New Books

Knowledge and its Limits
By Timothy Williamson
Oxford University Press, 2000, pp. xi +340. £25

This is a highly subtle and penetrating book, which makes valuable contributions to several areas of epistemology. Though I did not think that its various chapters combined to form a pleasing unity, I much admired its wintry and uncompromising exactitude.

In the first four chapters Williamson defends the hypothesis that knowing is a mental state, in the sense that 'there is a mental state being in which is necessary *and sufficient* for knowing *p*.' (21) A state is mental if and only if there could be a mental concept of that state. If a concept C is the conjunction of other concepts, then C is mental if and only if each conjunct is mental. The concept *believes truly* is by this standard not mental: it is the conjunction of the concepts *believes and true,* and the concept *true* is not mental. Knowing is factive: one knows *p* only if *p* is true. So isn't the concept *knows* also a conjunction one of whose conjuncts is the concept *true?* Williamson thinks not. We should accept as our working hypothesis 'that the concept *knows* cannot be analysed into more basic concepts' (33) This is a better hypothesis than that the concept is some kind of post-Gettier ad hoc sprawl. That *p* is true, and perhaps even that *p* is believed, is an indeed necessary condition for knowing. But this according to Williamson gives us no reason to suppose that we can reach a non-circular necessary and sufficient condition for knowing *p*. Being coloured is after all a necessary condition for being red, and there is no further condition, not itself specified in terms of 'red', whose conjunction with being coloured is necessary and sufficient for being red. There are, he admits, certain 'putative differences between knowing and non-factive attitudes that might be thought to disqualify knowing as a mental state.' Since knowing is factive, whether one knows *p* constitutively depends on the state of one's external environment whenever the proposition *p* is about that environment, and it may seem that a mental state cannot be thus dependent? But Williamson is a confident believer in externalism about the contents of mental attitudes, and he argues that externalism about factive mental attitudes is no worse placed than externalism about mental content. Some writers think that belief rather than knowledge is what causally explains human behaviour, and Williamson thinks that 'suspicion is legitimate of a purported mental state reference to which never plays an essential role in causal explanation' (61). He maintains, however, that reference to states of knowing is essential to the power of certain causal explanations of action. Finally, that knowing is a mental state clashes with the idea 'that one is guaranteed access to ones current mental states', for 'when one asks oneself whether one knows a given proposition, one is not always in a position to know the answer.' (93)

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Williamson replies that many uncontentious examples of mental states are the same as knowing in this respect, and chapter 4 goes on to advance a general argument which is supposed to show that almost no condition is *luminous,* or such that 'whenever it obtains (and one is in a position to wonder whether it does), one is in a position to know that it obtains' (13).

The limits to our ability to iterate knowledge are further explored in chapters 5 and 6. Williamson shows that these limits make problems for common knowledge, in which everyone knows that everyone knows that …, and applies his results to suggest a diagnosis of the Surprise Examination Paradox, and the paradox of Iterated Prisoner's Dilemma.

The next two chapters are about sceptical arguments. Chapter 7 is a very detailed treatment of those which invoke the notion of *sensitivity* to the truth. In its simplest version this notion requires that were the proposition which one believes false then one would not believe it. Chapter 8 deploys the anti-luminosity argument of chapter 4 against the kind of sceptic who insists both that we know what our evidence is and know that we have exactly the same evidence both in the case where things appear as they ordinarily do, and are that way; and in the case where things appear as they ordinarily do, but are some other way.

Evidence and justification are the topics of chapters 9 and 10. When is *e* evidence for the hypothesis *h*, for a subject S? According to Williamson two conditions are required: '*e* should speak in favour of *h*' , and '*e* should have some kind of creditable standing.' (186) The first condition he explicates as 'the probability of *h* conditional on *e* should be higher than the unconditional probability of *h*', the second as that 'knowledge, and only knowledge, constitutes evidence.' It follows that knowledge is what non-pragmatically justifies belief. Chapter 10 relates the ideas of chapter 9 to an objective Bayesian framework.

The penultimate chapter 11 concerns the speech act of assertion which according to Williamson is governed by the fundamental rule that one should assert p only if one knows that p. And the chapter consists of a defence against Edgington and others of Fitch's argument for the conclusion that if something is an unknown (but perhaps knowable) then that it is an unknown truth is itself an unknowable truth.

Williamson says that if he had to summarize the book in two words, they would be: knowledge first. 'It takes the simple distinction between knowledge and ignorance as a starting point from which to explain other things, not as something itself to be explained. In that sense the book reverses the direction of explanation predominant in epistemology.' (v) This theme does indeed provide a link between the first chapter, on the unanalysability of the concept of *knowledge,* and chapters 9–11, in which Williamson tries to use that concept in order to elucidate the concepts of evidence, justification, and assertion. But the theme of knowledge first does not really suffice to unify the whole book. Williamson presses forward in several different directions. Two of his various investigations struck me as especially illuminating: those sceptical arguments in chapter 7, and of Fitch's argument in chapter 12. I wish I had been competent to evaluate

his contributions to Iterated Prisoner's Dilemma and the Surprise Examination.

