational “thinking” and more to do with contemplation, should we be surprised that we cannot put into concrete propositions what takes place in the experience of myth, especially if “the cause of that at which we wonder is hidden from us”?<sup>16</sup> However, there is another objection to this thesis.<sup>17</sup> If myths deliver reality from which we derive philosophical

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<sup>15</sup> Aristotle. *Metaphysics I-IX*. Trans. Hugh Tredennick. (Cambridge, MA: Harvard University Press, 2014), I, II, 982b, 9-11.

<sup>16</sup> St. Thomas Aquinas, *Quaest. Disp. de potential Dei*, 6, 2. Quoted in *Leisure: The Basis of Culture*. Trans.

Alexander Dru. Introduction by T.S. Elliot. (New York, NY and Scarborough, ON: A Mentor Book, 1963), 103.

<sup>17</sup> From the *Sophia* conference.

insights, and philosophy only takes place within natural language i.e., in dialogue, we should conclude that what happens in mythic experience just is the experience of putting into natural language philosophical insights. There are two reasons why I regard this to be an implausible objection. First, the mythic experience is a non-philosophical experience, although both mythic and philosophical experiences are contemplative, and both involve natural language. The philosophical act involves contemplating on the whole of being, whereas the reality experienced in myth can be multi-functional, depending on what aspect of reality myth is trying to deliver.<sup>18</sup> Second, the aforementioned analogy between the

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<sup>18</sup> One might respond to this by rejecting my characterization of philosophy—admittedly “traditional”—and the philosophical act. For example, Michael Caditz has argued in his “A Renewal of Philosophy”—featured in this volume—that philosophy might ultimately be non-truth oriented, and may in the end be aimed at subjective, existential significance. I regard Caditz’ position as problematic principally on two levels. First, the proposal that philosophical disagreement is a ground for understanding philosophy as non-truth-oriented is plausibly a faulty inference. I say this for three reasons. First, it overlooks non-rational reasons for persistent, philosophical disagreement i.e., ignorance, inability to accept evidence, incapacity to read untranslated work, et cetera. Second, philosophical progress serves as a counter-example i.e., in solving the logical/evidential problem of evil, philosophical disagreement might persist while the question has itself been answered. Third, if the criteria for settling philosophical disagreement is scientific adjudication, then there are two unwanted implications: First, science would not be truth-oriented i.e., interpretations of relativity and quantum theory are largely disagreed on. Second, scientism would be true, and it is a self-referentially incoherent theory of knowledge i.e., scientism is not a statement of science, but of epistemology. With respect to the second level, Caditz’s Wittgensteinian critique of metaphysical and ethical statements is implausible for two reasons.

experience of love and personal reflections on the experience of love is an *analogical* argument which provides an *in principle* reason why mythic experience is untranslatable.

In “On Myth”, Lewis concerns himself with different, though related questions. Lewis describes the conditions under which something is classified as a “myth”: It must be extra-literary, a permanent object of contemplation, have sympathy at a minimum, deal with the fantastic or preternatural, and it must be awe-inspiring.<sup>19</sup> For philosophical, historical and linguistic reasons Lewis was aware of, giving a univocal definition of

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First, it is inconsistent with Caditz’s understanding of philosophy. If his Wittgensteinian critique of philosophy is correct, philosophy would be truth-oriented and have answered a philosophical question (thereby not being philosophy, on his understanding). Second, it is methodologically unjustified to assume that metaphysical/ethical statements do not fit into a “picture.” For if a theism of sorts is true, metaphysical/ethical statements are well-situated within that ontology. To reject *a priori* the possibility of the truth of a metaphysical thesis like “there is a God” *just is* to beg the question. I would also interject two side notes. First, philosophy is not philosophical insofar as it is always questioning (as Heidegger famously says), but inasmuch as it asks genuine philosophical questions, and is open to the possibility of an answer. It would be at best dogmatic and methodologically unwarranted to assume philosophical questions cannot have answers—perhaps it would even make philosophy redundant (presumably philosophy is not done *primarily* for the sake of personal, existential fulfillment, contrary to philosophy’s original meaning as the love of wisdom). Second and finally, alleged defeaters of classical, essentialist philosophy within the history of philosophy should be judged case-by-case. It is not enough to point out how sentential logic, essentialism and Greek/theistic ontologies have been critiqued. This is a historical note, not a philosophical analysis—I am interested in the latter, not the former.

