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Human Disability

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Our title may lead you to expect a paper reflecting on the predicament of people with disabilities in a world attuned to the needs of people without disabilities. The first section below may reinforce that expectation. Its focus on people with severe sight and mobility impairments – people with what we might call *special* disabilities – is, however, a Trojan horse. What follows is a paper on a wider problem that we all face, the problem of living in the world and accessing the value that it contains. The 'human disability' of our title is the disability that all of us share, not the disability that divides some of us from others. Our interest is in showing how the situation of those with special disabilities in attempting to access value that other people take for granted is but a special instance of the situation of human beings generally in attempting to access value that does not exist exclusively for them. You may think this is a glib comparison that underestimates the scale and depth of the challenges facing people with special disabilities. We do not underestimate those challenges, but we think that reflection on their scale and depth is facilitated by reflection on some challenges that we all face together, and *vice versa*. In what follows we try to lay bare the unwelcome implications of our shared human disability both for

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certain brands of value-humanism and for certain brands of value-relativism. We are inclined to think that some of the special challenges faced by those with special disabilities are partly explained by the hold that the offending kinds of humanism and relativism have over the modern moral imagination, and hence over modern social and political life. We will not argue for that conclusion here, but we will develop some points that make it a plausible hypothesis.

1. The abled and the disabled

As we have argued elsewhere,[1] something is in one's interest only if it is valuable and one has the capacity to participate in that value. [2] Some things are not in one's interest because they are not valuable, and others because although they are valuable one cannot participate in them *qua* valuable. The accumulation and storage of one's toenail clippings is not in one's interest because (barring some extraordinary explanation) it is valueless. The pursuit of a career as a Sumo wrestler, while valuable, is not in one's interest unless one has the capacity, including the physical potential and cultural context, necessary to participate in its value. So, for example, free entry into a Sumo wrestling competition is not in my interest if the value on offer is value that I lack the capacity to participate in. Not only will I not win; what I do will not even count as competitive Sumo wrestling.

Our interests, then, are capped according to our capacities. Yet value itself is not capped in this way. My climbing Mount Everest would be in my interest only if I had the capacity to do

[1] T Macklem and J Gardner, 'Value, Interest, and Well-Being', (2006) 18 *Utilitas* 352.

[2] Note that this is an account of what it takes for something to be in one's interest, not for something to be in one's *best* interest. On our account, running a marathon may be in Mary's interest even if it will kill her in the flower of her youth, and hence not be in her best interest.

it. It is not the case, however, that my climbing Mount Everest would be *valuable* only if I had the capacity to do it. On the contrary, climbing Mount Everest is valuable irrespective of my capacities, and that fact gives me an interest in acquiring the capacity to climb it, assuming that I have the capacity to acquire that capacity. Once I have acquired the capacity to climb Mount Everest, climbing Mount Everest is in my interest.

There is, of course, more than one value to be realized in climbing Mount Everest. There is a value in being at the top of the world and seeing the view from there. There is also a value in struggling against the elements and the challenges of the rockfaces in one's ascent. These (and others) are values for all to participate in, but alas not all have the capacity to participate in them. Those without eyesight (and without the prospect of obtaining it) cannot enjoy the view, and this limits the range of interests they might have in climbing Mount Everest. Those without limb mobility (and without the prospect of obtaining it) cannot enjoy the challenges of the rockfaces, and this in turn limits the range of interests they might have in climbing Mount Everest. So as far as Mount Everest is concerned, then, the interests of sightless people and of quadriplegic people are different from those of other people without their disabilities.

The interests of sightless people and of quadriplegic people may also conflict, so as to raise questions of adaptation and accommodation. They would conflict, for example, if a cable car were to be installed (fanciful as that may seem) and the only way to install it were to cut out some of the most challenging rockfaces.[3] The quadriplegic visitor would gain the view but the

[3] There are also other objections to the cable car associated with the challenge of climbing Mount Everest. Even if it avoided the most challenging rockfaces it would render the ascent of those rockfaces less rewarding. Part of the challenge is grappling with the rock itself, but part of the challenge is also in achieving the complete ascent through that grappling. The second aspect is diluted by the existence of much easier ways to achieve the complete ascent.

sightless mountaineer would lose the challenge. Notice that the conflict of interest here is a product of a difference in human capacity, not of some relativity in the theory of value. The two values at stake, what we may call the value of the climb and the value of the view, are (as one might put it) *incipiently* conflicting. That being the case, there is always the possibility that the realization of one will retard the realization of the other. This conflict may be played out in human experience, either because one person must confront the choice between building the cable car or not, or because two or more people with different capacities have divergent interests in the outcome of the choice. These two ways of playing out the incipient conflict may sometimes be connected, perhaps because the person making the choice in the first situation is a public official charged with deciding, in light of the interests at stake in the second situation, whether or not to install a cable car.

To repeat, the mere fact that quadriplegic people cannot participate in the challenges of the rockfaces does not mean that there would be no value in their doing so. Indeed it is the value in their doing so that lends value to the work of those who are attempting to overcome their disability, for example by improving the technology of prosthetic limbs. What a disability disables is one's participation in a certain value, not the value itself. Some people are reluctant to call quadriplegia, or sightlessness, a *dis*ability. They abhor the very category. Their thought might be that quadriplegic and sightless people are stigmatized by being labelled disabled and, in particular, that their other abilities are apt to be overlooked once they are so labelled. If that is the conversational connotation of the word 'disabled', then it is indeed a reason to avoid it. But read more literally, the word is nothing to be embarrassed about. Quadriplegic and sightless people do indeed lack (and lack to a radical extent) some abilities that others have. It does not follow that they have an overall deficit in their abilities, because some of them may be virtuoso composers, maths wizards, excellent party hosts, first-rate friends, and so on.