Some miscellaneous doubts. I wondered to begin with whether, even if it were successful, Williamson's reversal of the direction of explanation would be quite as radical as it seems. Though he denies that the concept of knowledge can be analysed in terms of non-trivial necessary and sufficient conditions, and thinks indeed that the pursuit of analyses is 'a degenerating research programme.' (31), he still concedes that truth and reliability are non-trivial necessary conditions for knowledge. If we could indeed elucidate evidence in terms of knowledge, it is these non-trivial necessary conditions for knowledge which would presumably be the source of light. It would not be a case of explanation in terms of a simple, unanalysable but perfectly intelligible concept like *red*.

I also felt some unease about Williamson's treatment of the relation between evidence and probability. He proposes that

> (EV) e is evidence for h for S if and only if S's evidence includes e and $P(h/e) > P(h)$,

where P satisfies 'a standard set of axioms for the probability calculus'. (211) But he is reluctant to say much about what P actually measures. P does not measure objective physical chance or frequency of truth; it does not measure S's degree of belief, nor does it even measure the credence of a perfectly rational being. He will say only that $P(p)$ measures something like 'the initial plausibility of hypotheses prior to investigation.' This reticence is justified by an analogy. 'The concept of *possibility* is vague and cannot be defined syntactically. But that does not show it is spurious. In fact, it is indispensable. Moreover, we know some sharp structural constraints on it: for example, that a disjunction is possible if and only if at least one of its disjuncts is possible. The present suggestion is that probability is in the same boat as possibility and not too much the worse for that.' (211) This won't convince modal eliminativists or those still willing to experiment with logical psychologism or indeed those still willing to experiment with a truth-frequency account of evidence. There are perhaps some further difficulties with (EV). If $P(h/e) > P(h)$ then $P(e)$ is not 1, for otherwise $P(h/e) = P(h)$. But Williamson gives it an axiom of the probability calculus that $P(p) = 1$ whenever p is a logical truth, and I do not see why a logical truth should not function as evidence. Another rather odd-looking consequence of EV is that e is evidence for h only if e is evidence for itself. Since $P(e)$ is not 1, and, if $P(h/e)$ is well-defined, also not 0, '$P(e/e)$ is well-defined with the value 1, which is greater than $P(e)$, so e is evidence for e, by EV, with 'e' substituted for 'h'. I wasn't quite convinced by Williamson's suggestion that citing h itself in reply to the question 'What is the evidence for h?' is merely conversationally inappropriate.

Nor was I wholly convinced by the anti-luminosity argument of chapter 4, the argument which concludes that almost no condition is such that 'whenever it obtains (and one is in a position to wonder whether it does),

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one is in a position to know that it obtains.' Apart from its intrinsic interest, this argument is required for some of what Williamson says later about scepticism, and he also thinks that since Dummett's arguments for an anti-realist theory of meaning require assertibility conditions to be luminous, the anti-luminosity argument points to a flaw in that philosopher's weak verificationism (there are, Williamson severely remarks, 'probably others'. (275)). The anti-luminosity argument goes like this. The condition that one feels cold has as good a chance as any non-trivial condition of being luminous. But it is not luminous. Suppose one feels cold at dawn, very slowly warms up, and feels hot at noon. One's feeling of heat and cold change so slowly that one is not aware of any change in them over a one millisecond. Throughout the process one thoroughly considers how cold or hot one feels, and one's confidence that one feels cold gradually decreases. Let t_0, t_1,…,t_n be a series of times at one millisecond intervals from dawn to noon. Let α_i be the case at t_1 ($0 \leq i \leq n$). Then

(1_i) If in α_i one knows that one feels cold then in α_{i+1} one feels cold.

This is because in α_i one knows one feels cold only if one's confidence that one feels cold is reliably based, and it is reliably based only if were one to have a very similar similar degree of confidence on a very similar basis that the same condition obtains, then that same condition would obtain. But ex hypothesi one feels only very slightly less confidence in α_{i+1}. So if in α_i one knows one feels cold things in α_{i+1} will be similar enough for one also to feel cold in α_{i+1}. But suppose that feeling cold is luminous and hence that

(2_i) If in α_i one feels cold then in α_i one knows one feels cold.

And suppose that

(3_i) In α_i one feels cold.

Then

(4_i) In α_i one knows one feels cold.

And, given (1_i),

(3_{i+1}) In α_{i+1} one feels cold.

It is however certainly true that

(3_0) In α_0 one feels cold.

And by repeating the argument from (3_i) to (3_{i+1}) n times, for ascending values of i from 0 to n–1, we reach the certainly false conclusion

(3_n) In a_n one feels cold.