<sup>19</sup> Lewis, *An Experiment in Criticism*, 43-44.

myth is not, at least given what we know, possible.<sup>20</sup> The sheer amount of myths which were circulated in the ancient world are evidence of this difficulty.<sup>21</sup> With regard to defining myth, Lewis' concern is not in the origin of "myth" either<sup>22</sup>; instead, he is interested in "the effect of myths as they act on the conscious mind" to the effect that when Lewis speaks of myths, he means "myths contemplated."<sup>23</sup> Lewis thus defines myth by their effect:

...the degree to which any story is a myth depends very largely on the person who hears or reads it. An important corollary follows. We must never ["I do not say we can never find out" (Lewis' footnote)] that we know exactly what is happening when anyone else reads a book. For beyond all doubt the same book can be merely an exciting

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<sup>20</sup> Linguistically, see Josef Pieper's *The Platonic Myths*. Trans. Dan Farrelly. (South Bend, Indiana: St. Augustine's Press, 1965), 5-6. Consider too, the fifteen ways in which myth has been treated historically—which is still a limited list—found in William L. Reese's *Dictionary of Philosophy and Religion*. (New Jersey, USA: Humanities Press, 1980), 375-376. Philosophically, a lengthy and sustained rejection of 'myth as falsehood' has been recently defended in Bryan Metcalfe's *Pedagogy of Mythos*. (Toronto, ON: University of Toronto PhD Dissertation, 2013).

<sup>21</sup> For example, see Stephen L. Harris and Gloria Platzner's *Classical Mythology: Images and Insights*. (New York, NY: McGraw-Hill, 2008), 59-1069.

<sup>22</sup> Although Hans Blumenberg, for example, is interested in the origin of myth. See his *Work on Myth*. Trans. Robert M. Wallace. Cambridge: MIT University Press, 1985.

<sup>23</sup> Lewis, *An Experiment in Criticism*, 45.

‘yarn’ to one and convey a myth, or something like a myth, to another.<sup>24</sup>

I will raise and answer three objections to Lewis’ position. First, does the person-dependency of mythic experience make mythic experience, and hence reality, *subjective*? It is worth noting that from the person-dependent nature of mythic experience it does not follow that the reality experienced in myth—the thesis Lewis defended in his “Myth Became Fact”—is subjective. Just as the sober person sees the world with fresh eyes oriented towards the truth of things, so the mythic experience is authentic provided one genuinely experiences the myth. Second, is not what is integral to “myth”—and a definition thereof—the *narrative* structure? Lewis’ response is that this cannot be the sole criteria, since in many cases (counter-examples) there is hardly a narrative at all:

Sometimes, even from the first, there is hardly any narrative element. The idea that the gods, and all good men, live under the shadow of Ragnarok is hardly a story. The Hesperides, with their apple-tree and dragon, are already a potent myth, without bringing in Hercules to steal the apples.<sup>25</sup>

Lewis is not rejecting that what is constitutive of a myth is its narrative element, for myths are intrinsically narratives; rather, he rejects that this should be sufficient to demarcate myth from, for instance, mere stories or allegories. Third, is the mythic experience the same as literary experience? While this requires an analysis of the literary experience, which I am

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<sup>24</sup> *Ibid.*, 48.

<sup>25</sup> *Ibid.*, 43-44.

moving toward, Lewis gives one example of how they are different. He writes that “this literary delight will be distinct from [the literary person’s] appreciation of [a] myth.”<sup>26</sup> Put clearly, myth might be cloaked in bad writing, but it is no less a myth for it. Although there is a distinction between mythic and literary experience, what uniquely occurs in the latter?