As these remarks suggest, we are all in one respect or another disabled. It may be that neither of us (John or Tim) is quadriplegic, but then again it may be that neither of us has the ability to be a virtuoso composer, a maths wizard, an excellent party host, or even a first-rate friend. Even if we once had the ability to become such things, now, like someone who loses all limb functioning after an accident, it has been taken away from us by circumstance. At our stage in life it is too late for us to become these things, thanks to the other things that have filled up our lives and sent us in other directions. It does not follow that there would be no value in our becoming, even now when any ability to do so has been foreclosed, virtuoso composers, maths wizards, excellent party hosts or first-rate friends.

Since we are all in one way or another disabled, why are some people picked out with the label? It is tempting to think that to do so is just a way of arbitrarily abnormalizing certain people and correspondingly normalizing the lives of those who are thereby distinguished from them.[4] No doubt there is an element of truth in this thought. But other compatible (and less unworthy) explanations also suggest themselves. One is that the label 'disabled' is invoked to pick out those whose disabilities have a compound character. Such people are unable to do certain things that would enable them to do many further things. Connectedly, it is possible that such disabilities are ones that historically little has been done to accommodate, partly because of their relative infrequency, and partly because of the relatively large cost of adapting the world to them. If true, this fact would in turn help to explain the exclusion of people with those disabilities from the mainstream of social life, an exclusion that

[4] See for example, Martha Minow, *Making All the Difference: Inclusion, Exclusion, and American Law* (Cornell University Press 1990), Michael Oliver, *Understanding Disability: From Theory to Practice* (Macmillan 1996). For an objection to the latter see Lorella Terzi, 'The Social Model of Disability: A Philosophical Critique', (2004) 21 *Journal of Applied Philosophy* 141.

may have contributed to their stigmatization. Some people see such exclusion as a failure on the part of society, for society to deal with. Others see it as a problem in the disabled person, for the disabled person to deal with. The important point for present purposes, however, is that those who point to the failure of society to adapt, and those who point to the condition of the disabled person, are agreed and must be agreed that it would be better, all else being equal, if the disabled person were to be able to do what he or she is disabled from doing. The question of whose job it is to make that happen is a secondary question, albeit one of very great political importance.

There is of course a debate about which ability is the one that the disabled person relevantly lacks. Think again of a person lacking limb function, say lower limb function in particular. It is tempting to assume that it would simply be better if, all else being equal, this person was able to walk. But isn't it better to think that the relevant ability is merely the ability to get around unimpeded, whether by walking or otherwise? The answer is yes and no. Both abilities have their values. The compound disability that we identified above is the one concerned with getting around. In principle a wheelchair is as good for this as a pair of legs. All it takes is ramps as well as stairs, elevators as well as escalators, paved paths as well as unpaved ones, and so on. Yet the experience of walking is also independently valuable. We don't hike merely to get there. We don't stroll around the park just to reach the other side. Those dependent on wheelchairs for mobility are excluded by that fact from the hiking and the strolling and the independent goodness of those activities.

Actually this is a simplification. Some of the goodness of hiking and strolling, beyond the value of getting places, is accessible to such wheelchair users. They can enjoy the fresh air, the companionship, the exercise (if the wheelchair is manually propelled), the views along the way. What they cannot enjoy is the value in the hiking or strolling *per se*. The meaning of the *per se* in this sentence can best be understood by asking what aspect(s) of the hiking or strolling experience would be lost to

hikers and strollers if all walks were paved, steps were ramped, stiles removed, muddy puddles eradicated, and so on. This returns us to the thought that differences of capacity are an everyday source of conflicts of interest. The differences of capacity, in turn, are differences of capacity to participate in different values, and not just more or less of the same value.

But the point about the exclusion of those unable to walk from some of the value of hiking and strolling cuts both ways. Those of us unaccustomed to depending on wheelchairs for our mobility, or without access to a wheelchair, can't propel ourselves exhilaratingly down the streets using our arms, more generally, can't use our upper bodies to move ourselves around. That is our disability. This is one point that disability campaigners make when they disparage the abnormalization of wheelchair users. Yet their enthusiasm for the gains that the use of a wheelchair genuinely yields should not be allowed to eclipse either of the following two points. First, those dependent on a wheelchair for mobility continue to lack access to many places and this is a kind of disability—the compound disability concerned with getting around—that the world needs to work to overcome, for example, by providing more elevators, ramps and paved paths. Second, those dependent on wheelchairs for their mobility, even when fully accommodated, miss out on hiking, strolling, jogging, pole vaulting and the like, in much the same way that we, who only walk and run, miss out on the wheelchair user's special wheelchair-use abilities.

This last point, when generalized, we will refer to as the reciprocity thesis. At some level, according to this thesis, all disability is reciprocal: to have a disability is to have an extra ability that those who lack the disability lack. So the disabled are more aptly thought of as differently abled.

Is the reciprocity thesis true? It is certainly much overstated. In principle, although we (Tim and John) can walk perfectly well either or both of us could still opt for wheelchair use. We have that luxury. The wheelchair-user we had in mind above does not have the option of walking, and it follows that the wheelchair,

for him or her, is not a luxury. So in principle the able-bodied have two abilities where the person confined to a wheelchair has only one. Of course in practice it would be unusual for a person with full use of his or her legs to cultivate the ability to use a wheelchair in the way that somebody confined to a wheelchair might do so. And of course, as with composing, maths, and party hosting, the time will come when it is too late for a person to cultivate the ability of a wheelchair user to a high level. So it is true that in practice vanishingly few able-bodied people would be respectable competitors in the Paralympics. The point, however, is that their place in the competition is not ruled out other than by the rules of the Paralympics. It takes the rules of the Paralympics to give those without lower limb function the reciprocity that the reciprocity thesis insists upon. They would not have it without those rules. All else being equal and apart from the rules they have one ability fewer than an able-bodied counterpart who has worked on his or her wheelchair skills. Indeed, part of the case for creating the rules of the Paralympics is that it would be better for the shortfall to be made up, a case that presupposes that the reciprocity thesis is not strictly true.