So feeling cold is not luminous. What I wondered was why it is not enough for one's confidence that one feels cold in α_i to be reliably based that if in α_{i+1} one had a sufficiently similar degree of confidence then one would feel something that one was unable to distinguish from what one felt in α_i. It is inconsistent to suppose that one feels cold at dawn, and feels the same a

millisecond afterwards, and so on up to noon, when one feels hot. But it is not inconsistent to suppose that one feels cold at dawn, and at each subsequent millisecond up to noon cannot distinguish what one then feels from what one felt at the previous millisecond, and yet feels hot at noon.

But the book deserves praise, not random sniping. It also deserves the minutest and most comprehensive scrutiny. This it will surely get, and be powerful stimulus to epistemology.

N. M. L. Nathan

Nietzsche's Ethics and his War on 'Morality'
By Simon May
Oxford University Press. 1999, pp. 212, £30.

The recent upsurge of interest in Nietzsche on the part of analytically oriented philosophers has been widely noted, and the results of that upsurge widely, and often rightly, welcomed. The work of Brian Leiter, for instance, to name only one observably rising star, has served, sometimes quite convincingly, to underline the suspicion that Nietzsche's writings might have interesting contributions to make to questions raised independently by analytic philosophy, such as the nature of naturalism. Others—Bernard Williams is the most eminent example—have shown how, if one takes Nietzsche seriously, the analytic tradition can be seen to be con-fronted by issues that it had either not thought of or that it had thought of but had framed in unilluminating ways, such as the relation between guilt and shame. Simon May's excellent new book—a genuinely penetrating study of the character and consequences of Nietzsche's ethical thought—deserves to occupy a place in any future account of the (eventual) rapprochement between Nietzsche and analytic philosophy. May demonstrates quite compellingly that Nietzsche both has interesting answers to questions that analytic philosophy would recognize as its own, and has interesting questions, or formulations of questions, that analytic philosophy would do well to recognize as its own. Wide-ranging, acute and original, *Nietzsche's Ethics and his War on 'Morality'* represents a thoroughly welcome addition to the literature.

In what follows I will make no attempt to indicate the breadth of May's study. Nor will I report much that goes on in it, beyond quoting the cover-blurb that correctly alleges the book to portray 'Nietzsche as both revolutionary and conservative—as one who repudiates traditional 'moral' conceptions of God, guilt, asceticism, pity, and truthfulness, and yet retains a demanding ethics of discipline, conscience, 'self-creation', generosity, and honesty.' Rather, I will focus on two particular issues, both central to an understanding of Nietzsche's project, and about both of which May has some interesting and perhaps questionable things to say. In this way I hope to indicate something of the flavour of his book at the same time as suggesting why an engagement with his arguments is necessary for anyone seriously concerned with Nietzsche's thought.

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The first issue concerns the kind of ethic that Nietzsche should be espousing, given his other commitments. One of his chief objections to 'slave morality', for instance, and to Christianity as one of its more potent variations, is that, because it is predicated on an emphatic rejection of contingency, temporality and embodiment (as ultimately, unreal), it denies the world as it really is and so celebrates a way of living that both expresses and encourages a denigration of the most distinctive features (temporality, embodiment etc.) of life itself To deny the world, on this view, just is to deny life. It follows from this, at least on the standard reading of Nietzsche, that any counter-ethic—i.e. any ethic which doesn't involve a denial of life in its most distinctive features—must be life-affirming, which is to say that it must involve affirming the world precisely in those respects (contingency, temporality, embodiment) from which slave morality seeks to escape. May's claim is that this standard reading is mistaken. It suppresses, according to him, an important distinction—between an ethic's being life-affirming (in the sense just outlined) and its being life-enhancing, that is, its engaging 'in the creation of "forms" that "seduce" to life—i.e. that invite love of life' (p. 36). And it is May's contention that a *life-enhancing* ethic, as exhibited for instance by 'genuine artists', is what Nietzsche was really after. The consequence of this, he claims, is that we need not, as potential life-enhancers, presuppose 'an attitude of acceptance, and even love, of the world in all its inescapable elements'; we need not assume 'that because the world is thus and so in its basic nature, our values must, in some sense, "affirm" those features.' And why not? Because 'such comprehensive affirmation or love may be irrelevant to great creativity'—that is, to life-enhancement (p. 96).

May is keen, therefore, to open up a gap between the possibility of a non-slavish counter-ethic on the one hand, and the necessity of affirming contingency temporality and embodiment on the other. He has several kinds of warrant for this, but one of his most important stems from taking seriously Nietzsche's repeated claims to the effect that 'art, in which precisely the *lie* is sanctified and the *will to deception* has a good conscience', is, unlike, anything else, 'fundamentally opposed to the ascetic ideal' —i.e. to slave morality in its most extreme form (*On the Genealogy of Morals,* Essay III, section 25). May (rightly) takes Nietzsche up on this and, again rightly, concludes that the kind of life-enhancing 'creation and imposition of forms' that Nietzsche associates with artistry (*Genealogy*, Essay II, section 17) must be central to his conception of a counter-ethic. But now, for me at least, things start to get cloudy. For May seems to have two sorts of reason for thinking that Nietzsche's concentration on artistry entails that his version of life-enhancement need not involve life- or world-affirmation—and neither kind of reason, I think, works. The first sort of reason sounds eminently common-sensical: as May notes on several occasions, many creative artists have also been depressives, and therefore unlikely, however much they might enhance life, to have exhibited 'an attitude of acceptance, and even love, of the world in all its inescapable