Lewis’ considerations on literary experience are multifold; however, I regard his position clear from analyzing his understanding of the value of “old books.” What do the old books really do for us? Lewis argues that they not only “correct the characteristics of our own period”<sup>27</sup>, but historically inform us away from our chronological snobbery: “The only palliative [against blindness] is to keep the clean sea breeze of the centuries blowing through our minds, and this can be done only by reading old books.”<sup>28</sup> Thus historical consciousness is derivative from our knowledge of the past, not from second hand interpretations, summaries and commentaries on it. There is a *direct* encounter with the text Lewis is advocating for. He goes on to argue that in the reading of old books, we are in effect “stepping out of [our] own age”<sup>29</sup>, whereby we not only inform ourselves, but meaningfully engage with the past. This “stepping out” is a central key to Lewis’ insights on literary experience. Naturally, the distinction between good and bad reading—and readers—is significant and at work in Lewis’ argument, for he writes that good reading involves affectionate,

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<sup>26</sup> *Ibid.*, 47.

<sup>27</sup> Lewis, “On the Reading of Old Books” in *God in the Dock*, 220.

<sup>28</sup> *Ibid.*, 221.

<sup>29</sup> *Ibid.*, 221.

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moral and intellectual activities.<sup>30</sup> Further, Lewis writes that in reading great literature, appreciation of literature as “logos”, namely, “a series of windows”, “admits us to experiences other than our own.”<sup>31</sup> Two questions though should be raised: Is this step beyond ourselves *escapism*? Second, is not the literary experience just a way of losing one’s self in forgetfulness in immersing oneself in the experiences of others? First, Lewis points out that there is an *in principle* distinction between *escape* and *escapism*, and the former need not be identified with the latter.<sup>32</sup> Lewis admits that there is a danger of escaping for too long, or perhaps escaping into the wrong things and thereby evade responsibility in the real world; nevertheless, he reminds us that “we must judge each case on its merits.”<sup>33</sup> In reply to the second objection, this highlights the self-transcending capacity of the reader. Lewis clarifies:

Literary experience heals the wound, without undermining the privilege, of individuality. There are mass emotions which heal the wound; but they destroy the privilege. In them our separate selves are pooled and we sink back into sub-individuality. But in reading great literature I become a thousand men and yet remain myself. Like the night sky in the Greek poem, I see with myriad eyes, but it is still I who see. Here, as in worship, in love, in moral action, and in knowing, I transcend myself; and am never more myself than when I do.<sup>34</sup>

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<sup>30</sup> Lewis, *An Experiment in Criticism*, 138.

<sup>31</sup> *Ibid.*, 138-139.

<sup>32</sup> *Ibid.*, 69.

<sup>33</sup> *Ibid.*, 69.

<sup>34</sup> *Ibid.*, 141.

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Unpacking this philosophically, Lewis is contending three things. First, individuality, while a great good, has intrinsic to it the need for moving beyond mere subjectivity into the experiences of others. The evidence of this is how small a world the unliterary inhabit.<sup>35</sup> Second, one way we can do this “moving beyond” is by experiencing great literature. Third, this act of self-transcendence carries with it, paradoxically, the way to authentic subjectivity. To sum up, with regard to *content*, mythic experience delivers reality itself, whereas literary experience delivers insights from other ages as correctives of our own. With respect to *effects*, mythic experience delivers a reality which speaks to us of something “beyond concrete experience”, whereas literary experience allows for self-transcendence. Before specifying what this “beyond” amounts to, it is worth reflecting on Lewis’ analyses in their entirety.