Is it always better for such a shortfall to be made up? Is there always a case for correcting relative deficiencies of ability? This would turn the reciprocity thesis from a conceptual to a moral claim: disabilities are not necessarily reciprocated, but where they are not they should be. Strictly speaking, there is rarely more than a subsidiary case for correcting any relative deficiency of ability. The main case is always for correcting absolute deficiencies of ability. By this we mean that the case is always for giving more abilities to those who have too few, not to those who merely have fewer than others.[5] Those whose compound

[5] Those who believe in correcting relative disability are often challenged by the so-called levelling-down objection. Many egalitarians are egalitarians on condition that equality is only achieved by levelling up. See T Nagel, *Concealment and Exposure* (Oxford University Press 2002), 126. Our point in

disabilities tend to make them bearers of the label 'disabled' are of concern under this heading precisely because the compound nature of their disabilities often leaves them with too few abilities. Too often they have an inadequate range of alternatives in life. Creating rules such as the rules of the Paralympics is one small and selective contribution to the elimination of this absolute disadvantage. Since the conceptual reciprocity thesis is an exaggeration, institutions such as the Paralympics have to be created to help counteract the disabilities of the severely disabled.

So far we have ignored an obvious fact, that what we class as disabilities conversationally is affected by what we take to be the interests of the people who have them. Sightless people have an interest in eating, and hence in shopping for groceries, and hence in getting to the supermarket. All of these things are not just valuable but within their capacities, and hence in their interests. The problem is that too often there is some other action which they need to perform to get to the supermarket which is either difficult or in the worst case impossible for them. They cannot drive, public transport is unavailable or ill-equipped, the distance is too great to walk, the route is anyway strewn with potholes and other impediments. Perhaps we pick out the disabilities of sightless people using the language of disability because of this blockage between certain of their interests and their ability to get to the point (by travelling to the supermarket) of exercising the abilities (eating and shopping) that we take them to have an

the text above is stronger. We are resisting a focus on relative disability however it is to be remedied. For further discussion see H Frankfurt, 'Equality as a Moral Ideal' in *The Importance of What We Care About* (Cambridge University Press 1988). This is without prejudice to the appeal of the 'prioritarian' intuition, according to which whenever there is a surplus of value available for distribution those who have less have the first call on the surplus. See J Raz, *The Morality of Freedom* (Clarendon Press 1986) ch.9, and Derek Parfit, 'Equality or Priority?' in M Clayton and A Williams (eds), *The Ideal of Equality* (Macmillan 2002).

interest in exercising. With that thought, we put on one side the predicament of those commonly classed as 'disabled'.

2. The disability of the species

To recap, we humans are all disabled in one way or another, but some are more disabled than others. Are there disabilities that all human beings have in common? Part of the problem in answering this question lies in the indeterminacy of the concept of the human. Think for a moment about the tradition of comic book superheroes. Are these heroes human or aren't they? To raise this question is part of the ambition of the comic-book genre.[6] The borderline between the human and the superhuman is played with there in various ways. Some heroes are given all the abilities of a regular human being but with one or two extra (X-ray eyes, the ability to shoot bullets from their fingertips, the ability to become invisible). Others are presented as having only human abilities but to a very exaggerated degree (fabulous hearing, great agility, remarkable strength). Still others are half human, half beast, possibly mutating periodically between the two sides of themselves. As they become superhuman in some respects they become arguably less human in others. All of these are conceptual games of broadly the same type. They challenge us to ask ourselves, when is a human being not a human being? The question only makes sense because the category of human being is significantly indeterminate at the margins.

For some purposes and on some occasions, the category of the human is sharpened up by stipulation. One can imagine

[6] There is also the related ambition to make us think about who, within the category of the human, is the paradigmatic human. Is the superhuman more than human or human, only more so? For further discussion of humanity and its paradigms, see J Gardner, *Law as a Leap of Faith* (Oxford University Press 2012), ch 6, and J Gardner and T Macklem, 'No Provocation without Responsibility' [2004] *Criminal Law Review* 213.

legislation specifying, for example, that a fertilized ovum is human or is not human, for the purpose of determining how it is to be treated. One may think that such stipulations change the concept. But it is easy to show that they need not do so by imagining a statutory provision according to which puppies are human for the purpose of determining how they are to be treated (to be protected from cruelty, for example, by counting them as children). This clearly does not make puppies human. Rather it is a shorthand way of extending certain rules that apply in the treatment of human beings so that they also apply in the treatment of some non-human beings.

These facts make it hard to say what counts as a uniformly human disability. No human being that ever existed could fly with his or her own wings. But can we imagine such a being? Would a story about such a being be a story about a human being, about human endeavour, about human experience? If there is nothing human about the being, it is hard to see what in the story might engage human readers. Of course, there can be something human about something that is not human, even about a puppy. Fictional dogs such as Lassie and Tintin's Snowy are capable of engaging human readers because they represent some experiences that can be shared across the human and dog worlds. This shows that there can be something human even about beings that are not in the zone of indeterminacy. Such beings can still have one or more human abilities. What takes us into the zone of indeterminacy, or the relevant one, seems to be possession of a paradigmatically human form[7] coupled with certain abilities that defy what is humanly possible.