elements.' But this is hardly conclusive, largely (but not only) because it assumes that artists are all of a type—i.e. that every creative artist is necessarily a life-enhancer—and Nietzsche clearly does not believe that: 'regarding all aesthetic values,' he says, 'I now avail myself of this main distinction: I ask in every instance, 'is it hunger or superabundance that has here become creative?...'' (*The Gay Science,* section 370)—a distinction that he then immediately recasts in terms of life-denial versus life-affirmation. So it is unlikely that May's depressives, at least as so characterized, are illuminatingly to be thought of as exemplars of Nietzsche's counter-ethic.

May's second sort of reason derives from a tendentious reading of the first few sections of the *Genealogy*'s third essay. His argument is this: in order to be in a position to affirm one's own life, and 'the world in all its inescapable elements', one would have to know and be truthful about what those elements were; and yet 'this truthfulness … is precisely what real artists—Nietzsche's paradigmatic life-enhancers—are constitutionally incapable of and *must* be incapable of if they are to remain creative' (p. 120). May cites Essay III, section 4 in support: '[w]hoever is completely and wholly an artist is to all eternity separated from the "real", the actual.' His conclusion, then is that to the extent that artists are Nietzsche's exemplary life-enhancers, and are also incapable of truthfulness about themselves and the world, life-enhancement *cannot* require life- or world-affirmation, since one can only affirm what one truthfully acknowledges to be the case. But this does scant justice to Nietzsche's discussions of artistry and truthfulness. Three points should be sufficient to cast doubt on May's reading. First, in the passage May himself cites, Nietzsche makes clear that the separation 'to all eternity' of the artist from the 'real' has to do with 'a confusion to which the artist himself is only too prone'—i.e. the confusion that he himself *is* 'what he is able to represent, conceive, and express. The fact is that *if* he were it, he would not represent, conceive, and express it: a Homer would not have created an Achilles nor a Goethe a Faust if Homer had been an Achilles or Goethe a Faust' (*Genealogy,* Essay III, section 4). The only want of truthfulness here is that exhibited by artists who have confused themselves with their own creations. and while all artists may be 'prone' to this confusion, nowhere does Nietzsche suggest that, *qua* artists, they must necessarily be mired in it. Again, Nietzsche does not think of artists *en bloc*. The second point concerns a passage from the famous '*One thing is needful*' section of *The Gay Science*, which May himself quotes with approval. Here Nietzsche tells us that the task of giving 'style' to one's character—a 'great and rare art' can only be accomplished 'by those who [first] survey all the strengths and weaknesses of their nature' (section 290). May, correctly in my view, thinks self-stylisation central to Nietzsche's counter-ethic, but he doesn't appear to register that its practice, according to Nietzsche, depends upon the prior completion of a 'survey' of one's 'nature,' which, if pointful, had better be a *truthful* survey, Here, and not for the only time, Nietzsche quite explicitly links truthfulness (at least about oneself) and artistry together. The third point arises

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when one asks what Nietzsche might have meant by saying that in art 'the *will to deception* has a good conscience', and the answer isn't far to seek, since Nietzsche goes on about it at some length: 'good people', he says, 'do not tell lies—that is true; but that is *not* to their credit! A real lie, a genuine, resolute, "honest" lie… would be something far too severe and potent for them: it would demand of them what one *may* not demand of them, that they should open their eyes to themselves, that they should know how to distinguish "true" and "false" in themselves. All they are capable of is a *dishonest* lie…, *dishonest mendaciousness*' (*Genealogy,* Essay III, section 19). Liars with a 'good conscience', that is, are not taken in by their own deceptions: indeed, like stylists of character, these liars, when they are also artists, survey themselves, they 'open their eyes to themselves.'

Individually and collectively I take these points to re-establish the link between artistry and truthfulness that May denies. They also, therefore, undermine May's claim that, because artists are 'Nietzsche's paradigmatic life-enhancers', life-enhancement cannot require life- or world-affirmation. For if what I have suggested is right, artists (i.e. genuine artists), on Nietzsche's understanding, *are* truthful, and so *do* have the capacity—as artists and as life-enhancers—to affirm life and the world in all their contingency, temporality and embodiment, in all their 'inescapable elements', at least in principle. It is true, as I said at the beginning of this discussion, that May's treatment of artistry constitutes only one of his reasons for denying the life-enhancer's need for life-affirmation—but it is a central reason. And my hunch, for what it's worth, is that once each of May's reasons has been investigated in detail (which I haven't the space to do here), it will turn out that some version of the standard reading is correct. i.e. that Nietzsche does indeed hold that any ethic offered as a counter to slave morality will have to be a life- and world-affirming one.