Lewis’ analyses of mythic and literary experience are valuable principally for two reasons. First, he makes possible an argument which contends that what is closer to the fundamentals of human existence is a “story” or “narrative”, not merely a set of objective facts about the world. It does not follow that we are not truth-oriented creatures, that objective facts do not tell us about the nature of the world and that an irrationalist philosophical anthropology is correct; contrarily, these stories, narratives and myths are the medium through which we understand ourselves and the world.<sup>36</sup> This is the

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<sup>35</sup> *Ibid.*, 140.

<sup>36</sup> This does not mean that *all* stories, narratives and myths do this. For some stories and narratives foster morally eroding principles. I have been asked at the *Sophia* conference the following: From the possibility of there being

position of German philosopher Josef Pieper, put in his 1965 *The Platonic Myths* as follows:

...could it not be the case that the reality most relevant to man is not a “set of facts” but is rather an “event,” and that it accordingly cannot be grasped adequately in a thesis but only...in a story?

[Könnte es nicht überdies so sein, daß die für den Menschen eigentlich belangreiche Realität nicht die Struktur des »Sachverhalts« besäße, sondern die des Ereignisses, und daß sie folglich gerade nicht in einer These, sondern allein...in der Wiedergabe einer Handlung, also in einer »Geschichte« adäquat zu fassen wäre?]<sup>37</sup>

Lewis was of the same position, for he says explicitly in “On Myth” that “the Event will not reach them unless it is ‘written up’.”<sup>38</sup> This position also makes possible understanding myths as capable of being *contemporary*.<sup>39</sup> Second, Lewis’

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myths with morally eroding effects, what moral responsibility is there on the reader and writer of myth? I would say that there is moral responsibility both in the writer—in not perpetuating or sustaining morally untenable positions within the creation of myths—as well as the reader—in reading the myth authentically and responsibly.

<sup>37</sup> Pieper, *The Platonic Myths*, 4.

<sup>38</sup> Lewis, *An Experiment in Criticism*, 41.

<sup>39</sup> In his *Pedagogy of Mythos*, Metcalfe shows how “contemporary myths” can possibly have morally eroding

analyses are significant in that the reality which is “tasted” in myth is not subjective, that for Lewis a myth-centered ontology does not imply giving up truth and reality, but emphasizes the reality *in* and *beyond* the myth. For while the myth delivers reality, we might rightly ask *which* reality. Consider two of Lewis’ own metaphors. First: “Myth is the mountain whence all the different streams arise which become truths down here in the valley...”<sup>40</sup> Second: “...myth is the isthmus which connects the peninsular world of thought with that vast continent we really belong to.”<sup>41</sup> What is at the top of the mountain, the continent we really belong to? What lies beyond the boarder of concrete experience?

For Lewis, there is a universal sense of the “other continent”, “top of the mountain”, “scent of a flower we have not found, the echo of a tune we have not heard, news from a country we have never yet visited.”<sup>42</sup> As Lewis put it:

I am trying to rip open the inconsolable secret in each one of you—the secret which hurts so much that you take your revenge on it by calling it names like Nostalgia and Romanticism and Adolescence; the secret also which pierces with such sweetness that when, in very intimate conversation, the

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effects. I defend Metcalfe in my “Josef Pieper’s Defense of the *Geisteswissenschaften*” (book manuscript in progress).

<sup>40</sup> Lewis, “Myth Became Fact” in *God in the Dock*, 58.

<sup>41</sup> *Ibid.*, 58.

<sup>42</sup> Lewis, C.S. “The Weight of Glory” in *Transposition*. (London, W.C: Butler & Taner, 1949), 24.

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mention of it becomes imminent, we grow awkward and affect to laugh at ourselves; the secret we cannot hide and cannot tell, though we desire to do both. We cannot tell it because it is a desire for something that has never actually appeared in our experience. We cannot hide it because our experience is constantly suggesting it...<sup>43</sup>

The “sweetness” of what we seek is also found in Canto XXVII Dante’s *Purgatorio*:

Today your hungerings will find their peace/  
through that sweet fruit the care of mortals seeks  
among so many branches.