[7] More precisely, a paradigmatically human form, a dog form, or a frog form is a necessary but not a sufficient condition of being human, dog or frog. Lassie and Snowy are dogs primarily because of their dog form, despite their possession of a range of human abilities. The frog who turned into a prince was a frog solely on the basis of his frog form, despite his possession of human abilities in every respect that did not depend on his frog form.

We just referred to the fact that non-human beings like Lassie can have one or more human abilities. This brings out an ambiguity in talk about human abilities. Sometimes 'human abilities' refers to those abilities that all human beings share or tend to share. Sometimes it refers, on the other hand, to those abilities that only human beings share or tend to share. In the first category one could include, for example, walking on two legs only and being able to see colour. With few exceptions, human beings possess these abilities, but they also share them with, for example, ostriches. The second category covers such abilities as the ability to read and to re-glaze a sash window. Only human beings possess these abilities, but many human beings lack them. For the time being we are going to concentrate on abilities in the second category, which we will call distinctively human.

A focus on the distinctively human is familiar from a certain strand of Christian and then Enlightenment literature that attempts to represent species membership as a matter of hierarchy, with human beings at the top of the earthly list. In addition to the abilities possessed by other animals, and lending them the ability to master those more animal abilities, human beings have in particular higher rational faculties as well as and interconnected with higher language faculties. This feeds the view that we humans should be the envy of all other creatures. This is a kind of humanism which can be thought of as arrogant and complacent. Notice that in this sense the Christian religion and some other religions in the same tradition can be thought of as humanist religions, attempting to assert the earthly superiority of the human (in God's image). Human lives and deaths matter in a way or to an extent that other lives and deaths do not. In this respect humanism is a denial of the reciprocity thesis, as applied between human beings and other creatures. Other species have no distinctive abilities to compensate for the distinctively human abilities that they lack. Relative to us they are disabled. They should wish to be more like us, but why should we wish to be more like them? Notice that this question is not: Why should we wish to add some extra abilities, currently not possessed by

humans, to our repertoire of human abilities? It would be perfectly reasonable, even for the most arrogant humanist, to envy birds their ability to fly under their own propulsion. (No surprise that angels are almost always represented as having the ability to fly, on top of excellence in the human capacities of language and reason). The question rather is: Why would anyone prefer to be like birds rather than like us, where being like birds would entail the sacrifice of some distinctively human abilities? Why would we want to so disable ourselves? Why should we want to run like an antelope if the price were, as it would have to be, the loss of the distinctively human ability to be a fine cabinet-maker or neurosurgeon thanks to our hands?

The case of the antelope is a good example of the element of truth in the reciprocity thesis. The limbs of an antelope are to be envied by humans, no less than the limbs of humans are to be envied by antelopes, assuming that antelopes are in the envy business. They can outrun the lion; we can fashion fine furniture. The appreciation of our manual abilities is by the same token regret at the disabilities that those abilities bring with them. As well as wishing that one were a fantastical creature, akin to a centaur, who had both an antelope's four-legged lower body and a human upper body, one might intelligibly wish that one were simply an antelope. The choice between being able to outrun the lion and being able to fashion fine furniture is a choice between incommensurables. Moreover, many of the things we need our hands for (preparing food, making tools and weapons) are things we need because we lack certain other abilities, for example, the ability to feed ourselves on grass and to escape our predators simply by running away.

This returns us to our earlier reflections on the theory of value, and helps to expose their radical implications. In our appreciation of and pursuit of value we are not as limited by our incapacities as is sometimes thought. The mere fact that a human being cannot become an antelope does not make it unintelligible for one to regret that one is not an antelope. It is tempting to think that we should evaluate humans by standards of human

excellence, antelopes by standards of antelope excellence, wolves by standards of wolfish excellence. This line of thought is not entirely misguided, as we will try to explain in the next section, but at the deepest level it is nevertheless misleading. It is misleading because value, at the deepest level, is there for all valuers to appreciate and to participate in and for all value-bearers to bear. Standards of antelope and wolfish excellence are there for us as well, and vice versa. It may be idle but it is not a misapplication of standards for a human being to judge himself or herself impoverished next to an antelope or wolf.

One difficulty with the example of wolves is that what makes for a king among wolves does not seem to be genuinely a kind of excellence. It is only 'excellence'. To be a really good wolf one must be really bad: bloodthirsty, scavenging, free of scruples such as pity. There are two possible reactions to this. One may retreat to the idea that wolves are only to be judged by wolfish standards, about which more below. Alternatively one may say that it is too bad for wolves that their lives are shaped by these negations of value. Of course one should not think that this is all there is to being a wolf. One must also reflect on the great coordination that goes into working as a member of a pack, the fabulous skill at hunting exhibited by individual wolves, the tremendous sense of smell with which few non-wolves can compete, and so on. So even if one resists the idea that wolves are to be judged by wolfish standards, one should not think that it is all bad to be a wolf. There is value there too, and sometimes something to be envied.

In saying this, however, one should be careful not to sentimentalize the world of non-human animals. In principle there could be animal lives shaped by negations of value that do not have significant redeeming merits. Where, one may wonder, is the virtue in being a hyena or a wasp? Hyenas kill their prey, such as antelopes, by ripping at flesh until the prey collapses and then eating the prey while it is still alive. They have to kill this way: they lack the ability to suffocate like a lion or break a neck like a leopard. It does not follow that there is anything good

about this. Perhaps in this respect it is a terrible curse to be born a hyena, because if anything is bad in the world it is the causing of pain, and the pain that the hyena causes is pain without much redeeming value, other than the survival of the pain-inflicter.