The second issue I want to focus on, though much more briefly, is the relationship between Nietzsche's genealogical method and truth. It is entirely to May's credit that he raises this question, since it is one that almost everyone is content to slide past (beyond noting, perhaps, that the historical facts of the matter may not always be exactly as Nietzsche says). It is, however, an obviously important question. If one decides that a genealogy needs to be true in order to do its work, then it becomes legitimate to ask, first, whether a particular genealogy *is* true, and second, whether, if so, the sort of work its truth enables it to do can be strictly *philosophical* (rather than, say, constituting some mix of cultural anthropology and the history of ideas). If, on the other hand, one decides that a genealogy needn't be true in order to be effective, then one might well wonder what a genealogy is supposed to be *for*, what its effectiveness might be supposed to consist in. May opts for the latter alternative, 'genealogies,' he says, 'attempt to explain one set of concepts or their functions only in terms of their *contingent* relation to an earlier or more elementary set… Such explanations do not attempt either to *reduce* or "*logically*" to relate the latter to the earlier concepts… In other words, a genealogy, even if fictional, simply provides a way of thinking about the present functions of

and motivation of our ethical concepts … by seeing them … in a manner that is free of the search for timeless "groundings". By re-presenting those functions and motivations in the light of such "historical" explanation, the genealogist frees them up, as it were, from the immense authority of tradition and habit by which they are hallowed, so that their value to us may be reassessed in terms of our deepest ethical commitments' (p. 73). This strikes me as a plausible account of one sort of effect that a genealogy might have. But I do not think that that is 'simply' all there is to it. Rather, I suspect that successful genealogies perform several functions—including, quite often, providing 'something like a Kantian transcendental argument' for one kind of concept's being the condition of possibility of another kind, a suggestion that May rejects (ibid.)—and that at least some of these will require that a genealogy be, in certain respects, true. In the passage just quoted, for instance, May blithely assumes that 'our deepest ethical commitments' are already just sitting there waiting to be enlisted. But it seems to me that one of the achievement of Nietzsche's genealogies is to show us how what we take to be our deepest ethical commitments are often neither deep, nor ethical, nor commitments—indeed to suggest that, after the Death of God, the very having of deep ethical commitments may itself have become difficult or problematic. And this, apart from striking me as true, clearly depends on Nietzsche's ability *perspicuously* to account for at least some features of our present condition—and it seems unlikely, to put it no higher, that such perspicuity can be achieved altogether independently of questions of truth and accuracy. I have no idea what a comprehensive picture of the relationship between genealogical method and truth might look like; but I am quite certain that it will be more complex than the picture that May presents.

I have mentioned only two of the many issues that May's book raises, and haven't said nearly as much as I'd have liked to about either. But it's that sort of book. All I can do, by way of conclusion, is urge anyone with an interest in Nietzsche to lay their hands on *Nietzsche's Ethics and his War on 'Morality'* as soon as possible. There is much to be learned from it, much to argue with, and much—*inter alia*—to enjoy.

Aaron Ridley

Justice is Conflict
By Stuart Hampshire
(London: Duckworth 1999) 93 pp. £10.95 hb

Stuart Hampshire's *Innocence and Experience* (Cambridge, Mass: Harvard UP, 1989), published over ten years before the volume under review, concludes with Heraclitus's vision of the individual and society as racked by unending conflicts which are only ever temporarily contained by fair compromises. *Justice is Conflict* begins with and elaborates this vision, taking its title from Heraclitus's Fragment 80: 'One should know that war is common, and that justice is conflict, and that everything comes about in

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accordance with conflict and necessity.' It is a characteristically dark saying from 'the obscure one,' and it may be wondered if Hampshire succeeds in clarifying his master's thought, much as he tries to demonstrate its relevance to people and states two and a half millennia later.

Hampshire's first chapter, 'The Soul and the City', starts by opposing his Heraclitean picture to the Platonic one in which justice both in society and in the individual requires the imposition of a harmony discovered by reason upon the warring elements within. In Plato's analogy the way reason operates in the soul is held to illuminate how the city should be governed. Hampshire reverses the analogy and argues that the way in which states actually do deal with the conflicts within them throws light on how an individual's reasoning works. States deal with conflicts, he claims, through 'procedures and institutions that all involve the fair weighing and balancing of contrary arguments' (p. 21). Inner deliberation duplicates this process in such a way that 'the adversary principle of hearing both sides is imposed by the individual on himself as the principle of rationality.' (p. 22) Thus reason should not be thought of as delivering an inescapable conclusion, as in the Platonic model derived from mathematics, but rather as weighing up evidence in support of an outcome whose measure is that of the fairness of the procedure which produces it. Reason is, therefore, linked to justice.