[Quel dolce pome che per tanti rami/ cercando va  
la cura de’ mortali,/ oggi porrà in pace le tue  
fami].<sup>44</sup>

Nietzsche was convinced that the sweet fruit Dante spoke of could not be had within the domain of history: “[it is] always one thing which makes for happiness:...the capacity to feel unhistorically” (*immer eins, wodurch Glück zum Glücke wird: [...] das Vermögen, unhistorisch zu empfinden*).<sup>45</sup> Did not

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<sup>43</sup> Ibid., 23-24.

<sup>44</sup> Dante, Alighieri. *Purgatorio*. Trans. Allen Mandelbaum. (New York, NY: Bantam Books, 1982), 104-105.

<sup>45</sup> Friedrich Nietzsche’s *Vom Nutzen und Nachteil der Historie für das Leben. Unzeitgemässe Betrachtungen* quoted in Pieper’s *Happiness and Contemplation*. Trans. Richard and Clara Winston. (New York, NY: Pantheon Books, 1958), 101.

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Hölderlin, like Dante, speak of the “chords of lyres plucked in distant gardens” in his *Brot und Wein*?

All around the tired town now rests,/ And silence  
slowly fills the dim-lit alleys.../ The market is  
empty of grapes and flowers.../ No noisy hands,  
no hustle any more.../ And yet, the breeze brings,  
softly, melodies,/ The chords of lyres plucked in  
distant gardens...

[Ringsum ruhet die Stadt.../ Still wird die  
erleuchtete Gasse.../ Leer steht von Trauben und  
Blumen.../ und von Werken der Hand ruht der  
geschäftige Markt.../ Aber das Saitenspiel tönt fern  
aus Gärten...] <sup>46</sup>

Shakespeare says similarly in Sonnet XCVIII:

Yet seem'd it winter still, and, you away,/

As with your shadow I with these did play.

The invocation of Shakespeare, Dante, Hölderlin, Nietzsche and Lewis himself is not an argument; it is an attempt to point out, in light of Lewis' analyses, that attempts to circumvent the desire within us for the “sweet fruit” Dante speaks of, “tasted reality” as Lewis says, the “distant gardens” of Hölderlin, the desire to see what “these shadows” are reflections of, as Shakespeare put it, are attempts to repress

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<sup>46</sup> Hölderlin's *Brot und Wein* quoted in Pieper's *Only the Lover Sings*. Trans. Lothar Krauth. (San Francisco: Ignatius Press, 1990), 65.

longings we find within ourselves which myth and literature attempt to illuminate. Again: What lies beyond the boarder of concrete experience? Lewis answers that just as “myth transcends thought, Incarnation transcends myth”, meaning the heart of Christianity is a myth which is also a fact...by becoming fact it does not cease to be myth: that is the miracle...If God chooses to be mythopoeic—and is not the sky itself a myth—shall we refuse to be *mythopathic*? For this is the marriage of heaven and earth: Perfect Myth and Perfect Fact: claiming not only our love and our obedience, but also our wonder and delight, addressed to the savage, the child, and the poet in each one of us no less than to the moralist, the scholar, and the philosopher.<sup>47</sup>

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<sup>47</sup> Lewis, “Myth Became Fact” in *God in the Dock*, 58-60. Patrick Sullivan has pointed out to me that one of the original meanings of a “symbol”, many of which are found in myths, is to bring two things together. If this is true, myths in Lewis’ sense bring together—through symbols—the (sense of) the “other continent”, and the concrete world itself. The relationship between myth and symbol does not take traction in this paper, although undoubtedly pursuing this avenue further in future work would prove philosophically illuminating.

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## The Limits of the Liability Model in Alleviating Structural Injustices

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Assigning responsibility for the injustices caused by the production process of dangerous chemicals, such as hydrofluoric acid (HF), is a highly complex endeavor. The difficulty lies in assessing the contributions from the various agents involved not only in the production process, but also in the consumption and marketing of HF around the globe. Hydrofluoric acid is a highly toxic and dangerous chemical most commonly used in the manufacturing of refrigeration chemicals, such as fluorocarbons for air conditioning and other refrigeration technology (Morales et al, 6).