The sentimental view of the animal kingdom echoes the view that disabled people are only differently abled. In fact it extends that view, for a disability, such as that of antelopes relative to humans, is not an ability for the bad, as is that of wolves or hyenas. The sentimental view extends the reciprocity thesis: for every possible negation of value that is tied to the distinctive abilities of a species, there is some valuable ability that the species also exhibits to like degree. Hyenas, for example, might be thought to be as much better than us at social organization as they are worse than us in respect of the pain that they inflict when they kill, and so might be thought to be only differently abled. The thought is strained, however. Cruel as human beings may be, we tend to take a dim view of disembowelment and eating alive, and we are right to do so. To that extent we should take a dim view of life as a hyena, notwithstanding any admirable social virtues that be associated with such hyena brutality, and any desire on our part to be a hyena should be muted accordingly.

This already casts some doubt on the idea that wolves should be judged by wolfish standards, hyenas by hyena standards, and so on. Value is value, and although different species are equipped to participate in different parts of it this is not the same as saying that each is subject to or governed by different values, that wolves can only be bloodthirsty and unscrupulous scavengers and hence should be no better than they are. Different species are subject to the same values, and the inability of one species or another to participate in some of those values is to that extent a sad thing. It is a particularly sad thing given that it is biologically determined and therefore inescapable, compelling members of that species to lead lives that are in some respect more or less bereft of value. A fortiori, if they are biologically compelled to lead lives that are all things considered bad.

Aristotle is sometimes associated with the view that each type of being, even each type of thing, is to be evaluated relative to its *ergon*, the function it has as a being or thing of that kind. No doubt this is a good starting point. However, the *ergon* too calls for evaluation. A species with a regrettable *ergon* is to that extent a regrettable species; a species with an all-things-considered regrettable *ergon* is a species that all things considered should not exist. The regrettability of the *ergon* is to be established, not from the point of view of the species (or its survival), but from the point of view of value itself. Some modern thinkers attempt to use supposed human *erga*—supposed socio-biological or economic imperatives of humanity—to yield a theory of value.[8] The Aristotelian tradition is sometimes cited as licensing this approach. The problem is not only that these supposed *erga* are impoverished even as *erga*. The deeper problem is that the cart is being put before the horse. Whatever is offered as a theory of value must be capable of being applied to the evaluation of the *ergon* itself. There is nothing in the Aristotelian tradition to suggest otherwise.[9] Nor should there be.

3. The disabilities of everything

A possible response to what we have just encountered is to attempt a measured or a controlled broadening of the range of things that are united in their answerability to value. True, each species' *ergon* falls to be evaluated, but that in turn is relative to some *ergon* of life that unites human beings with antelopes, wolves, hyenas and so on. This makes it possible for us to compare our own lives with those of other animals, and to wish

[8] An otherwise sensitive moral philosopher who seems to do so is H Frankfurt. See his Tanner Lectures, *Taking Ourselves Seriously & Getting It Right* (Stanford University Press 2006), eg at 24.

[9] For further discussion, see J D Wallace, *Virtues and Vices* (Cornell University Press 1978), ch 1.

that we were like them, that we had their abilities and disabilities instead of ours, but no further. The reach of value goes only as far as the lives of valuers. Other things in the world, such as plants, and waves, and rocks, are not answerable to value in a way that would allow us to wish that we were they.[10]

We believe that this is too dramatic a conclusion.[11] It has no more to be said in its favour than the more narrowly humanist view that we just discussed and resisted. The difficulty with wishing to be a wave or a rock is not that such things do not answer to value (although the way in which they do so may vary in ways that we will come to). The difficulty, rather, is that the business of wishing to be something, if it is to be pursued any distance in one's thoughts, requires one to be able to imagine oneself having experiences as such a thing. To make the wish intelligible the experiences must be coloured by value. The problem is that rocks, and waves, and even plants, although they are amenable to evaluation, lack the experience of value. They are not valuers. This means that while one can in an idle or poetic moment think of oneself as a rock, or a wave, or a plant (remember the early exercises that infants are taken through in their drama classes) one cannot sustain the imaginative progress.

How is it possible for a rock to be better or worse? Rocks, after all, have no *ergon*. In the previous section we retained from Aristotle the idea that the *ergon* of a thing provides a transitional step in its evaluation. We allowed that a wolf can be evaluated

[10] It may be part of the appeal of the Benthamite focus on sentient beings as objects of evaluative concern that by a roundabout route it ends up drawing the line in this very place. Indeed the focus on sentience may appeal more deeply because it has some conceptual connection with a focus on valuers. J Bentham, *An Introduction to the Principles of Morals and Legislation* (ed Burns and Hart, Athlone Press 1970), 282-3.

[11] However we would be more relaxed about the less dramatic proposal that the existence of value depends on the imaginability of engagement with it by valuers. In defence of this proposal see J Raz, *Value, Respect, and Attachment* (Cambridge University Press 2001), 151-58.

according to its success by wolfish standards, so long as we bear in mind that those standards in turn call for evaluation (as it were, absolutely). How is this procedure to be carried over into the world of geology? The answer is that it is not to be. The kinds of values to which rocks answer are already (as it were) absolute. There is no intermediate step. Rocks themselves lack an *ergon*. If there is any *ergon* relevant to the evaluation of rocks, it is not the *ergon* of the rock but the *ergon* of its user. One rock is harder than another and therefore more useful for cracking nuts. One rock is more jagged than another and therefore more suitable for gutting fish. This may lead one to think that in some sense rocks do not exhibit value but have value imposed upon them. But the distinction is spurious. The value in these cases is admittedly brought out of the objects by their use (i.e. is a kind of instrumental value) but it is nonetheless value in the object for that. Neither is the value of rocks exclusively instrumental. Some are more beautiful than others, some more miraculous.[12] Here there is no question of relativizing the value of the rock to anything. It is just a blessing (as it were, absolutely) to have such beauty and such miracle in the world.