Hampshire goes on to draw a sharp distinction between reason, as exemplified in such procedures, and imagination, which is active in artistic creation and the construction of ethical ideals. The procedures of reason, he believes, are common to humankind while the products of imagination divide people into separate cultural groups and thus set in train many of the social conflicts for which adversary reason seeks a compromise. In drawing the distinction in this way Hampshire wishes to assert that cultural diversity is 'an essential and deep feature of human nature' (p. 43) and, therefore, to deny to reason a possible role in delivering an harmonious consensus about the good life. Reason vouchsafes only procedural justice of the sort which requires a fair hearing being given to both sides of an argument. Substantial justice in the distribution of goods, by contrast, reflects the conceptions of culturally located imaginations. These are inevitably divergent and conflictual because people define themselves in opposition to others and thus want to preserve their cultural distinctiveness. 'Conflict is perpetual,' concludes a Heraclitean Hampshire, 'why should we be deceived?' (p. 51)

Hampshire's second chapter, 'Against Monotheism', adds further reasons for this conclusion from the denial of a single supernatural source of moral authority. Instead we learn that the only universal virtues are those of procedural justice and these are founded upon the claims of reason. Indeed, 'a feeling for procedural justice and fairness and for rationality is grounded in human nature, and in the nature of human thought' (p. 71); although 'the cardinal error, the trap, is to project the more stable and widespread habits and conventions of a particular time and place into an abstract model and then to call this model "human nature"' (p. 61). In his

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third and final chapter, 'Conflict and Conflict Resolution,' Hampshire supplies a ground over and above our natural respect for rationality for advocating procedural justice, namely that the alternative to it is the use of force with all the evils which this brings. Yet still more may be required to recommend it, and here Hampshire turns to the history of success of institutions of procedural justice in delivering verdicts that conform to people's ideas of substantial justice. This generates respect for the locally established forms these institutions take in particular communities, when respect for rationality by itself might not be enough to prevent a conflict from erupting into violence.

Are we to believe the story of conflict and unstable compromise that Hampshire tells in his mission to undeceive us? Is it credible as a story necessarily applying to societies and to individuals always and everywhere? Indeed, is it coherent? The lynchpin of Hampshire's argument seems to be that there is a universally acknowledged norm of procedural justice which requires that both sides of an argument be heard because always and everywhere there are conflicting claims. Justice itself is conflict, then, because without such a conflictual debate there will be no fair consideration of a claim. And this aspect of procedural justice constitutes its rationality. But is it clear that everything we would recognize as justice of some sort, as administered in courts and the like, needs to conform to this adversary model which both presupposes and instantiates perpetual conflict?

Hampshire resents the imputation that he is 'representing procedural justice as only the English notion of fair play' (p. 44) and he appeals to the general idea of a fair contest which transcends local circumstances. Yet such an appeal is two edged. For suppose we all have it. Suppose, for example, we have such an idea of fairness as will incline us to say, with Hampshire, that 'a duel fought to resolve a quarrel can be fair, in virtue of its procedures, while an ambush or mere affray makes no pretence of fairness' (p. 28). Then this idea of fairness gives us a conception of justice which goes well *beyond* that of procedural justice, which alone Hampshire presents as having a universal hold on us; and, in particular, a conception which does not recommend itself to us because it instantiates inescapable standards of reasonableness: duels are fought with weapons, not arguments. Rather, the general idea of a fair contest seems to depend upon a notion of just distribution, in this case of opportunities—a notion which Hampshire associates with our conceptions of substantial justice. If adversary reasoning is recommendable because it involves a fair contest, then it too seems to depend on this notion of distributive justice and Hampshire's distinction between procedural justice as universal and substantial justice as culture-relative is undermined.

So let us set aside the appeal to a fair contest and turn instead to Hampshire's other explanations for our pursuing forms of procedural justice. One involves what he terms a transcendental argument: we are required on pain of inconsistency to hear both sides of an argument because this is exactly the procedure we employ in our own minds when

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reasoning towards some conclusion. Remember, however, that for Hampshire such individual reasoning is simply the internalization of public procedures. Can it, then, do anything to justify them? Perhaps Hampshire might escape the charge that it cannot (made by John Haldane, 'Review of *Justice is Conflict*', *Journal of Applied Philosophy,* vol. 18 (2001) pp. 91–4). Maybe he could reply that internalization offers a causal explanation of our individual reasoning procedures, but that these procedures then become the measure of what is rational in the public realm. Yet is the internalization story really plausible, for if Hampshire's account of procedural justice is to be believed then internalization would provide us with a faculty of reason that delivered only a *compromise* between competing claims? Even if, as Hampshire asserts, 'we do not know anything about reason as a faculty, apart from what philosophers and theologians and others have chosen to put into the concept' (p. 29), this would give a deeply sceptical picture of the powers of reason. For surely, it will be said, we do not consider both sides of an argument in our reasonings just because this is fair, but because not to do so will prejudice our chance of discovering the truth. And this, it may be further urged, is what recommends the procedure in public institutions too, which undercuts Hampshire's account of them as presupposing perpetual conflict. Is it not the search for truth which might explain the universality of procedural justice?