Many of us, everyday consumers of refrigeration technology, do not consider ourselves directly responsible for injustices found in the production processes of HF. Instead, I think the common argument would be one that allocates responsibility for allowing injustices to arise to the managers of the factory producing HF, or the owners of the factory producing HF. It is easy to blame the managers or factory owners for the terrible labour conditions under which HF is produced. Moreover, many would say that it is the factory owners who should bear the responsibility for any environmental injustice whether it is pollution or risks to public health that arises due to negligent operation of the factory.

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However, assigning responsibility for an injustice, especially an ongoing injustice, is not so easy. Iris Young argues that our current model of assigning responsibility, the liability model, is not sufficient for distributing the shared responsibility we have for reproducing structural injustices, such as the processes that allow maquiladoras like the Solvay factory to operate and proliferate across the global south, and, instead argues for an alternative, the social connection model (Young, 96). In this paper I will argue that the current liability model is insufficient for distributing our shared responsibility for reproducing structural injustices, and, that Young's social connection model offers a superior alternative through its diffusion and diverse allocation of responsibility across all involved agents. Furthermore, I will use a case study of the Solvay chemical plant located in Ciudad Juarez, Mexico, as a primary model example of the negative symptoms that proliferate under ongoing structural injustices purported by neoliberalism, such as horrific labour conditions and unchecked negative environmental externalities. The Spanish word *maquiladora* is also used to denote the Solvay chemical plant, but has a more determined meaning, particularly, denoting a duty-free, tariff free manufacturing operation in Mexico near the US border, not unlike other special economic zones endemic to the global south (Morales et al, 6).

The problem with structural injustices is that it is difficult to trace an agent's actions linearly to the harmful act we seek to remediate (Young, 96). The reason for this lies in the constitution of a structural injustice, which according to Young is "reproduced by thousands or millions of persons usually acting within institutional rules and according to practices that

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most people regard as morally acceptable” (Young, 95). In other words, the causal chain of events that has produced and continues to reproduce a structural injustice may not be de facto illegal at all. However, it is altogether possible that agents involved in the production and reproduction of structural injustices do indeed engage in illegal acts, but they may go unsanctioned by other agents who are incapable, unwilling or indifferent to such harms. Thus those not directly responsible for illegal acts could be tacitly responsible for the resulting structural injustice if they fail to sanction an immoral actor. Persons who use air conditioning all over the world may not consider themselves responsible for the terrible labour conditions or the environmental degradation of the HF production process, however this may be just a result of the narrow scope of the currently favoured liability model of justice.

Questions of resolving or remediating structural injustices challenge the narrow scope of justice and obligation that is reproduced with the liability model for justice. Do consumers of HF have obligations to the labourer’s horrendous labour conditions, or the members of a community negatively affected by environmental degradation as a result of unchecked industry? To whom are consumers responsible and what is the extent of their responsibility? These are some of the questions that Young’s social connection model seeks to answer.

In order to comprehend the merits of the social connection model, the liability model must be examined first. Three distinct features characterize the liability model. First, in order to attribute responsibility for a harmful act, one must be able to assign responsibility to a particular agent who can be

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shown to be causally connected to the harmful act under examination (Young, 97). This agent could be the executive board of the Belgian corporation that owns the Solvay factory that produces HF, or it could be the Solvay factory overseer, who perhaps acts in contempt of the regulations and rules of his own bosses or government (Morales et al, 7). Actions found to be attributable to an agent who has caused a harmful event must be shown to be voluntary and not excusably ignorant in order for the agent to not be absolved from guilt (Young, 97). If an agent is found who meets these conditions, then this agent can be called liable for the outcomes of his or her actions. Thus the liability model is established.