So it makes sense to say that one is sad not to be a rock, to be as impervious as it is to cold and hunger, pain, the extremes of joy and sorrow. By the same token, it is too bad that the rock is not one of us, has no experience of mortality, never falls in love, lacks responsibility. In a sense we might say that the rock participates in different values from those in which we humans participate. But this is misleading in two ways. In the first place, the value exhibited by the rock is not value in which it strictly speaking *participates*, for it is no valuer. Second, on the other hand, it is equally illuminating to regard all things as participating in all value. All value is in a sense there for everything and

[12] At the borderline between instrumental and non-instrumental value (or containing aspects of both) we have the aptness of a piece of rock to be transformed into a work of art by sculpture and display.

everyone and not only for valuers. That is why there is a loss in humans not being rocks as there is in rocks not being humans. There is also a loss in rocks and humans alike not being waves, in their being locked into their solid forms, so that they cannot flow or change state without ceasing to be rocks and human beings respectively. This locks them out of the different beauty, the different miraculousness, of the surf on the shore. Rocks and human beings have disabilities in common as well as disabilities by which they are distinguished. The value of the wave is also there for them, but it is not a value that they can exhibit in their own existence. They can only benefit from it indirectly, as observer or surfer in the case of the human, as breaker of the waves or thing broken by the waves in the case of the rock.

To wish oneself a rock or a wave is to wish that one could escape the confines of human life in respect of access to value. The metamorphosis also, of course, brings its own confines and deprives one of access to value that one enjoys as a human being. It is not like a case of sprouting wings but otherwise retaining one's humanity. Possibly this is not a metamorphosis worth wishing for, all things considered. Possibly some Enlightenment humanists would be right to assert the superiority of human abilities to the abilities of rocks. Possibly it is better to enjoy the diversity and the complexity of human existence that one has access to in virtue of one's mortality, agency, rationality. But notice that this is not a foregone conclusion. Rationality, for example, is a blessing but by the same token a curse. It enables one to make one's way through the world with a certain facility, but it also forces one to do so in a way that under certain unhappy circumstances one might reasonably wish to escape, by becoming a rock perhaps. Be that as it may, however, the very fact that one is tempted to rank human existence ahead of rock existence in the value stakes shows that one places both existences in the world of value, answering to its demands and expectations.

One may think that this has all gone too far, because an issue about what it meant to participate in value is now being

extended to things that don't participate in value, because participation is not one of the actions that they can perform. It is all a bit metaphorical. We agree that there is something elusive about the idea of a rock *participating* in value. It is a little less puzzling to speak of a rock *exhibiting* value or *possessing* it. Perhaps we should say that participating in value, which is something that human beings and other animals do, is a distinctive way that human beings and other animals have of exhibiting or possessing value. In other words, there is the ability that we share with rocks, which is the ability to exhibit or possess value, and then there is the ability that sets us apart from rocks, which is the ability to exhibit or possess value by participating in it. It seems better to reserve the word participating for the subsidiary class of cases in which the thing that exhibits or possesses the value is itself a valuer, and so the exhibiting or possessing of the value is somehow mediated through the way that that thing appreciates, or perceives, or responds to the value in question.[13]

4. The resurrection of 'can'

On the view we have been defending, all value is relevant to the evaluation of anything that is capable of exhibiting or possessing value, irrespective of which values it is capable of exhibiting or possessing. Put roughly, all value is value for everything. If this is true one may wonder how it has come to be thought by so many that each value is on the contrary relativized to the ability to participate in it. Why is it a common assumption of moral and political thought that the form of life of every species is to be

[13] Here we see both the appeal and the lack of appeal of the Benthamite view, above note 10. For as well as marking the line between humans and other animals on the one hand and plants, rocks and waves on the other, the Benthamite view loses sight of all value found on one side of this line except to the extent that it is participated in by beings on the other side.

assessed relative to the ability of that species; that the form of life of every individual is to be assessed relative to the ability of that individual? Part of the appeal of this common view is connected with the ideal of self-realization summed up in Marx's slogan 'from each according to his ability',[14] and more fully explored elsewhere in his writings.[15] The idea is that each ability is already a repository of latent value, value which is wasted if the ability is not used. Where there is no ability there is no value to be wasted. So the good life (or a good existence for those things that have only existences and not lives) consists only in being the best that one can be and calls upon one to be that. There is nothing to be said for aiming higher, just as there is nothing to be said for aiming lower, indeed nothing to be said for aiming otherwise. Let's call this 'the Marxian view' for short.

Does it follow from the Marxian view that there is nothing to be said for holding oneself and one's life up to standards that one cannot reach, wishing that one could live up to such standards, or hoping that one day one will? The main Marxian objection to these ambitions is presumably their idleness, not their conceptual incoherence. It is not because of the nature of value that one should not value lives that are out of one's reach, but because there are other fish to fry, other values to be pursued in the life one has, values that are competing for the use of that idle time, idle time which might therefore be more profitably spent.

Any plausible argument with this Marxian view must take the following form. It cannot deny that it is bad to waste value: that is analytically true. It must challenge the assumption that time and energy spent in wishing and hoping, and more

[14] K Marx, 'Critique of the Gotha Programme' in D McLellan (ed), *Karl Marx: Selected Writings* (Oxford University Press 2000), 610 at 615.