Hampshire's remaining explanation of our supposed propensity to favour procedural justice construed as mediating conflict is that it avoids the evils of violence and war which such conflicts would otherwise result in. This is presumably, though Hampshire does not seem to say so, a reason for preferring procedural justice to other fair contests such as duels, or, indeed, wars fought by just means. It is an instrumental justification and hence entails that there should be general culture-independent agreement on the evils of war, as Hampshire claims there is. Why he is entitled to this claim is far from clear, since an apprehension of these evils, like those of poverty which, he allows, is not universally condemned, depends upon 'feelings of sympathy and imaginative identification' (p. 78) depends, presumably, upon the exercise of imagination, which, we recall, Hampshire contrasts with reason as offering only culture-dependent moral conceptions. Although arguably inconsistent with this dichotomous account, however, Hampshire is surely right to discern necessary agreement between the parties in a conflict on what is of value. For if they really do see themselves as involved in a conflict, then they must agree on which states of affairs count as winning and which as losing—life and death respectively, say, in a duel. And that is possible only if they agree that the former is a good, the latter an evil. Conflicts, even conflicts of value, cannot, so to say, go all the way down.

Despite his Heraclitean posture Hampshire does in fact limit the scope of conflict. Indeed, his view of the imagination as parcelling people up into distinct cultural groups implies that within these groups certain sorts of conflict common in plural societies do not occur. One use to which Hampshire puts this picture, however, is in pointing up the conflicting

ideals of life for their members which cultures may espouse—an ascetic
calling, say, rather than the pursuit of glory. But the purpose of an indi-
vidual ideal is, one might think, precisely to bring the harmony to a life
whose quest Hampshire condemns. The ascetic is surely right not to give
the tempting voices of vanity an equal hearing with the dictates of con-
science. Hampshire condemns such 'fundamentalism' (p. 41). Yet he
avowedly does so from a liberal standpoint in which being open to such
contrary promptings is itself a virtue. Liberalism, though, is just one
imaginative vision among others. Its acceptance reflects a choice rather
than the Heraclitean recognition of an eternal verity that Hampshire
apparently wishes to present it as. Whether we should accept a liberal plu-
ralism of the sort that Hampshire commends is a hard political question.
But we should at least unwrap it from the Heraclitean clouds in which
Hampshire clothes it in this no doubt designedly provoking book.

Paul Gilbert

From Chance to Choice: Genetics and Justice
By Allen Buchanan, Dan W. Brock, Norman Daniels and Daniel Wikler
Cambridge University Press, 2000. pp. xiv + 400.

From Chance to Choice is a multi-authored volume produced with the sup-
port of funding from the Ethical, Legal and Social Implications (ELSI)
Program in the United States. This partly explains the explicit emphasis
on public policy implications and the fact that the discussion of philo-
sophical methodology is provided in an Appendix, as funded research in
this area is expected to inform public policy. The Human Genome Project
has been distinctive in being associated with a dedicated budget to support
research into the ethical aspects of human genome research, and this to
some extent explains the growth in the amount of discussion in the acad-
emic literature. The question arises, then, as to what, if anything, is dis-
tinctive about this particular contribution to the debate.

The book does make a distinctive contribution, but it is not in the sce-
narios with which the book begins, such as the job candidate with the
genetic enhancement certificate, interesting though they are to debate. The
range of issues considered in the text is fairly standard—eugenics and
reproductive choice, the difference between positive and negative genetic
interventions, embryo selection. Despite the emphasis early in the book on
the importance of genetic pharmacology the book largely predates the
issues current at the time of writing, such as pharmacogenetics and
genetic databases.

Nor is it the historical section on eugenics, despite the claim in an unat-
tributed Foreword to the volume that suggests that 'Unlike any other study
of the ethical issues in genetics, the book offers a historical context to con-
temporary debate'. It is simply not true that no other study of the ethical

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issues in this area has offered this. Bioethical discussion in Germany, for example, includes not only the use of historical evidence but explicit attention to the *relevance* of historical evidence to bioethics. The discussion of the difference between the historical facts about eugenics and the principles of eugenics is however an important one for a number of reasons. First, it does seem to be the case that the ascription of the label 'eugenics' to a proposed program is sometimes regarded as a knock-down argument against it, and the deficiencies in this kind of reasoning need to be exposed. It is important to consider exactly why, if it is indeed the case that it is, eugenics is an evil. The authors consider a number of arguments and plump for justice as being the key issue, which sets the tone for the book. The authors do not automatically reject the idea that there may be a case *for* some eugenic interventions, in fact their argument is that 'there is something unobjectionable and perhaps even morally required in the part of its motivation that sought to endow future generations with genes that might enable their lives to go better'—if that can be done justly.