One of the consequences of the liability model is that if an agent of negligence is found, and can be held solely responsible for an action, then the perpetrator of the harmful action is isolated and all others who may have been involved or connected to the outcome in some way are suddenly absolved without recognition. But it is rare for agents to act in isolation. For example, if the liability model were to be applied to a case of negligence where a worker was not provided with adequate safety gear, and then experienced an accident such as a chemical burn that could have been prevented with the provision of adequate safety gear, it could perhaps find a factory manager as liable and thus responsible for this harmful act. However, doing so would absolve other important actors such as the executive board who failed to adequately oversee factory operations, or even Mexican authorities responsible for regulating health and safety conditions on the factory floor, and finally, what about consumers who continue to purchase consumer goods made with chemicals produced under

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abhorrent labour conditions? Everyone who contributes to reproducing the structural injustice is responsible for doing so.

The second key feature of the liability model is that an action for which responsibility is being sought is seen as an anomaly or outlier. It presupposes that the harmful action being examined is an unacceptable deviation from otherwise acceptable background conditions. Thus the liability model assumes a morally acceptable, or even ideal background structure, from which the liable harm is but a particular deviation from this acceptable structure (Young, 107). As a result, sanctioning or punishing a harm is an act to restore structural conditions back to their status quo of assumed moral acceptability.

The problem with this second key feature of the liability model is its strong assumption that there are indeed background structural conditions that one could consider acceptable in the first place. It may be the case that there are very few particular aspects of the structural conditions, if any, that one could consider acceptable. For instance, many consumers in a wealthy northern country like Canada or the US would agree that it's fair and acceptable to export dangerous manufacturing jobs to global south countries where there is a large enough unskilled labour pool to fill the labour demand of a chemical plant like Solvay who might otherwise have trouble finding labour willing to work those dangerous positions for minimal compensation. Moreover, global north consumers are happy to benefit from the comparative advantage in unskilled labour costs in global south countries if it means cheaper consumer goods back home. What many of us consumers perhaps do not realize is that we are contributing to a race to the bottom in terms of labour

conditions and labour costs. As a result, the level of exploitation increases for unskilled labourers who are victim to factories like Solvay who remain competitive in the global market by cutting corners, such as in workplace safety standards by not issuing protective equipment. Evidence for this arises in Morales et al. when an interviewed worker explains that labourers were not issued protective equipment and instead relied on using rags or “old cloth” to protect themselves from the highly dangerous chemical HF (10). In fact, in the 1990s, it was reported that Solvay did not issue any protective equipment at all (Morales et al, 10). While the liability model could deal with a particular harm such as Solvay not issuing protective equipment for workers at a particular time, it is unable to remediate the structural injustice that is the continuing increase in the exploitation of labour as companies try to remain competitive over time.

The third and final key feature of the liability model is the idea that the harmful act for which responsibility is being sought is complete and consequently isolatable in time (Young, 109). Young argues that while there are many instances of the liability model being used as method of deterring future harms, for the most part, the primary orientation of the liability model is backward-looking and thus does not adequately address ongoing injustices or deter future injustices (Young, 108). An example of an issue that arises from the use of such a backward-oriented model against a structural injustice is the problem of corporations preferring to pay fines as a result of their environmental footprint rather than ameliorating their production process in order to operate without contravening local environmental laws (Birkeland, 217). It is unclear whether

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Solvay faces any limitations or financial sanctions for their negative environmental impact on the local area per the example; however, they continue to operate on a model of cutting costs by unloading negative externalities onto the local environment as illustrated by the unsecured pile of toxic waste that sits outside the factory and is prone to being blown around by the wind (Morales et al, 111-112).