[15] eg 'Economic and Philosophical Manuscripts' in *Karl Marx: Selected Writings*, above note 14, 83 at 90: 'Alienated labour ... alienates man from himself, his own active function, his vital activity.'

generally imagining, is always wasted. For perhaps these too are valuable ways to participate in value. Yet a straightforward Marxian reply might be that if these ways of participating in value are also valuable then by the same token they are already embraced in the Marxian ideal. If one has the ability to participate in value in this way then this qualifies, along with the ability to build tractors, as a candidate for qualification as the relevant ability in the slogan 'from each according to his abilities'.

However this way of accommodating that which is unrealizable through self-realization within our evaluative horizons merely postpones the important question of whether value loses its hold over us (that is, becomes irrelevant to evaluating us or our lives) when we are unable to participate in it, and if so why. As we have explained above, the answer is that it does not. The Marxian re-interpretation of the wisher or the hoper misses the point of the wishing and hoping, which is not the participation in value to be found in the act of wishing or hoping, but rather the wished-for or hoped-for participation in the value in question, of which the wisher or hoper is *ex hypothesi* incapable.

This is not to say that the Marxian view does not shed light on the genuine appeal of the broader idea that our evaluative horizons are restricted according to our abilities. It is certainly true enough that any engagement with value (via participation, exhibition, possession) has its opportunity costs in other value foregone. That being the case, the idea that our lives should be assessed relative to our abilities derives most of its legitimate appeal from the following consideration.[16] In determining where to invest scarce time and energy there is always the problem of making the best investment, of deciding which value to sacrifice. All else being equal, the more promising candidate for sacrifice is the value more costly or difficult to realize. Value that is

[16] For further elaboration, see J Gardner 'Reasons and Abilities: Some Preliminaries', (2013) 58 *American Journal of Jurisprudence* 63.

impossible to realize is none other than an extreme case of value that is costly or difficult to realize. The case against investment in it must rest on the case for investment elsewhere.

Some clarification of this last point is needed here. We said that the more promising candidate for sacrifice is the value more costly or difficult to realize 'all else being equal'. The presence of the 'all-else-being-equal' qualification already anticipates one respect in which things are not always equal. The difficulty of pursuing certain value can itself be valuable. In this respect difficulty should be distinguished from cost.[17] Cost is always and only value expended. Difficulty, on the other hand, is value expended that may be compensated or more than compensated in the challenge of its pursuit. So imagine someone, call him A, who has moderate talent as a pianist but very great talent as a cabinet-maker, and assume that piano-playing and cabinet-making as such are not ranked (that is, that they are equal or incommensurable) in respect of their value. Could it ever, *pace* Marx, be a reasonable investment for A to devote himself to piano-playing as opposed to cabinet-making? The answer is that it could, given the possible difference in value between a challenging life and an unchallenging one. It is true that this example does not suggest that B, who has no ability to play the piano at all, would be acting reasonably were she to invest her life in piano-playing. But that is beside the point. The point is that much of the appeal of restricting our evaluative horizons according to our abilities comes of a calculation, which may be reasonable, that down that path lies more potential for value. This is borne out rather than contradicted by the realization that the value that lies down the path is not only the value at the end of it (the excellence of piano-playing) but may also include the value lying along the path (the challenge of learning, the commitment associated with the love of music, the fact that

[17] G A Cohen, *Karl Marx's Theory of History: a Defence* (Clarendon Press 1978), 238-9.

piano-playing was what one chose rather than a pursuit visited upon one or that one drifted into).

However all this presupposes a commitment to the ideal of self-realization, whether through production or through the act of wishing or hoping for that production. Is there anything to be said in defence of this presupposition? Is there anything to be said for narrowing our attention to self-realization in our deliberations and debates about value? If there is anything to be said it must be that there is value to be found in so narrowing our attention. And indeed there could be such value. It could be valuable for us to simplify our day-to day-encounters with value so as to accommodate them in a manageable structure. There could be a case for a rule of thumb, according to which, barring special circumstances, the contenders for one's evaluative attention should be confined to those values that are embraced in the ideal of self-realization. There could even be a case for having or using a harder and faster rule, according to which everything that does not contribute to self-realization would be left out of one's evaluative horizons, lest one be distracted or debilitated by one's awareness of the need to attend to other values. So nothing said here casts doubt on the Marxian proposition 'from each according to his ability' as a possible moral doctrine around which to organize a life or a civilization. The important point, however, is that any defence of the proposition as a moral doctrine must be a defence in terms of its value as a moral doctrine, where its value is not limited according to the ability of those to whom it applies. It must not be mistaken for an ultimate truth.

How might such a defence be filled out? Certain engagements with value are only possible if they take place across the course of a life, or at least large stretches of a life. Parenting and professional musicianship are plausible examples. Other engagements with value are only possible through involvement in social forms and practices that are created and maintained by particular communities and embedded in their cultures. Plausible examples are certain styles of comedy, certain sports complete

with their followings. To be successful, such engagements with value depend on the availability of a scheme for the organization of one's approach to value, a scheme that is shared by one's community and that persists over time. The Marxian ideology of value realization through self-realization is one such scheme, and its value as a scheme is to be looked for in its ability to function as a scheme of the relevant kind, namely, in its ability to sustain successfully engagements with value over time and across a community. More specifically, the value of the Marxian ideology of value realization through self-realization is to be looked for in its ability to function as a scheme of a particular kind. Perhaps it reminds us of the wastefulness of wishing and hoping once they become the *leitmotifs* of a life. Perhaps it acts as a counterweight to certain predictable failings that might be thought to call for counteraction, failings such as apathy, lethargy, depression, passivity, and ennui. Beyond a certain point, however, it matters less what scheme one has than that one has a scheme, and this element of arbitrariness yields further incommensurabilities on top of those that pervade the world of value before it is touched by schemes.