The chapter on 'Genes, Justice and Human Nature' investigates this possibility and challenges the view that it is a requirement of justice only that natural inequalities are compensated for in distribution, rather than being directly changed by genetic intervention. On the contrary, they put forward arguments for the presumption that justice may require genetic intervention to prevent or ameliorate serious limitations on opportunities due to disease; and to regulate access to genetic enhancements, so that existing inequalities are not exacerbated. Given the prevalence of arguments in the literature that there is a significant moral distinction to be drawn between treatments and such enhancements, the authors give detailed consideration to this boundary issue and conclude that although there is no simple criterion to be found in such a boundary—in particular the permissible/impermissible boundary does not coincide with the treatment/enhancement distinction—that something would count as an 'enhancement' should serve as a 'moral warning flag' in public policy terms.

In the course of this analysis, the discussion of reproductive freedom, of parents choosing the best for their children, and of the open future argument, are perhaps the areas where there is least new in the book—similar arguments have been put forward by others. What is of most interest in this book however is the explicit discussion of the way in which traditional ethical thinking is itself challenged by the developments in genetics. In this way the book contributes both to the discussion of the new genetics itself and to the ongoing debates about ethical methodology, in particular about what it means for ethics to be 'applied'. Genetics has tested the limits of ethical thinking in a number of ways, partly in the way it has led to discussions of personhood and determinism, but partly in giving rise to reexamination, not only of the applicability, but also of the meaning of concepts such as autonomy and privacy, in the light of the controversy about genetic exceptionalism.

Some treatments of ethical issues in the new genetics have tried to apply

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existing principles to the developments. The authors rightly claim, for example, that a central concern among both bioethicists and the public has been control over genetic data, and that this has usually been discussed in terms familiar from medical ethics—that is, as a right of confidentiality and privacy. They argue, however, that its deeper significance is one of distributive justice. Where distributive justice is concerned, moreover, there is a need for a radical rethink. Arguably the main contribution to debate made by this book is the way this is illustrated through discussion of disabilities and the morality of inclusion. The authors skilfully dissect some of the criticisms of the new genetics from organizations and individuals concerned with the rights of persons with disabilities. They offer good grounds for the view that several of these criticisms are misconceived, e.g. the loss of support argument and the expressivist objection—that decisions in favour of genetic intervention express negative judgments about people with disabilities. They offer a balanced appraisal of the Deaf Culture argument. They acknowledge, however, that there is a danger that the new genetics *is* exclusionary in some sense and that this provides a challenge for theorists of justice. The argument is that such theorists have framed the problem of justice as one of distributing social benefits and burdens between participants in the cooperative framework, but that this overlooks the ways in which the choice of a cooperative framework itself determines who the participants are, in other words, who counts as disabled vis-à-vis the cooperative framework. So while the authors do not *reduce* disability to a social construction they recognize the ways in which theories of justice can construct disability and that this poses a clear challenge for theories of justice to create cooperative frameworks that are inclusive.

The discussion of the ethical issues in the book demonstrates the methodological anti-foundationalist commitment to wide reflective equilibrium. This is used both to justify both the use of hypothetical scenarios with which the book begins and to explain the developmental approach to ethical theory shown in the discussion of theories of Justice. In addition to the appendix on methodology in which the position of the authors is explained, there is an Appendix contributed by Elliott Sober on the meaning of genetic causation. This is an extremely valuable section of the book, in the light of some claims advanced not only in the literature but also in the media about genes *for* particular conditions or behavioural traits. There is a particular need for philosophical thinking in this area about the status of some of the statements that are made about different kinds of genetic influence, in view of ongoing discussions about determinism and personal identity. In this connection, therefore, it is disappointing that this is confined to an Appendix. What would be really interesting would be an examination of the ways in which basic philosophical questions about the meaning of causation feed into the ethical debate—and also into the public policy arena. Public policy is increasingly responding to ethics, though how ethics is conceived is not unproblematic. The incorporation of ethics into public policy, for example, may be understood in terms of being

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responsive to 'public concerns' rather than to philosophical arguments. It is one of the positive contributions of this book that it demonstrates the role of philosophy in public policy. For while public policy-making bodies may be asking ethical questions, there may be underlying philosophical questions that are not asked, including questions about causation, and it is important that explicit attention is given to these.

In sum, this book, despite its use of science fiction scenarios and its arguments about the need to develop ethical theory, is to some extent conservative. It is conservative in so far as the scenarios themselves are arguably a feature of an older-style way of approaching bioethics in genetics, and the discussion of the issues such as the distinctions between negative and positive is hardly new. Today bioethics has current, actual, scientific material which poses not only ethical but also philosophical questions about, for example, what it means to be informed in genetics, about changing paradigms in medicine, about concepts of the person in the light of the Human Genome Project. On the other hand, there are insights here, about the ways in which ethical theory is itself tested by technological developments, and the attempt to reflect explicitly on this while also addressing the issues.

Ruth Chadwick