Upon examining Young's critiques of the liability model, it is clear that the liability model is unable to rectify ongoing and persistent structural injustices. The liability model is valuable insofar that it singles out the worst offenders and allocates culpability onto them, however, it is limited in its ability to look to the future, whether that means deterrence of future crimes or even restructuring an oppressive structural order with the goal of making it less unjust. But the problem remains; the structural injustices that the neoliberal global order permits continue to operate unabated by the current liability model for justice. Using the Solvay chemical plant as example for an oppressive symptom of neoliberalism brings to light that this kind of injustice exists wherever regulations go unenforced and there exists enough vagrant labour to work otherwise deplorably dangerous unskilled labour positions. One only needs to survey labour and environmental conditions in economic processing zones throughout the global south to see the symptoms of this structural injustice play out, whether it is child labour in sweat shops or workers being exploited to death by adverse affects of unchecked toxin exposure such as the infamous black lung that still affects coal miners the world over.

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In contrast to the liability model, Young proposes the social connection model that she conceptualizes as a forward-oriented and inclusivity-seeking alternative. First off, the social connection model does not absolve those who participate in practices that reproduce and reify structural injustices, even when participation is not contravening the current legal framework (Young, 106). If we are seeking global labour justice, perhaps using the anti-sweat shop movement as a different example, the social connection model attributes a global notion of responsibility against those whose actions contribute to the reproduction of the injustice, such as consumers who continue to purchase commodities produced under abhorrent labour conditions with child labour. Thus I have obligations of justice to those who produce commodities under the oppressive structural injustices that flourish under neoliberalism.

Another function of the social connection model is that it serves to conceptualize a harmful act as the result of structural problems rather than a criminal deviation from the norm (Young, 107). The structural injustice of labour in the global south being heavily exploited cannot easily be traced back to individual agents. While profit seeking executives and investors, as well as negligent factory overseers can shoulder part of the blame, we consumers of commodities produced under such conditions are not without our own responsibility for reproducing this oppressive structure. It is by our aggregate actions as participants who adhere to otherwise acceptable rules and practices that these structural injustices are reproduced over time (Young, 108). We share a burden of responsibility even

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when we realize our ability to do otherwise is also constrained by these same structures to which we contribute (Young, 108).

Since the social connection model focuses on our shared responsibility, the only rational response is to take responsibility collectively. This movement from the individual to the collective creates strength in numbers once we realize that we cannot act effectively against structural injustices alone. Individuals must join together to form a collective action against the structural injustice at hand. Collective action is the only way for one's own responsibility to be wielded as a means for fulfilling their responsibility for justice.

It is by the means of collective action, done with the goal of challenging ongoing structural injustices that the social connection model is forward-oriented (Young, 111). Instead of sanctioning past actions without changing current structures that allow these actions to proliferate, the social connection model emphasizes the hope that we can change the future by forcing a restructuring of the unjust into the just through our collective action. No one can act against the proliferation of dangerous and inadequately regulated maquiladoras like Solvay alone. These oppressive processes can only be changed if agents from diverse positions within the social hierarchy come together to alter the outcome in favor of justice (Young, 111). While it would be easy if corporate executives and politicians could alleviate injustices through proper regulatory oversight, entrenched frameworks such as shareholder primacy vastly restrict permissible actions by those seeking to alleviate structural injustices. Instead, justice will likely come about only with the popular pressure of everyday consumers and workers, ideally forcing a shift from the present status quo. Only with

this grassroots support for alleviating structural injustices will those possessing the most concentrated positions of power change anything.

In conclusion, I have argued against the liability model as a means of adequately alleviating structural injustices and instead advocated for Young's social connection model. I focused on three key critiques of the liability model; that it isolates particular agents and absolves others; that it characterizes a harmful act as a deviation from assumed acceptable background conditions; and, that the harm for which responsibility is being sought is complete and thus isolatable in time. Using the maquiladoras and Solvay as primary examples of symptoms of structural injustices proliferating under neoliberalism, I was able to expose the limitations of the liability model in resolving this particular structural injustice. I argued for Young's social connection model on the basis that it exposes our shared responsibility in reproducing structural injustices; that it conceptualizes harmful acts as result of structural injustices; and, that it emphasizes collective action as the only way forward to change ongoing structural injustices for the better.

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