5. Postscript: from values to reasons

All value, as we roughly put it, is value for everything. Are reasons likewise reasons for everything? After all, the value of anything is a reason for any action that brings that thing into the world or keeps it there. If rocks and waves, antelopes and hyenas, are subject to value are they by the same token subject to reasons? Predictably, the answer is yes and no. Yes, there is always the live question of whether it would be good to be rational rather than arational, or indeed arational rather than rational, and this question can be asked with any value-bearing object in mind. But no, only responders to reasons can be evaluated according to their response to reasons or, to put this in more familiar terms, only the rational answer to reasons.

Let us unpack these ideas. As we said before, it is not unintelligible for a human being—a rational being—to wish to be a rock or a wave. The rational aim of this wish, however, is to escape the hold of reasons themselves, to lose one's answerability to reasons, and in that sense to lose one's rationality. What this tells us is that escaping from the *ergon* of rationality to some other *ergon*, or to a form of existence that has no *ergon*, is escaping the direct applicability of reasons. It is in this sense that reasons are not for anyone other than a responder to reasons, a creature with the *ergon* of rationality. Yet even for others who lack this *ergon*, reasons have an indirect hold, and in two ways. First, one may always ask whether an arational *ergon* is a good *ergon* to have, bearing in mind that it may open up extra arational paths to value as well as closing down rational ones, including the pursuit of the value of rationality itself. Second, there are reasons why even arational entities should do or be certain things, reasons which nevertheless can only be responded to by rational beings. In doing so rational beings serve value in their own lives (as participants in value) and in the lives of the daffodils (as exhibitors of value). It is not a nonsense to say that daffodils ought to be tall and healthy, where the ought is the ought of rationality. It is that ought that reasoners respond to in cultivating and tending daffodils. They, the reasoners, can be criticized for failing to conform to the reasons for daffodils to be tall and healthy. The daffodils, by contrast, cannot be criticized for failing to conform to the reasons for daffodils to be tall and healthy. Yet they can still be criticized for failing to be tall and healthy, where the criticism holds them up, not to standards of rationality, but rather to the standards of phototropism that belong to the daffodil *ergon*. And as we have emphasized, they can also be criticized for being creatures with that *ergon*, which means partly for their want of rationality.[18]

[18] It is a want of rationality in the sense that daffodils are not responders to reasons. The defence of their *ergon* must, in part at least, be in terms of the

One might sum this up paradoxically by saying that there are reasons for daffodils to be tall and healthy but they are not reasons for daffodils. The first 'for' means something like 'in favour of' while the second 'for' means something like 'applying to', where this in turn connotes an ability to respond to the reasons as reasons. The locution 'value for daffodils' obscures the difference between two ways in which reasons can be 'for' anything.

Why is phototropism not a kind of rational response, given that daffodils are agents that pursue the light by becoming tall and healthy,[19] and given that there are admittedly reasons for daffodils to be tall and healthy, and even reasons for daffodils to be phototropic, such that in being phototropic the daffodil might be thought to respond to reasons? The answer is that it is possible for one fact (for example, the fact that the sun is there to grow towards) to influence action in two ways. Phototropism is the arational response to that fact, because it is not mediated through an appreciation that the sun is there to grow towards. The daffodil cannot appreciate this fact because the daffodil cannot appreciate anything. It lacks the sensory and cognitive apparatuses to do so. The gardener, by contrast, can appreciate

value of arationality as a condition of being. That is to be distinguished from the sense in which human beings can be found rationally wanting. That is a want that operates within the domain of rationality and is relative to the human *ergon*, part of which consists in excellence in responding to reasons, as Aristotle emphasized. In short, the interstitial arationality of beings with a rationality-comprising *ergon*, unlike the condition of arationality of beings without such an *ergon*, is something that one needs a reason for. For a good example, see D Parfit, *Reasons and Persons* (Oxford University Press 1984), 13.

[19] It is a common simplification to treat agency and rational agency as coextensive. However agency extends well beyond the rational. Not only plants but also rivers are agents, although rocks are a more difficult case. Indeed, there is agency other than rational agency even in human life, for example, the action of our gut upon our food. Interestingly, we often hesitate to call this action our action even though it is an action of part of us, namely, our gut. For more on non-rational agency see A Kenny, *The Metaphysics of Mind* (Clarendon Press 1989).

that the sun is there to grow towards and can assist the daffodil in growing towards it, for example by planting the daffodil in a sunny spot and keeping the trees above it pruned. As a human being, the gardener has the sensory and cognitive apparatuses to appreciate the facts and respond to them rationally, that is, through that appreciation.

Some people would like to subscribe to a much more relational doctrine of reasons, according to which every reason is somehow the possession of some reasoner and bears only on that reasoner's action. So reasons, to use the technical jargon, are agent-relative by their nature. This is an understandable exaggeration of an important truth. The truth is that reasons are there to be responded to as reasons, and different responders are often differently placed to respond to them, such that one reason can be a reason for John to do one thing and for Tim to do another. The fact that the sun is high in the sky is a reason for Tim to go outside and enjoy the sunny day, but also a reason for John, paler of skin as it happens, to stay indoors and yet to lend his sunscreen to Tim so as to enable Tim to enjoy the sunshine without suffering sunburn. It is one reason, but there is a diversification of the actions that it is a reason for. This example maintains the relationality of reasons, in the sense of preserving the idea that reasons are for rational beings, while being perfectly consistent with (and indeed suggesting) a comprehensive agent neutrality. The technical term 'agent-neutral' should not be taken to suggest that any agent at all, even a daffodil, answers to reasons without first becoming a reasoner. But it should be taken to capture the idea that every reason is there for every reasoner and indeed, in its own small, specific way, is a reason for every being to be a reasoner.